



EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Media and Data
Creativity

**IMPLEMENTATION OF
THE COMMISSION RECOMMENDATION
ON DIGITISATION AND ONLINE ACCESSIBILITY
OF CULTURAL MATERIAL AND DIGITAL PRESERVATION**

PROGRESS REPORT 2011-2013

**Please complete and return by e-mail to
Rachel.Soucher@ec.europa.eu no later than 31 October 2013**

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| Country | Netherlands |
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NOTE: This template follows the structure of the Recommendation of 27 October 2011 on the digitisation and online accessibility of cultural material and digital preservation. This template should be strictly followed.

The Commission Recommendation was endorsed by Council on its Conclusion of 12 May 2012. The priority actions and indicative timetable contained in these Conclusions should clearly be taken into account in your reporting of progress.

Please note that particular attention should be given to new developments in the reference period 2011-2013, notably:

- Financial resources and quantitative/qualitative targets for digitisation
- Public-private partnerships for digitisation
- The transposition and implementation of the Directive 2012/28/EU of the European Parliament and the Council of 25 October 2012 on certain permitted uses of orphan works.
- Legislative or other actions taken by Member States to facilitate the large-scale digitisation of out-of-commerce works
- Actions taken by Member States to support Europeana (provision of content, funding, etc.)
- Measures taken by Member States to ensuring the wide and free availability of existing metadata produced by cultural institutions (Europeana Data Exchange Agreement)
- Financial and organisational aspects of digital preservation.

Besides your factual report, you are encouraged to raise any implementation problems or highlight any best practice examples to which you think special attention should be paid at national and/or European level. Where implementation is not fully reached, please describe how you plan to continue your work.

Please use the empty boxes underneath the questions to indicate your response/comments.

Please provide as much as possible quantitative indicators on progress achieved.

All reports will be published on the Commission's Digital Agenda for Europe website.

DIGITISATION: ORGANISATION AND FUNDING

1. PLANNING AND MONITORING OF THE DIGITISATION OF BOOKS, JOURNALS, NEWSPAPERS, PHOTOGRAPHS, MUSEUM OBJECTS, ARCHIVAL DOCUMENTS, SOUND AND AUDIO-VISUAL MATERIAL, MONUMENTS AND ARCHAEOLOGICAL SITES ("CULTURAL MATERIAL")

- Is there a scheme to plan, coordinate and monitor digitisation of cultural material?

If yes, provide details of all relevant aspects of the scheme and of the overall digitisation achievements (number of digitised objects) towards the overall targets mentioned under point 7 (support to Europeana).

The initiative to digitise lies with the cultural and governmental institutions. There is no overarching coordination on a national level. The national government does actively stimulate and support digitisation and this policy is increasingly surpassing the domain level, leading to national programmes focused on professionalization, linking collections and digitising content.

The policy document of Minister Jet Bussemaker dated June 2013 “Cultuur beweegt. De betekenis van cultuur in een veranderende samenleving.” states that digitalisation is one of the priorities partly because of its possibilities to enlarge the access to culture. The policy emphasizes the importance of the accessibility of the digitised content for instance so it can be used in education. The development and utilisation of common infrastructures is promoted to achieve this goal. From this broad perspective on digital heritage, the ministry takes a role as a director and connector between the parties involved. The aim is to develop a widely supported policy and roadmap for the future years.

Specific scheme's, targets and indicators are set and monitored by the institutions and programs themselves. Examples are: Images for the Future (Beelden voor de Toekomst <http://imagesforthefuture.com/nl>); the cooperation between the National Library (Koninklijke Bibliotheek) and Google; the digitisation of the collection of The Rijksmuseum; etc.

The DEN Foundation (Digitaal Erfgoed Nederland / Dutch Digital Heritage) provides an overview of all initiatives on a portfolio level. This portfolio has the form of a web-based knowledgebase. This knowledgebase is based on self-reporting by the institutions and programs.

The Dutch digitization achievements are reported in the Enumerate 2012 survey. Currently, ENUMERATE Survey #2 is running. In 2015 a new ENUMERATE survey is

planned as part of Europeana v3. This sequences of surveys are meant to monitor the progress of digitisation. For information about the achievements in the past (2009-2012) we refer to “Digitale Feiten” (Digital Facts / <http://www.den.nl/pagina/338/den-reports-in-english/>).

In 2012 the Ministry sponsored an event that presented the results of a major funding scheme, Digitaliseren met beleid, from which 60 innovative heritage projects were funded. The evaluation reports of these project are published in the knowledge base of DEN.

