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NOTE

From:	Permanent Representatives Committee (Part 1)
To:	Council
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Subject:	Draft Council conclusions on the role of Europeana for the digital access, visibility and use of European cultural heritage - <i>Adoption</i>

At its meeting on 18 May 2016, the Permanent Representatives Committee noted the unanimous agreement on the above conclusions.

The Council is accordingly invited to adopt the conclusions on the basis of the annexed text and to forward them for publication in the Official Journal.

Draft

Council conclusions on the role of Europeana for the digital access, visibility and use of European cultural heritage

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING THAT

1. digitisation and online access to cultural heritage and its long-term preservation are essential to enable access for all to culture and knowledge, promote richness and diversity of European cultural heritage and contribute to the achievement of the digital single market through the increasing offer of new and innovative products and services;¹
2. Europeana which was launched in 2008 as an online common multilingual access point for digital cultural material² and since then connects digital collections of cultural heritage from Member States, has become a common European cultural project for accessing and showcasing European cultural heritage;

¹ Council conclusions of 10 May 2012 on the digitisation and online accessibility of cultural material and digital preservation (OJ C 169, 15.6.2012, p. 5).

² Council conclusions of 20 November 2008 on the European digital library EUROPEANA (OJ C 319, 13.12.2008, p. 18).

3. further development of Europeana and national policies for digital cultural heritage was supported by the Council³, the Commission⁴ and the European Parliament⁵;
4. re-use of digital heritage was promoted through the inclusion, under certain conditions, of cultural heritage institutions within the scope of the Directive on the re-use of public sector information⁶ and by the adoption of the Directive on certain permitted uses of orphan works⁷;

TAKES NOTE OF

5. the Commission's intention to assess options and consider legislative initiatives to make it easier to digitise out-of-commerce works and make them available online, including across the EU, as part of its announced copyright modernisation initiative⁸;

³ Council conclusions of 10 May 2012 on the digitisation and online accessibility of cultural material and digital preservation (OJ C 169, 15.6.2012, p. 5), Council conclusions of 21 May 2014 on cultural heritage as a strategic resource for a sustainable Europe (OJ C 183, 14.6.2014, p. 36) and Council conclusions on participatory governance of cultural heritage (OJ C 463, 23.12.2014, p. 1).

⁴ Commission Recommendation of 27 October 2011 on the digitisation and online accessibility of cultural material and digital preservation (OJ L 283, 29.10.2011, p. 39).

⁵ European Parliament resolution of 5 May 2010 on 'Europeana – the next steps' 2009/2158(INI).

⁶ Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information (OJ L 175, 27.6.2013, p. 1).

⁷ Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 on certain permitted uses of orphan works (OJ L 299, 27.10.2012, p. 5).

⁸ As stated in the Commission Communication of 9 December 2015 "Towards a modern, more European copyright framework" (15264/15).

NOTES THAT

6. in its current form, Europeana is an internet platform allowing multilingual access to and distribution of digital cultural heritage held by separate cultural heritage institutions. It is also a multi-sided platform⁹ that aims to create value for end-users, Member States, cultural heritage institutions, research and creative re-use.

As such, Europeana is currently:

- operated by a consortium of which the Europeana Foundation¹⁰ is the central coordinator and main beneficiary of EU funding,
- supported by the EU from the Connecting Europe Facility¹¹ (CEF) as a digital service infrastructure (DSI) for 'access to digital resources of European heritage',
- supported by Member States that share content, metadata and expertise through their cultural heritage institutions and provide voluntary financial contributions to the Europeana Foundation,
- supported by the Europeana Network Association which assembles cultural heritage, creative and technology professionals who support the day-to-day activities of Europeana and advise on its strategy;

⁹ A 'multi-sided platform' is one of the prevailing models of the internet economy. Multi-sided platforms create value by facilitating interaction between two or more distinct, but interdependent groups. As such the platform is of value to one group of users only if the other groups of users are also present. (Based on <http://divergence.academy/business-models/what-is-a-multi-sided-platform/>.)

¹⁰ The Europeana Foundation is a private foundation established under Dutch law.

