

Finland

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A. DIGITISATION AND ONLINE ACCESSIBILITY

A1. Progress on the systematic gathering of information about current and planned digitisation of books, journals, newspapers, photographs, museum objects, archival documents, audiovisual material and the availability of overviews of such digitisation in order to prevent duplication of efforts and promote collaboration and synergies at European level.

The Ministry of Education will draw up an overview of the current and planned digitisation activities (resources, services, outcomes, use) of libraries, archives and museums in spring 2008. Data collection of input, output and use of digital cultural material has previously been done in connection with the preceding NRG group, the last report covering the year 2006.

National memory institutions

Information about digitisation of the collections is included in the annual reports of the National Library, the National Archives Service, the National Board of Antiquities, the Finnish National Gallery, and the National Audiovisual Archive.

Four of the above mentioned national memory institutions have drawn up, or are currently preparing, multiannual digitisation programmes. These programmes are to be finalised in 2008.

Discretionary subsidies

Statistical follow-up of the use of subsidies for digitisation of museum collections granted by the Ministry of Education is carried out every year.

Digitisation projects of libraries

The National Library of Finland collects information about current and planned digitisation projects of both public and research libraries at least every second year.

Digitisation projects of memory institutions

A quality assessment and benchmarking framework "Mikaela" for Finnish digitisation projects with cultural heritage content is available on the web.

The framework is based on the benchmarking indicators produced by the MINERVA Project.

The Mikaela service, maintained by the National Library includes a database of digitisation projects of those memory institutions that have voluntarily joined the service.

Finland participates in the MICHAEL Plus Project funded by eTEN. The national MICHAEL portal will be opened in 2008 and gives access to the digital collections of various Finnish memory organisations, also for the European users. The National Archives Service and the National Board of Antiquities are members in the project coordinated in Finland by the National Library. The MICHAEL portal will be the first national portal for the digitised collections of memory institutions.

Developing information gathering at the national level

The overall picture of the current national situation and of the planned digitisation and accessibility activities in the future would be more coherent and complete, if the data produced was based on clearly defined indicators. At the moment, the information is not accurate enough.

In order to be able to collect information on digitisation of cultural material, indicators for at least input, output and use should be first defined at European level.

This would be the most logical way to promote accumulation of high-quality information on digitised cultural material at both national and European level. The national gathering of statistical data on digitisation, online accessibility and use of cultural material is planned to comply with the definitions and methods to be developed in the Numeric project.

A2. Progress on the development of quantitative targets for the digitisation of analogue material

in archives, libraries and museums, indicating the expected increase in digitised material which could form part of the European Digital Library and the budgets allocated by public authorities.

In Finland, the state budget is the key instrument for allocating state resources to libraries, archives and museums. Most of the state funding for digitisation activities and infrastructure is allocated to the national memory institutions as part of their yearly budgets.

In 2007, the Ministry of Education has granted a discretionary subsidy of 1,85 million euro to the National Library for developing digitisation of cultural heritage material.

In 2008, a new budget line of 2 million euro for digitisation of cultural material, and for accessibility and preservation of digital cultural content has been added to the state budget.

Digitisation and preservation projects with cultural heritage content have also been financed from European Structural Funds (ESF and ERDF) during the previous programme period, and also new operational programmes for 2007-2013 offer funding possibilities for these kinds of activities.

The national programme and the action plan on digitisation, digital accessibility and long term preservation of digital cultural material, and on long term preservation of scientific information, is presently in preparation, and will be finalised in 2008. The Council Conclusions on the Digitisation and Online Accessibility of cultural material, and Digital Preservation, and the Commission Recommendation on Digitisation and Online Accessibility of Cultural Material and Digital Preservation are the cornerstones for the national strategic planning. Drawing up of the programme and the action plan is part of the wider framework of implementing the national information society policy for 2007–2011.

Quantitative and qualitative targets for both digitisation of cultural material and accessibility to digitised contents are to be set in the national action plan, and in the strategies and work plans of the libraries, archives and museums. The yearly targets for national memory institutions will be set in negotiations with the Ministry of Education.