- Has your country set quantitative targets for the digitisation of cultural material?

If yes, please specify the targets and indicators/procedures for monitoring progress, if any.

There are no specific quantitative targets set by the Dutch Government. Specific quantitative targets and indicators are set on a programmatic or institutional level. The large programmes and heritage institutions have the following targets:

National Library (Strategic plan 2010-2013):

- 10% of all Dutch books, newspapers and periodicals should be digitised (60 million pages by the KB, 13 million by third parties);
- The National Library aims to have over 50% of all Dutch born digital publications (20 million objects);
- The National Library harvests 10.000 Dutch websites;
- The image collection from and about the Netherlands has grown from 400.000 to 600.000 images.
- KB / NA project Metamorfoze BT (Books and Journals) & Metamorfoze ABC (Archives and Special Collections). This programme has quantitative goals.

The National Archive (Strategic Plan 2010-2013):

- 5 -10% of the total collection is digitised and available online in 2015-2020. This means approximately 99 million pages (manuscripts)= 11km², 43.000 maps and 1,3 million photographs

Images for the Future:

- Digitization of 91.183 hours of video, 22.086 hours of film, 98.734 hours of audio and 2,5 million photographs.
- Development of services to increase the accessibility of digital audio-visual collection for schools, the general public and media professionals.
- Up until 2012, 16.902 hours of film, 85.022 hours of video, 95.581 hours of audio and 2.259.884 photographs have been digitized.

- Has your country set qualitative targets for the digitisation of cultural material?

If yes, please specify the targets and indicators/procedures for monitoring progress, indicate the expected increase in digitised material which could form part of Europeana and budgets allocated by public authorities.

Some qualitative requirements are part of the law. The Cultural Heritage Inspectorate (Erfgoedinspectie) ensures compliance with the law and promotes improvements to the management and care of cultural heritage. When necessary, the Inspectorate takes action in the event of incidents and calamities. The quality of digital preservation is part of their compliance check.

Furthermore there are quality requirements that have been agreed on a national level (self-regulation). These requirements, called De Basis (The Basics) are set for findability, creation, presentation, description and digital preservation on the minimal level (basic requirements). Institutions are expected to comply to these quality criteria. The requirements are based on international standards. The Basics are supported by various public funds and are also part of the national Museum Norm, used for certification of museums.

It has been calculated that the average annual budget for digitisation of a public cultural heritage institution in the Netherlands is 120.000 euro (this includes budget for staff, activities and hardware/software). This number is based on the input of 84 cultural institutions on their digitisation budgets. However, there are huge differences in budget.

2. PARTNERSHIPS BETWEEN CULTURAL INSTITUTIONS AND THE PRIVATE SECTOR IN ORDER TO CREATE NEW WAYS OF FUNDING DIGITISATION OF CULTURAL MATERIAL AND TO STIMULATE INNOVATIVE USES OF THE MATERIAL, WHILE ENSURING THAT PUBLIC PRIVATE PARTNERSHIPS FOR DIGITISATION ARE FAIR AND BALANCED, AND IN LINE WITH THE CONDITIONS INDICATED IN ANNEX I

- Have any cultural institutions in your country entered into PPPs (including also partnerships with non-EU partners) for digitisation or for facilitating the access to digital cultural heritage?

If yes, please provide details of the partnerships, compliance of the respective agreements with the conditions in Annex I of the Recommendation as well as contact details of the cultural institution involved.

On average the funding by Public-Private Partnership (PPP) is 9% of the entire digitisation budgets in the Netherlands.

The national digitisation programme in the AV-sector 'images for the future' has several connections with private partners. These partners procure assignments to preserve and/or digitise parts of the collection. The project is furthermore unique in that one of the conditions for public funding was the requirement to generate income through added value user services for digitised content.

In 2010 the National Library started a partnership with Google to digitise 160.000 out-of-copyright works. The digitisation is carried out by Google and the works are available in Google Books, the website of the National Library and Europeana.

The second private partner, ProQuest, is digitizing early printed books prior to 1700 on the KB's (National Library) request. Because of the fragility of this material, the works are scanned in the KB itself. The quality of the scans makes them suitable as a basis for transcriptions and for use in scholarly research.

In the Open Culture Data Hackaton several apps have been developed by the creative industry. See: <http://www.opencultuurdata.nl/competition/>

Dutch institutions are taking part in initiatives in which cooperation with private parties is at the core of the policy. See: <http://www.appsforeurope.eu/en> Europeana Creative.