¹¹ Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility (OJ L 348, 20.12.2013, p. 129), in conjunction with Regulation (EU) No 283/2014 of the European Parliament and of the Council of 11 March 2014 on guidelines for trans-European networks in the area of telecommunications infrastructure (OJ L 86, 21.3.2014, p. 14).

AGREES THAT

7. the individual and combined efforts of cultural heritage institutions, Member States and the Commission have led to progress towards the digitisation, online accessibility and (long-term) digital preservation of cultural heritage¹²;
8. digital preservation of world cultural heritage, held in European collections, is important notably in light of the destruction of and threat to cultural heritage in conflict zones;
9. coordination of efforts through Europeana for the online accessibility of cultural heritage has helped:
 - stimulate capacity building by creating a network of experts and cultural heritage institutions, which promotes the development, uptake and consistent use of models, standards and frameworks for sharing content and metadata,
 - cultural heritage institutions to share their collections across sectors and across national borders through a multi-sided internet platform, which to date gives access to more than 50 million items from around 3 700 institutions,
 - encourage the availability of high-quality data ready for re-use¹³ which improves availability of cultural heritage on open platforms and social media and promotes its re-use in other sectors.

¹² An estimated 10 % of cultural heritage (around 300 million objects) in the Member States is now digitised, of which roughly one third is available online.
<http://www.enumerate.eu/fileadmin/ENUMERATE/documents/ENUMERATE-Digitisation-Survey-2014.pdf>

¹³ High-quality data ready for re-use means high resolution images; machine-readable, open and interoperable formats; rich descriptions and metadata, suited to automatic search; geolocation and copyright information.

10. connecting digital heritage collections through Europeana also contributes to the following objectives at EU level:
- giving a wide range of audiences access to the richness and diversity of European cultures, as well as to world cultural heritage,
 - facilitating research in and knowledge of the multifaceted culture and history of Europe,
 - facilitating re-use in new and innovative cross-border online services, and thereby contributing to the digital single market;

UNDERLINES THAT

11. re-use and sharing of content and access to it must be carried out in full compliance with copyright and related rights;

RECOGNISES THAT THE FOLLOWING CHALLENGES LIE AHEAD:

12. certain technological aspects of the Europeana internet platform, such as semantic interoperability¹⁴, should be enhanced, allowing cultural heritage institutions to connect, and share and update their content and metadata in a flexible, easy and sustainable way;
13. as one of the entry points to digital cultural heritage, Europeana's multilingual access point should become more user-friendly, in particular by improving the quality and findability of content and further developing semantic and multilingual search functionalities in line with best available practices;

¹⁴ Semantic operability ensures that programmes can exchange information, combine it with other information resources and subsequently process it in a meaningful manner (European Interoperability Framework for pan-European eGovernment services: <http://ec.europa.eu/idabc/servlets/Docd552.pdf?id=19529>).

In the case of Europeana, this could consist of the development of tools and technologies to improve the automatic ingestion and interpretation of the metadata provided by cultural institutions, for example, by mapping the names of artists so that an artist known under several names is recognised as the same person.

14. to better reach and engage end-users, content shared through Europeana needs to be presented in attractive and diverse ways, in particular by involving cultural heritage institutions and third parties as multiple entry and dissemination points, for example through cultural trans-European projects such as the projects on World War I (1914-1918) and the fall of the Iron Curtain and other revolutionary events of 1989;
15. the governance of Europeana needs to become more inclusive, involving Member States' governments, the wider network of aggregators and cultural heritage institutions in the setting of strategic priorities and the development of cultural, user-oriented projects on the basis of the available funding; where appropriate, the views of key cultural figures can be taken into account;
16. there is a continued need for sharing and updating knowledge and identifying common solutions within the network of cultural heritage professionals, including the Europeana Network Association;
17. the current public funding model (based on grants) does not provide a sufficiently stable basis for sustaining the Europeana investment to date and safeguarding its future quality, availability and reliability for the following reasons:
 - the Europeana Foundation was set up as an organisation without own resources and in the foreseeable future there is no prospect of raising significant income from Europeana services,
 - under the EU grant model, there are always ineligible costs which must be covered by other sources, such as direct voluntary contributions from the Member States, which have been in decline since 2014 and are volatile by nature;

AND THEREFORE

18. the cultural and digital innovation value of Europeana should be strengthened through re-envisioning the core service platform under the CEF, focusing on:

- supporting the professional networks such as the Europeana Network Association,
- achieving technological advancement,
- sustaining a multi-sided internet platform for sharing and (re)using metadata and content, and
- providing a general multilingual access point to cultural content.