A3. Progress on partnerships between cultural institutions and the private sector in order to create new ways of funding digitisation of cultural material.

In Finland, Public Private Partnerships between libraries, archives and museums, and the private sector, are not common. PP Partnerships are nevertheless a growing trend in Finland, and this will inevitably have an impact to the content and service production of libraries, archives and museums in the future.

A4. Progress on the set-up and sustaining of large scale digitisation facilities.

One of the key challenges in the field of digitisation is to find sound solutions for large-scale, cost-effective service production for digitising cultural material.

The scope of feasible solutions varies from small-scale to mass digitisation, depending on both the quality and quantity of analogue material prioritised to be digitised, and on logistic and organisational factors.

In 2007, the Ministry of Education has granted a discretionary subsidy of 1,85 million euro to the National Library for digitisation of cultural heritage material.

The National Library of Finland invested in a high throughput audio mass digitisation system during the project "DUO" in 2005-2007. The project was co-funded by the European Regional Development Fund (ERDF). The digitisation system is designed for the organized transfer of physical audio carriers towards a digital media archive. The mass digitisation system enables to reduce transfer time but also to maintain the quality standard specified in the IASA TC-04 document.

A5. Progress of cultural institutions, as well as publishers and other rightholders to make their digitised material searchable through the European Digital Library. Describe in particular the progress on the application of common digitisation criteria by cultural institutions and, where relevant, private companies, in order to achieve interoperability with the European Digital Library and to facilitate cross-language searchability.

Ministry of Education has started a project called "National Digital Library", which encompasses digitization of prioritized cultural heritage material of museums, archives and libraries, and online accessibility and long-term preservation of both digitized and born-digital cultural material. The aim of this project is to establish one national access point,

through which the most essential cultural heritage collections are searchable on the item level. The service will allow access also to databases of immovable heritage and various services of museums, archives and both research and public libraries.

The interoperability of the digitized material at European level will be ensured by various means (common guidelines, instructions, recommendations, conditions of state subsidies, contracts). Defining of common digitisation criteria will be one of the key issues in implementing the national strategy for digitisation, accessibility and long-term preservation. Securing interoperability of the Finnish National Digital Library with the European common access point is partly dependable on recommendations and directions presently in preparation at the European level, especially in the framework of the EDLnet Project. A detailed description of organisational and technical requirements for interoperability is a prerequisite for "aggregators", such as national digital libraries and European portals, to be truly interoperable with the Europeana.

In addition, the Finnish National Digital Library aims at promoting development of feasible, cost-effective solutions for centralized digitization of different kinds of material, and at creating the lasting mechanisms for long-term preservation of digital cultural material and scientific information (common architecture and guidelines, common information system, legal and contractual responsibilities, processes etc.). The Finnish National Digital Library is run by the Ministry of Education, and will be implemented in close operation with museums, libraries, archives and other stakeholders. The programme and the action plan of the project, presently in preparation, will cover the years 2008-2011.

A6a. Progress on mechanisms to facilitate the use of orphan works.

The question of the use of protected works and subject matter whose right holders are not known or who may not be located and contacted (by using reasonable efforts), was identified in 1976, in the beginning of the present, and until these days uninterrupted revision round of the Finnish Copyright Act.

The question has been on the work programme since then but was approached in concrete terms only after the year 2000. The reason is that the problem never

came to the forefront in a larger scale, and in the meantime more general solutions on different matters solved and removed the question piece by piece.

In the preparatory process of the 2002-2005 revision of the Finnish Copyright Act, draft provisions (Copyright Commission's Proposal for a new Section 55a of Finnish Copyright Act. Report of the Copyright Commission 2002:5, in Finnish) on orphan works were included in the draft Bill which otherwise focused on the implementation of the 2001 Information Society Directive. The provisions were based on the Nordic model of extended collective licence.

The proposal was not, however, included in the final Bill that led to the amendments of 2005. The question of orphan works was left open. This was mainly due to the fact that in the hearing process the representatives of the media companies did not consider such a solution necessary. The matter is still being discussed.

Several general solutions under the provisions of the Finnish Copyright Act are applicable to the use of orphan works, and diminish the need for a specific solution of the question of orphan works.