The Creative Industries are considered in the Netherlands as one of the 'Top Sectors' to contribute to economic growth through innovation. Within the national programme for supporting Creative Industries (CLICK) there is a special programme to strengthen PPP in the cultural heritage domain.

- Has your country adopted legislation on PPPs in place (e.g. fiscal benefits, public procurement provisions) or is any such legislation under preparation?

If yes, provide details and references.

No. The Dutch authorities comply with EU regulations (translated into national regulations) on public procurements. The necessary legislation is in place.

3. USE OF STRUCTURAL FUNDS, WHERE POSSIBLE, TO CO-FINANCE DIGITISATION ACTIVITIES

- Is your country using Structural Funds for the digitisation of cultural material?

If yes, provide details of the amounts and the specific programmes.

No.

4. OPTIMISE THE USE OF DIGITISATION CAPACITY AND ACHIEVE ECONOMIES OF SCALE, WHICH MAY IMPLY THE POOLING OF DIGITISATION EFFORTS BY CULTURAL INSTITUTIONS AND CROSS-BORDER COLLABORATION, BUILDING ON COMPETENCE CENTRES FOR DIGITISATION IN EUROPE.

- Has your country taken practical measures to optimise the use of digitisation capacity?

If yes, please provide details about the ways to optimise the use of digitisation capacity. Does this involve cross-border collaboration?

There is some cooperation but many small institutions use their own equipment (cameras, scanners) controlled by volunteers (See: Enumerate). On top of that there are several major companies on the market, including Dutch companies with international markets.

The National Library continues to develop its expertise through some large scale digitisation projects for books, newspapers and journals. Most of this is done with national and international commercial digitisation scanning companies. The digitised material will be stored in the digital infrastructure of the National Library.

The project Images for the Future creates expertise on the digitisation and preservation of the audio-visual heritage. This expertise is used to assist smaller institutions with audio-visual collections through the Audio-visual Archives Network. The knowledge and expertise gained through the Images for the Future project is also fed into the international PrestoPrime Centre of Competence, funded by the EU and coordinated by the Netherlands Institute for Sound and Vision.

DIGITISATION AND ONLINE ACCESSIBILITY OF PUBLIC DOMAIN MATERIAL

5. IMPROVE ACCESS TO AND USE OF DIGITISED CULTURAL MATERIAL THAT IS IN THE PUBLIC DOMAIN

5.1. Mechanisms to ensure that material in the public domain remains in the public domain after digitisation.

- Has your country encountered obstacles in the process of ensuring that material in the public domain stays in the public domain after digitisation?

If yes, please provide details of the obstacles and explain how they have been overcome or how they are being addressed.

In general, the obstacles are legislative: Copyright legislation: copyright in reproductions (e.g. photograph) of public domain objects; legislation on portraits; database right legislation; legislation on privacy rights.

Public private partnership contracts KB concluded with Google and Pro Quest restrict third parties' reuse possibilities of the scans made by these companies of which the KB gets a copy (All restrictions regarding use or distribution of the digitized works terminate after 15 years.).

The Directive on reuse of public sector information and the database right enable cultural institutions to ask fees for the provision of public domain materials.

5.2. Widest possible access to digitised public domain material as well as the widest possible reuse of the material for non-commercial and commercial purposes.

- Are there projects or schemes for promoting the widest possible access to digitised public domain material?

If yes, please provide details.

There are several examples of projects and schemes for promotion of widest possible access to digitized public domain material:

- Example www.EarlyDutchBooksOnline.nl: reuse of both non-substantial and substantial parts of this database of digitised copyright-free books is explicitly permitted by the KB and partner Amsterdam University Library for any purpose, including commercial. Moreover, KB and the National Archives currently have a Wikipedian in residence. He will work on the inclusion of our copyright free collections in Wikipedia, which will require placing this content under an open content licence permitting also commercial reuse. (Also compare B. Savenije, A. Beunen, 'Cultural Heritage and the Public Domain', LIBER Quarterly 2012, 22 (2), at <http://liber.library.uu.nl/index.php/lq/article/view/8089>).
- Open Cultuur Data (Museums and the Web Paper) including this list of data sets: <http://www.opencultuurdata.nl/datasets/>

Other examples outside of the public domain, but creative commons:

- <http://www.openimages.eu/blog/2013/02/20/impact-metrics-increase-in-reach-and-reuse-of-open-images/>
- <http://mw2013.museumsandtheweb.com/paper/open-culture-data-opening-glam-data-bottom-up/>

- Are there any schemes promoting reuse of the digitised material for non-commercial and commercial purposes? Please also indicate whether there are mechanisms for monitoring such reuse.