It should also be strengthened through the realisation of cultural and user-oriented projects that build on the Europeana infrastructure, and which are to be co-financed under the CEF as generic services with the involvement of cultural heritage institutions and other public and private parties;

INVITES THE EUROPEANA OPERATOR TO:

19. make significant strides towards dealing with the challenges ahead as identified in these conclusions;
20. engage with outstanding issues in existing partner organisations or concerns of potential partner organisations in particular in countries and areas where the project is not yet sufficiently known;
21. explore possibilities for cooperating with related European initiatives, including in the area of research;

22. closely involve Member States in the policy- and decision-making. For the Europeana Foundation, this could be organised in particular through participation in the Governing Board of the Member State holding the Presidency of the Council of the EU, the Member State that held the previous Presidency and the Member State that will hold the next Presidency;
23. have more systematic contacts with Member States, improve and provide permanent access to country- and institution specific user statistics and improve the accountability on project results and spending;
24. continue to explore possibilities for raising own income;

INVITES THE COMMISSION:

25. by October 2017, to present to the Council an independent evaluation of Europeana and give clear orientations for the mid- and long-term development of Europeana by assessing alternatives at the EU level for the future scope, sustainable funding and governance of Europeana, including a possibility to transform or integrate Europeana into a European legal entity, whilst taking account of the dual nature of Europeana as both a cultural and digital innovation project;

26. by October 2017, to switch the funding method for the Europeana DSI under the CEF to a combination of procurement and grants. Under this model, EU procurement will fully cover the core service platform to ensure stability and interoperability, whilst EU grants (up to 75% of eligible costs) will be available for related user-oriented projects (i.e. generic services under the CEF) which Member States can co-fund on a voluntary basis, either directly and/or through participating national organisations;
27. to set conditions in the procurement procedure for the core service platform requiring the operator to safeguard its character of a public infrastructure and community for culture and digital innovation, in particular by:
- enabling the continuous involvement of Member States and cultural heritage institutions in the development of Europeana's core service platform,
 - respecting the national cultural institutions as right holders of the metadata and content;
28. ensure that Europeana generic services receiving grants are built on and connected with the core service platform;
29. by December 2016:
- to renew and revise the mandate of the Member States Expert Group on digitisation and digital preservation (MSEG) until 2020,
 - to strengthen its role to review and discuss policies for digital cultural heritage as well as to give guidance on Europeana's annual work programmes,
 - to closely involve the MSEG 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;

INVITES MEMBER STATES, IN ACCORDANCE WITH THE PRINCIPLE OF
SUBSIDIARITY, TO:

30. further promote digitisation of cultural heritage collections, as well as the widest possible access and re-use of digital cultural heritage;
31. put in place or sustain strategies and operational mechanisms such as national and regional aggregators, and encourage online accessibility of high-quality cultural heritage content and metadata from national and regional collections;
32. encourage cultural heritage institutions to join and support Europeana both by sharing content and metadata, by participating in the Europeana Network Association, and by promotion and dissemination efforts, making use of projects funded by EU grants;
33. engage in the MSEG as a forum to discuss policies for digital cultural heritage as well as Europeana's strategy and funding, and aim to ensure coordination between delegates to the MSEG, the CEF committee and the Council preparatory body in the field of culture;
34. consider supporting Europeana's activities through voluntary financial contributions to the Europeana Foundation, bearing in mind that such contributions are necessary, until the new procurement-based scheme is put in place and consider thereafter voluntary co-funding of Europeana's projects funded by EU grants;

INVITES THE EUROPEANA OPERATOR, COMMISSION AND MEMBER STATES TO:

35. promote the value of Europeana as a European cultural project serving the public interest and as a professional network amongst all stakeholders, by also engaging the research and innovation, education, tourism, and creative sectors.