



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 1 September 2009

**12814/09
ADD 1**

**AUDIO 32
CULT 54
RECH 254
PI 81**

COVER NOTE

from: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 31 August 2009

to: Mr Javier SOLANA, Secretary-General/High Representative

Subject: Commission Staff Working document accompanying the communication from
the Commission to the European Parliament, the Council, the European
Economic and Social Committee and the Committee of the Regions on
EUROPEANA - next steps

Delegations will find attached Commission document SEC(2009) 1124 final.

Encl.: SEC(2009) 1124 final



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28.8.2009
SEC(2009) 1124 final

COMMISSION STAFF WORKING DOCUMENT

accompanying the

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

on Europeana - next steps

Part I: Questions for the public consultation
Part II: Overview of the current content contribution to Europeana by country

{COM(2009) 440 final}

PART I

The present document complements the Commission Communication on 'Europeana - next steps' with a series of questions for consultation. Interested parties are invited to submit their comments on all or some of the questions **by 15 November 2009** to:

European Commission,
Directorate General for Information Society and Media
Unit 'access to information', EUFO 2281
Rue Alcide de Gasperi
L-2920 Luxembourg
or by e-mail to: INFSO.DIGITAL-LIBRARIES@ec.europa.eu

Contributions will be published on the digital libraries website of the Commission, unless requested otherwise by the organisation/person submitting them.

The questions of this consultation all have a direct impact on the future development of Europeana. Some of the questions - in particular questions 7-10 - also have more general policy implications for the digitisation, accessibility and use of content from cultural institutions. The replies to these questions will feed into the further policy development in areas such as the re-use of public sector information and copyright related questions for the digitisation and online accessibility of cultural material. In the latter area the questions complement the work undertaken by the Commission in the context of the Green Paper on copyright in the knowledge economy and the follow-up Communication. Where relevant, the results of the consultation will be taken up and further discussed in stakeholder groups and working groups with Member States' representatives.

Questions for consultation

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?

Question 2

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

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?

Question 4

How should Europeana further develop its own autonomous identity?

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?

Content for European

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?

Question 7

What is the best way to encourage cultural institutions and rightholders 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?

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)?

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?

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?*

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?

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?

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?

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 rightholders where the user can buy in-copyright content, or through another type of partnership)?

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)?

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?

PART II

Overview of the contribution of Member States to Europeana in % of the total number of objects (situation end July 2009).

EU countries	
France	47%
Germany	15.4%
Netherlands	8%
United Kingdom	7.9%
Sweden	5.2%
Finland	4%
Greece	1.6%
Italy	1.2%
Belgium	1.1%
Slovenia	0.7%
Spain	0.6%
Estonia	0.4%
Luxembourg	0.4%
Poland	0.3%
Romania	0.3%
Austria	0.2%
Portugal	0.2%
Hungary	0.1%
Latvia	<0.1%
Cyprus	<0.1%
Bulgaria	<0.1%
Czech Republic	<0.1%

Denmark	<0.1%
Ireland	<0.1%
Lithuania	<0.1%
Malta	<0.1%
Slovakia	<0.1%

Non EU countries	
Norway	4.3%
Switzerland	0.4%