If yes, provide details of the schemes or best practice examples. Please also indicate whether there are mechanisms for monitoring such reuse (take-up by organisations engaging in re-use and take-up by end-users/visitors).

There are no such schemes available in the Netherlands. For best practice see above.

5.3. Measures to limit the use of intrusive watermarks or other visual protection measures that reduce the usability of the digitised public domain material.

- Has your country taken measures to limit the use of watermarks or other visual protection measures reducing the usability of digitised public domain material?

If yes, please describe the measures. Where applicable, please also indicate best/worst practice examples.

Watermarking of digital material is generally considered as a bad practice in the Netherlands.

DIGITISATION AND ONLINE ACCESSIBILITY OF IN-COPYRIGHT MATERIAL

6. IMPROVE CONDITIONS FOR THE DIGITISATION AND ONLINE ACCESSIBILITY OF IN-COPYRIGHT MATERIAL.

6.1. Rapid and correct transposition and implementation of the provisions of the Directive on orphan works

- When and how is your country going to transpose the Directive on orphan works?

The Dutch Ministries of Justice and of Culture are currently working on implementing the Orphan Works Directive in national law and practice. Part of the implementation process consists of creating a list of sources and a national contact point. Currently, cultural heritage institutions, collective management organizations (of intellectual property rights) and the national government are discussing the needs and possibilities of introducing Extended Collective Licensing (ECL) in the law, given that the diligent search per work prescribed by the Directive is unfeasible for large scale digitization. In the Netherlands, ECL-like contracts are already being concluded by way of self-regulation, but these lack legal security for lack of a legal basis.

6.2. Legal framework conditions to underpin licensing mechanisms identified and agreed by stake-holders for the large-scale digitisation and cross-border accessibility of works that are out-of commerce.

- Are there any legal/voluntary stakeholder-driven schemes in your country to underpin the large- scale digitisation and cross-border accessibility of digital cultural works?

If yes, please provide details of the schemes, references and describe impact.

See 6.1 for voluntary ECL-like contracts which are concluded in the Netherlands for large scale projects.

As for KB: The library has negotiated with right holders for the digitisation of newspapers until 1994 and for older magazines until 1940. The result were contracts with cooperative publishers and more reluctant collective management organisations which also gave an indemnification for non-members. has concluded an agreement Public Libraries: Given the lack of a legally based lending right exception for e-books, negotiating with individual publishers on giving access to e-books remains difficult in the Netherlands. The KB's intention to place the 80 most consulted periodicals from the period 1850-1940 online, on the grounds of its mission, places the public interest of access to this material above private copyright considerations. The KB chose initially for an opt-out approach. This entails that copyright holders are not asked permission in advance, but are offered the possibility to communicate their objection. The discussions which followed with the collective rights organizations, Lira and Pictoright, resulted in the beginning of 2013 in an agreement for the digital re-usage of periodicals. In this way, a foundation was laid in 2012 for the KB's policy with respect to copyright, specified by type of material and period.

The Netherlands Institute for Sound and Vision launched the website FONOS seven years ago. On this website people can order copies of Dutch songs that are not available in regular music stores anymore.

E-books (the right to e-read): The Dutch Association for Public Libraries has started legal proceedings before a Dutch court, aiming at having questions asked to the Court of Justice of the European Communities on whether the existing EU lending right exception applies to e-books. The Amsterdam Institute for Information Law concluded in 2012 that it only applies to physical books, but the Association for Public Libraries thinks there is a lot to say for the opposite. Stakes are high since the Dutch government has reserved millions of euros for the acquisition of e-content for public libraries, which is to be made accessible via a national digital infrastructure to which all public libraries get connected. As from 2015 the KB will be the sole party negotiating for the public libraries with right holders on e-content including e-books. This new organization of the Dutch public library sector is put down in a bill for a new Dutch Library Act. At this moment, Dutch public libraries which try to negotiate with publishers on e-book lending encounter many difficulties, such as unwillingness. Libraries would thus be better served with a legally based lending right for e-books. On an EU level the European libraries' organisation EBLIDA pleads for e-book lending (the right to e-read), as does the International Federation of Libraries Associations (IFLA) on an international scale.

