



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 30 October 2006

14466/06

LIMITE

CULT	92
AUDIO	52
RECH	277
PI	62

REPORT

from : Permanent Representatives Committee (Part 1)

to : Council

No. prev. docs.: 13925/06 CULT 78 AUDIO 48 RECH 256 PI 54

No. Cion prop. : 12352/06 CULT 62 AUDIO 36 RECH 207 PI 46 - C(2006)3808 + ADD1+ADD2

Subject : Council Conclusions on the Digitisation and Online Accessibility of Cultural Material, and Digital Preservation
– *adoption*

1. The above-mentioned draft conclusions have been prepared by Coreper and the text can be found in the annex to this report.
2. The draft conclusions are now acceptable to all delegations subject to the following reservations:
 - Parliamentary scrutiny reserves: DE, DK;
 - Scrutiny reserve on the inclusion of an indicative timetable: PT.
3. Subject to the lifting of these reservations, the Council is invited to adopt these Conclusions and authorise their publication in the Official Journal.

Draft

COUNCIL CONCLUSIONS

on

**the Digitisation and Online Accessibility of Cultural Material,
and Digital Preservation**

THE COUNCIL OF THE EUROPEAN UNION,

Considering that:

- cultural heritage and cultural content and expressions embody and convey the European Union's common and fundamental values and demonstrate Europe's cultural and linguistic diversity;
- cultural content plays a key social and economic role. There is a real demand for digital content among citizens as well as within the research community. Digitisation and online accessibility of our cultural heritage can fuel creative efforts and support activities in other sectors, such as learning and tourism, thereby enhancing competitiveness and growth across Europe in line with the Lisbon Strategy.
- to avoid duplication of efforts and to create synergies, coordinated action at Community level is imperative; this action must nevertheless take into account that current levels of progress and coordination in Member States regarding digitisation of content and digital preservation vary considerably, as do the national priorities in these areas.

1. Welcomes

- the Commission Communication and Recommendation on 'the digitisation and online accessibility of cultural material, and digital preservation' as part of the i2010: digital libraries initiative.

2. Endorses

- the underlying strategic objectives and main elements of the Commission Recommendation on the Digitisation and Online Accessibility of Cultural Material, and Digital Preservation.
- the vision of a European Digital Library as a common multilingual access point to Europe's distributed - i.e. held in different places by different organisations - digital cultural heritage, hospitable to all types of cultural material (texts, audiovisual, museum objects, archival records etc.) and targeted at delivering rapidly a critical mass of resources to the users.

3. Recognises

- the variety of efforts ongoing in Member States to digitise and make accessible online the content of their archives, libraries and museums, as well as their different stages of progress.
- the valuable coordination work done by the National Representatives Group on digitisation (NRG) to exchange Member States' experiences and monitor progress, inter alia through the Dynamic Action Plan¹
- the need to anchor this coordination work within the Community's institutional framework.

¹ The Dynamic Action Plan for the EU co-ordination of digitisation of cultural and scientific content.

4. Underlines

- the instrumental work done at European level by CENL (the Conference of European National Librarians);
 - o in organising and creating The European Library (TEL) as a gateway to the collective resources of national libraries across Europe;
 - o in carrying this work forward towards the creation of the European Digital Library
- the work ongoing in the Michael² and Michael Plus projects in describing and linking digital collections of museums, libraries and archives from different Member States and providing access to these collections;
- that future work should be based on these and related initiatives, towards the goal of achieving a balanced cooperation_ between libraries, museums and archives;
- that while making from the outset conceptual and technical preparations for all categories of cultural material (texts, audiovisual, museum objects, archival records etc.), the European Digital Library may exploit in its early stages the potential of a critical mass of multilingual textual material;
- the importance of undertaking work in the field of digitisation, preservation and availability of content with full respect for Community and international legislation in the field of intellectual property.

² Multilingual Inventory of Cultural Heritage in Europe.

5. Takes note

- of the Commission intention to carry out studies on progress in the digitisation of culture within the European Union, on the socio-economic impact of long-term preservation of digital resources, and on the socio-economic impact of public domain resources;
- of the Commission intention to co-finance a network of centres of competence for digitisation and digital preservation under the 7th Framework programme for Research and development.

6. Invites the Members States

- To address the issues related to digitisation and online accessibility of cultural material and digital preservation identified in the Commission Recommendation, and in particular those aspects highlighted in these conclusions;
- As first steps, in line with the indicative timeline in Annex and taking into account the different starting points in the Member States, to
 - **reinforce national strategies and targets** for digitisation and digital preservation;
 - **contribute to the European digital library**, a multilingual common access point to Europe's distributed cultural heritage;
 - **improve framework conditions** for digitisation and online accessibility of cultural material and digital preservation;
 - **reinforce co-ordination** within and between Member States on related issues;
 - **contribute to an effective overview of progress at European level.**

7. Invites the Commission

- As first steps and in line with the indicative timeline in Annex , to
 - **stimulate and co-ordinate work towards a European digital library** as a common multilingual access point to Europe's distributed digital cultural heritage;
 - contribute to **improved policy co-ordination** on the digitisation and online accessibility of cultural material and digital preservation, in particular through the creation of a group of Member *States*' representatives to take forward the coordination work of the NRG within the Community's institutional framework, securing continuity - including effective transitional arrangements - and building on the experience and expertise gained.
 - **address framework conditions** for digitisation, online accessibility and digital preservation.
 - **assess overall progress** in the Member States on the relevant themes taking into account their different starting points; and to assess overall progress towards the European digital library and to report to the Council accordingly.