Firstly, there are some provisions on limitations that cover relevant areas of uses where the repertoire contains orphan works.

Secondly, a number of provisions on extended collective licences are in a sweeping way applicable on uses in different fields, and apply in a similar way to all works and other protected subject matter without regard to the nature of the works in the sense now discussed.

A6b. Progress on mechanisms to facilitate the use of works that are out of print or out of distribution.

There have not been any dedicated specific active considerations so far. Ministry of Education will activate the necessary considerations, in the light of the needs of the European Digital Library project.

A6c. Progress on the availability of lists of known orphan works and works in the public domain.

The collective management organisations in their respective fields in Finland have best available information on orphan works.

A6d. Progress on the identification of barriers in your legislation to the online accessibility and subsequent

use of cultural material that is in the public domain – and the steps taken to remove them.

Most probably there are no or very few legal barriers in Finland to the works in the public domain. If there are problems, they might be mostly of a factual nature; the materials are held by institutions, and the availability may depend on the willingness of the institutions to make the materials available.

B. DIGITAL PRESERVATION

B1. Progress on national strategies for the long-term preservation of and access to digital material. Describe the organisational approach, indicating the roles and responsibilities of the parties involved as well as the allocated resources. Describe the specific action plans outlining the objectives and a time-table for the specific targets to be met.

In February 2007, the Ministry of Education set up a Working Group on Long-term Preservation of electronic cultural heritage material and scientific information. The tasks of the working group were:

- 1) To define principles for long-term preservation and use of electronic materials at the national level.
- 2) To draw up a plan for organizing long-term preservation, with emphasis on legal preservation obligations of the central governmental bodies (the National Archives Service, the National Library of Finland, the National Board of Antiquities, and the National Audiovisual Archive).
- 3) To examine benefits of shared technical infrastructure.
- 4) To make a proposal for a funding model and administrative structure for a shared technical infrastructure.
- 5) To make suggestions on how to improve education and research in the field of long-term preservation.

The committee submitted its final report on 17 January 2008. The Ministry of Education will set guidelines for future work in the field of long-term preservation of cultural heritage and scientific information, after having consulted the stakeholders, in spring 2008.

The work is presumed to be continued in a form of a broad-based, two-year project 2008-2009, and in smaller pilot projects.

B2. Progress on exchange of information with other Member States on your strategies and action plans.

The sharing of information on the strategic process, and legislation with other Member States has been occasional.

B3. Progress on legal provisions for multiple copying and migration of digital cultural material by public institutions for preservation purposes.

In 2005 new provisions were inserted into the Copyright Act on reproduction and communication to the public of works within archives, libraries and museums. According to Section 16, an archive, and a library or a museum open to the public, to be determined in a Government Decree, may, unless the purpose is to produce direct or indirect financial gain, make copies of a work in its own collections:

- 1) for the purpose of preserving material and safeguarding its preservation;
- 2) for the purpose of technically restoring and repairing material;
- 3) for the purpose of administering and organising collections and for other internal purposes required by the maintenance of the collection;
- 4) for the purpose of supplementing a deficient item or completing a work published in several parts if the necessary complement is not available through commercial distribution or communication.

Section 16a includes provisions, in line with Article 5(3)(n) of Directive 2001/29/EC, which enable the communication to the public of works within the above-mentioned archives, libraries and museums.

B4. Progress on policies and procedures for the deposit of born-digital material. Please note how you are taking into account developments in other Member States in order to prevent a wide divergence in depositing arrangements.

A new Act on Deposit and Preservation of Cultural Material (former Legal Deposit Act) entered into force on January 1, 2008. The Act includes the deposit of material which is made available to the public on CD's and DVD's, with the exclusion of computer programmes.

B5. Progress on legal provisions for the preservation of web-content by mandated institutions.

Provisions of the Act on Deposit and Preservation of Cultural Material, in conjunction with provisions

of the Copyright Act, mandate the collection and preservation of web-content originated in Finland. In those cases where the process of collecting

the web-content can not be computerized, the Act includes an obligation for the web-publisher to hand the material over to the National Library.