On the worldwide level of the World Intellectual Property Organisation (WIPO), international library organisations such as IFLA plea for a Draft Treaty on Library Limitations and Exceptions, aiming to provide more copyright leeway to libraries especially in the digital world. In several EU Member States, national copyright exceptions are being considered on text and data mining, user generated content, legal deposit legislation enabling the national library to include e-content in their collections and to harvest websites.

What are the planned actions in this area?

Libraries: The National Library has started its programme to guarantee that every book and article printed in the Netherlands will become digitally available within a few decades, in so far as permitted by copyright legislation. Part of this activity is to clarify

and solve were possible and feasible, copyright issues

The so-called FOBID commission researches and proposes legal solutions for copyright issues in library and (only recently) archives. It is also part of European forums for FOBID. Netherlands Library Forum is the national umbrella organisation and forum for co-operation between the national library organisations. The FOBID Legal Committee focusses on the implementation of the EU Directives on Copyright and Dutch law. The Committee also advises on licenses, database protection legislation, digital rights management and other related issues. The Committee co-operates with EBLIDA and IFLA's CLM Committee in the field of intellectual property (WIPO) and World Trade (WTO) issues.

6.3. Contributing to and promoting the availability of databases with rights information, connected at the European level, such as ARROW.

- How is your country contributing and promoting the availability of such databases at the European level?

The National Library (KB) is not a partner in ARROW. The Dutch government must ensure that a national orphan works database will be in place as part of the implementation of the Directive on Orphan Works.

In February 2014 Europeana Sounds will start, Netherlands Institute for Sound and Vision and Kennisland are consortium partners in this project. They will work with copyright holders and other content providers and publishers to seek ways to make more material, especially out-of-commerce content, accessible as demonstrated by the British Library Sounds website of 50,000 recordings which has been made possible by licensing arrangements.

EUROPEANA

7. CONTRIBUTE TO THE FURTHER DEVELOPMENT OF EUROPEANA

7.1. Encouraging cultural institutions as well as publishers and other right holders to make their digitised material accessible through Europeana, thus helping the platform to give direct access to 30 million digitised objects by 2015, including two million sound or audio-visual objects

- How is your country encouraging cultural institutions, publishers and other right holders to make their digitised material accessible through Europeana? Are there specific measures to encourage the contribution of sound or audio-visual material?

In 2012 the project 'Digital Collections in Europeana' started, in which a consortium of the larger heritage institutions work together in making the Dutch national aggregator and linking the national, thematic or domain aggregators to Europeana. Each member of this consortium also works on a specific domain level aggregator:

- National Archives (Nationaal Archief – domain aggregator for archives)

- Royal Library (Koninklijke Bibliotheek - domain aggregator for libraries)
- Cultural Heritage Agency of the Netherlands (Rijksdienst voor het Cultureel Erfgoed - domain aggregator for heritage)
- Netherlands Institute for Sound and Vision (Nederlands Instituut voor Beeld en Geluid (domain aggregator for audiovisual collections)

The project has organized several conferences in which the participation of Dutch cultural heritage institutions in Europeana was encouraged. Also support for thematic or domain level aggregators is provided via this project. All documentation of the project about participating in Europeana is channeled through the knowledge base of the DEN Foundation, the national knowledge centre for digital heritage.

Furthermore a lot of Dutch institutes (cultural heritage, universities, research etc) are working projects within Europeana. This draws a lot attention towards Europeana and has a positive effect on the general visibility of Europeana in the Netherlands and on the visibility of the Dutch contribution to Europeana.

7.2. Making all public funding for future digitisation projects conditional on the accessibility of the digitised material through Europeana.

- What measures has your countries taken to ensure that all cultural material digitised by means of public funding will be accessible through Europeana?

Currently there are no obligations for institutions for providing content towards Europeana. Cultural institutions work together in the project 'Digital Collections in Europeana' all cultural material digitised will be accessible through Europeana. As of march 2013 the Netherlands contributes 9 % of the total content of Europeana, which makes it the fourth largest content provider. This includes a recent major addition to Europeana on behalf of the Dutch Archives (through the APEX-aggregator), including 9.6 million digital finding aids linking more than 41 million digital archival objects .

The Dutch results from ENUMERATE show that Dutch institutions expect that their contribution to Europeana will increase with a factor 10 in the next two years.

Also the Netherlands supports Europeana financially and thus ensures the continuation of the accessibility of Europeana. With regards to housing costs, Europeana receives support from the National Library, to host the Europeana Office.