PRIORITY ACTIONS AND INDICATIVE* TIMETABLE

A. Activities and goals for Member States

1. To **reinforce national strategies and targets** for digitisation and digital preservation by:

- drawing up and updating plans and national strategies for digitisation of cultural material	2007
- establishing national strategies for long term preservation and deposit	Mid-2008
- developing quantitative and qualitative targets including the associated financial planning on a multi-annual basis for deposit, digitisation and online access of cultural material and long-term preservation	2007
- investigating, and where appropriate initiating and promoting public-private partnerships for digitisation	2007-2008

2. To **reinforce co-ordination** within and between Member States by:

- setting up national coordination mechanisms for digitisation activities, including at the regional and local levels, in the field of cultural content	2007
- exchanging information with other Member States in order to create synergies, to avoid fragmentation and duplication	2007-2008
- developing common criteria for selection of the material to be digitised with a view to achieving added value at European level	2007

* the suggested timetable for activities and goals represent targets for Member States and the Commission but does not have a binding character.

3. To contribute to the European digital library by:

- preparing roadmaps and incentives for cultural institutions to bring existing and newly digitised material into the European digital library	2007
- encouraging private content holders to make their copyrighted material searchable and accessible through the common multilingual access point	2008- 2009
- agreements or collective agreements between right holders and cultural institutions, such as archives, libraries and museums, by which the latter can make copyrighted material accessible online on contractual terms	2009

4. To contribute to an effective overview of progress at European level by:

- assessing the results and experience gained at national level	Spring 2008
- informing the Commission of these results and experiences and on the follow-up given to the different elements of its Recommendation and of these Conclusions on the digitisation and online accessibility of cultural material and digital preservation	Spring 2008

5. To improve framework conditions for digitisation and online accessibility of cultural material and digital preservation by:

<ul style="list-style-type: none"> - having identified and initiated action to remove barriers in national legislation concerning digitisation of cultural material and its online accessibility, including for study and research purposes or other uses subject to appropriate conditions. 	2008
<ul style="list-style-type: none"> - having mechanisms to facilitate digitisation and online access of orphan works and out of print and out of distribution works, while fully respecting content owners' interests and rights 	2008
<ul style="list-style-type: none"> - having an established legislative or other effective framework in support of digital preservation; this should include deposit of digital cultural material with legally mandated institutions, web-harvesting by such institutions taking into account <i>inter alia</i> Community data protection law, as well as multiple copying and migration 	2009
<ul style="list-style-type: none"> - encouraging cultural institutions to implement relevant technical standards for digital preservation within the organisational workflow of digitisation. 	2008

B. Activities and goals for the Commission

1. To stimulate and co-ordinate work towards a European digital library by:

- co-ordinating and stimulating the efforts to arrive at a multilingual common access point for the distribution of cultural material	2007 onwards
- co-ordinating and stimulating work towards solutions on issues relating to standards in order to achieve interoperability, and towards effectively dealing with multilingual access	2007-2008
- providing a forum for discussion with the private sector and relevant organisations in order to outline the principles for providing material for the common access point	2007-2008
- providing financial and other resources for activities on the European level; supporting within FP7 a network of competence centres for digitisation and digital preservation in Europe, while taking fully into account the varying possibilities for Member States and the specific characteristics of different types of cultural content; supporting within FP7 technologies underpinning innovative services that could be integrated in the common multilingual access point	2007 onwards

2. To contribute to improved policy co-ordination on the digitisation and online accessibility of cultural material and digital preservation by:

- monitoring activities carried out by the Member States and supporting cooperation between the Member States	2007 onwards
- assisting Member States to identify problems and to monitor bottle-necks, and to suggest, if need be, measures to kick-start the process of digitisation	2008-2009
- setting up a group comprising experts designated by the Member States to take forward the coordination work of the NRG within the Community's institutional framework, securing continuity - including effective transitional arrangements - and building on the experience and expertise gained	2007

3. To **address framework conditions** by:

- proposing solutions on certain specific rights issues, such as orphan and out-of-print works, while fully respecting content owners' interests and rights, and ensuring their effectiveness in a cross-border context	2008-2009
- on the basis of identified bottlenecks, propose corrective measures at European level if "flexible coordination" fails to lead to the expected results	2008-2009

4. To **assess overall progress** at European level by:

- monitoring progress in the Member States and towards the European Digital Library using both quantitative and qualitative indicators based on the information collected both at national and European levels	2007 onwards
- presenting a report on progress in the Member States and on progress in the common multilingual access point, and in particular assessing the extent to which the "flexible coordination" approach has been successful	2008