7.3. Ensuring that all their public domain masterpieces will be accessible through Europeana by 2015,

- What measures has your country taken to ensure that your country's public domain masterpieces will be accessible through Europeana by 2015? Have you set indicators to measure progress?

Up until now the Netherlands has taken no specific actions in making domain masterpieces accessible through Europeana.

7.4. Setting up or reinforcing national aggregators bringing content from different domains into Europeana, and contributing to cross-border aggregators in specific domains or for specific topics, this may bring about economies of scale.

- Has your country set up a national aggregator bringing content from different domains into Europeana? If yes, please provide details of the aggregator, participating organisations and content domains covered.

The Dutch national aggregator is the coalition 'Digital Collections in Europeana' run by the National Institute for Sound and Vision. All content domains are covered. Participating in the Digitale Collection are:

- audiovisual: Sound and Vision;
- heritage: Cultural Heritage Agency of the Netherlands;
- archives: National Archive;
- libraries: National Library.

Besides these there are several regional and thematic aggregators, such as the Netwerk Oorlogsbronnen (aggregator and portal on WW2 heritage) and UNICUM (aggregator for academic heritage).

Data Archiving and Networked Services (DANS) provides metadata in respect to archeological data. This is part of the national aggregator.

- Are there specific measures the participation of cultural institutions, publishers or other right holders in cross-border aggregators in specific domains or for specific topics? If no such measures have been taken, are you aware of voluntary participation by organisations based in your country? Please provide details of such participation and participants' motivation.

The participation of institutions in cross-border aggregators is not regulated by policy. Participation of institutions in European projects is recorded in the knowledge base of the DEN Foundation.

Some examples: The Netherlands Institute for Sound & Vision is voluntarily participating in several of such projects: Europeana Sound, EU Screen etc., the National Library is providing its own material into The European Library and The National Archive of the Netherlands is coordinating the European project APEX (Archives Portal Europe). Other Dutch institutions participate in projects like Europeana Inside, Europeana Local, Digitising Contemporary Art (DCA) and European Film Gateway.

The cultural institutions give several reasons for participating in such projects:

- Exchange of knowledge & expertise
- Building an European network of experts

- To ensure the leading role for the Netherlands within this field

7.5. Ensuring the use of common digitisation standards defined by Europeana in collaboration with the cultural institutions in order to achieve interoperability of the digitised material at European level, as well as the systematic use of permanent identifiers.

- How does your country encourage the use of common digitisation standards defined by Europeana? How do you support the systematic use of permanent identifiers?

The DEN Foundation (Digitaal Erfgoed Nederland), a partner in the Europeana network from the beginning, promotes the use of common standards and performs quality control of digitisation and access to digital heritage. By means of its knowledgebase it provides information about standardisation. Quality assurance of digitisation in the Netherlands is based on self-regulation. A set of minimal quality requirements have been identified (DE BASIS). More and more funding agencies and digitisation projects use these minimal requirements. These are the recommended standards, but as part of the self-regulatory system, institutions are expected to comply or, in case of deviations, explain.

In recent years, special attention has been paid to persistent identification. The project CATCHPlus ("Continuous Access To Cultural Heritage") has expanded several activities to develop a persistent identifier service for science and cultural heritage, in cooperation with the Amsterdam Computer Centre Surf/SARA and in an European context (EPIC).

Within Apex a specialist is working on Persistent Identifiers as a 'key participant in WP6 Linked Open Data and Persistent Identifier Research'.

There are several Dutch Persistent Identifier infrastructures emerging or already available to ensure sustainable links to data and metadata

- The URN:NBN infrastructure is used to reference publications and datasets.
- EPIC (Handle System) is used to reference all sorts of digital objects.
- Increasingly Datacite is being used as well.

Next to referencing objects, infrastructures are also being used to create opportunities to use identifiers for persons, such as the DAI (Digital Author Identifier). This identifier is being used to identify authors. Internationally collaborations are set up with ISNI and ORCID.

DANS is participating in the Europeana Cloud (eCloud) project. The eCloud project provides new content and new metadata for Europeana. It also creates a linked data system, new tools and services for scientists and creates a new platform: Europeana Research.

7.6. Ensuring the wide and free availability of existing metadata (descriptions of digital objects) produced by cultural institutions, for reuse through services such as Europeana and for innovative applications.

- Which measures has your country taken to ensure the wide and free availability of existing metadata? How do cultural institutions in your country take up the Europeana Data Exchange Agreement?
- What experience has your country been able to gather to re-use of free metadata for re-use if the underlying content through services such as Europeana or for innovative applications? Please provide details, examples and references.

DEN and the national aggregator-project have organised several conferences on the topic of metadata: ‘master your own metadata’ (‘Baas over eigen metadata’ 2012) and ‘the greatest common divisor’ (‘de grootste gemene deler’ 2013).

There are common standards for describing metadata within the previously described knowledgebase (DE BASIS). These are the recommended standards, but as part of the self regulatory system, institutions are expected to comply or, in case of deviations, explain.

The major cultural institutions in the Netherlands, such as the KB, the National Archives and the National Agency for Cultural Heritage support the take up of open data and make their metadata available with CC0-licenses, unless copyright, licensing agreements of privacy issues do not allow that. The Rijksmuseum has set an international standard with its Rijksstudio, in which a part of its collections has been made available as open data, including the high resolution scans.

Opening up metadata through standardization and harmonization of semantic relationships is a standard issue in most of the digital projects in the Netherlands. E.g. in the government funded project Erfgoed&Locatie (Heritage & Location) archives, libraries, museums and creative partners work together to standardize and open up location based heritage. Another large scale project in this area is SEALinc (Socially-enriched access to linked cultural media).

7.7. Establishing a communication plan to raise awareness of Europeana among the general public and notably in schools, in collaboration with the cultural institutions contributing content to the site.

- What measures has your country taken to establish a communication plan to raise awareness of Europeana? Are there specific measures targeting schools or other specific user communities? If yes, please provide details.

There is no national communication plan to raise the awareness of Europeana as such.

In the most recent Dutch subsidy for Europeana, several activities have been financed for raising awareness of Europeana within the Netherlands. Specifically for Dutch activities under the Europeana Awareness projects and workshops to support national Dutch institutes will be run.

Also several conferences on digital cultural heritage have been organized targeted at a

specific group of user communities to increase the engagement with Europeana:

- Digital Strategies for Heritage (DISH)(2010 education, 2012 Science). The themes of the DISH 2013 edition will be: Active Audiences, Business for Creative Industries and New Competencies. The conference will be a collaboration with the Europeana Annual General Meeting. See more at www.dish2013.nl
- Fashion edit-a-thon in cooperation with Europeana:
http://nl.wikimedia.org/wiki/Europeana_Fashion_edit-a-thon_Utrecht_oktober_2013
- Wiki Loves Monuments in cooperation with Europeana:
<http://www.wikilovesmonuments.org/partners/>

DIGITAL PRESERVATION

8. REINFORCE NATIONAL STRATEGIES FOR THE LONG-TERM PRESERVATION OF DIGITAL MATERIAL, UPDATE ACTION PLANS IMPLEMENTING THE STRATEGIES, AND EXCHANGE INFORMATION WITH EACH OTHER ON THE STRATEGIES AND ACTION PLANS.

- Does your country have a strategy for the long-term preservation of digital material? What actions are you planning to implement the strategy? Have you exchanged information with other Member States in order to devise your strategy and action plan? If yes, please provide details.

The major players in the public domain work together in the Dutch Coalition for Digital Preservation to develop a strategy.

For publications, audiovisual media and for archeological resources national e-deposits are currently in use and/or under development. The National Archive is in collaboration with Regional Historic Centres and some of the major municipal archives (Amsterdam, Rotterdam and Utrecht) preparing an e-deposit for archival materials. For other digital heritage (museum collections, monuments etc), no national solution is currently at hand.

PrestoCentre is an international collaboration between several renowned institutions in Europe and beyond. The centre works with academia, industry, government and the wider community to explore the potential of new technologies for digital audiovisual preservation. The Netherlands Institute for Sound and Vision is host to the centre. PrestoCentre facilitates peer support, promotes analysis and offers various channels to share, learn, and to leverage experiences to improve complex archival practice for small to large institutions. In 2013-2014, most of PrestoCentre's activities are managed under the Presto4U project, a European funded Coordination and Support Action.

9. EXPLICIT AND CLEAR PROVISION IN YOUR COUNTRY'S LEGISLATION SO AS TO ALLOW 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.

- Have your country made explicit and clear provision in its legislation to allow multiple copying and migration of digital cultural material by public institutions for preservation purposes?

The Dutch law on copyright has specified clauses related to this topic, which provide exceptions on the infringement on property rights in the case of use of digital cultural material for the purpose of restoration, preservation or mitigation to current technology.

10. MAKE THE NECESSARY ARRANGEMENTS FOR THE DEPOSIT OF MATERIAL CREATED IN DIGITAL FORMAT IN ORDER TO GUARANTEE ITS LONG-TERM PRESERVATION, AND IMPROVE THE EFFICIENCY OF EXISTING DEPOSIT ARRANGEMENTS FOR MATERIAL CREATED IN DIGITAL FORMAT.

10.1. Ensuring that right holders deliver works to legal deposit libraries without technical protection measures, or that, alternatively, they make available to legal deposit libraries the means to ensure that technical protection measures do not impede the acts that libraries have to undertake for preservation purposes, in full respect of European Union and international legislation on intellectual property rights.

- What arrangements has your country made to ensure that technical protection measures do not impede the acts that libraries have to undertake to guarantee long-term preservation of material created in digital format?

The Netherlands has no legal deposit legislation but publications get in the KB collection on the basis of voluntary agreements with publishers. This works well for physical works but less well for digital content (because publishers fear piracy) and for websites (harvesting is sometimes hampered by robots.txt/DRM). Access to the archive of websites is restricted to the library's premises due to copyright and privacy law concerns.

10.2. Where relevant, making legal provision to allow the transfer of digital legal deposit works from one legal deposit library to other deposit libraries that also have the right to these works.

- Has your country made legal provision to allow the transfer of digital legal deposit works from one legal deposit library to other deposit libraries that also have the right to these works? If yes, please provide details.

These provisions apply to public archives only. There is no Dutch legal deposit legislation for the National Library.

The Netherlands has a voluntary deposit function for printed material (e-deposit in the National Library). It is not limited to copies issued in The Netherlands. For scientific material the national library is one of the biggest storing places in the world with over 15 mil. of scientifically articles. The NL is now developing measures to cover the sustainability of born digital 'printed' material. For governmental information there are regulations by law, that state out what should be preserved and what can be neglected.

The Institute for Sound and Vision has taken the responsibility for Audio visual material. Scientific data will be preserved by DANS (Digital Archiving and Networked Services). Some smaller institutions take care of art-objects.

The Netherlands has a compulsory deposit function for governmental archival material and a voluntary deposit function for private owned archival material. The e-Depot of the National Archives is assigned to take custody of archival material of the central government. Provisions for other governments are being developed. There are no restrictions on media types although mostly documentary media is expected.

The deposit function is defined by archives legislation (Archiefwet 1995). Archival legislation and regulation does not differentiate between digital-born or reborn material. Archival regulation (Archives Regulation 2010) sets requirements on:

- metadata;
- conversion, migration and emulation;
- format types: open formats are mandatory if applicable.

In addition regulation is in place on substitution. "Substitution" refers to the replacement of archival documents with (digital) reproductions where originals are destroyed. The reproductions entirely replace the originals and must therefore meet the requirements laid down in archive regulations. Permission to substitute must be obtained from the State Secretary for Education, Culture and Science.

10.3. Allowing the preservation of web-content by mandated institutions using techniques for collecting material from the Internet such as web-harvesting, in full respect of European Union and international legislation on intellectual property rights.

- What measures has your country adopted to allow preservation of web-content by mandated institutions? Please provide details, e.g. of the types of web-content preserved and the organisations mandated.

The National library is preserving (cultural) Dutch websites. 3.000 in 2009, growing onto 10.000 in 2013. However, there is no legal deposit legislation for this activity. The library notices the website owner of its plan to harvest his website and gives him the possibility to object to this.

Smaller institutions take care of the preservation of websites on a thematic field (e.g. political parties or local websites).

There is no legislation on web harvesting for long term preservation and access (also regarding privacy aspects); this is expected to cause problems in the future.

The Netherlands Institute for Sound and Vision is working with broadcasters to digitize a wide range of media-related websites.

11. 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.

- How is your country taking into account developments in other Member States in order to prevent a wide variation in deposition arrangements? Please provide details.

The KB is chairing the CENL / FEP Working Group on Digital Publications. The group issued a Statement on the Implementation of (Statutory and Voluntary) Deposit Schemes for Non-Print Publications (30 May 2012).

ANY OTHER BUSINESS

- Please indicate in the box below any suggestions or other comments you would like to make, or any further information you consider of use for the purposes of this progress report and/or the further implementation of the Recommendation.