Poland

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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.

Minister of Culture and National Heritage in June 2006 established the Committee for Digitisation. This assembly, compound of high quality specialists representing different memory institutions, is responsible for coordinating and governing the process of digitisation in Poland. Head of the Committee is the director of the National Library of Poland. One of the tasks of the Committee is to gather information about current and planned digitisation initiatives of all kinds of cultural material in different institutions, and to create overviews of such digitisation in order to prevent duplication of efforts and being able to indicate the predictable increase of digitised material in future. The routine processes adopted by the Committee for managing digital collections and records should preclude, or at least minimise, any double handling or unnecessary duplication of digital objects.

In 2007 in Poland was established the Digital Libraries Federation, developed by Poznan Supercomputing and Networking Center. This is a network portal which gives the users a possibility to search entire resources of Polish digital libraries, which use OAI-PMH protocol. It includes (February 2008) over 118 000 published and planned digital publications from 18 Polish digital libraries. The biggest libraries in DLF are:
- Wielkopolska Digital Library
- Kujawsko-Pomorska Digital Library
- Polona National Digitial Library
- Małopolska Digital Library
- Âlàska Digital Library
- University of Wrocław Digital Library
- Zielonogórska Digital Library.

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 two last years there has been a noticeable increase of digitisation initiatives in Poland, and as a result of it a rise of quantity of digitised cultural material. Now the digitisation activity is run not only by main state and academic archives and libraries, but also by smaller public libraries and regional museums. It is important to mention that most libraries provide online accessibility of digitised cultural material, while archives and museums digitise mainly for preservation and their own needs or present the digital material in form of virtual exhibitions. According to research led by the Committee for Digitisation in the end of 2007 in Polish memory institutions were:
- In libraries: ca 200 000 digital object (over 130 000 accesible via Internet) – in 2005 44 000 objects
- In archives: ca 500 000 digital objects (mainly for preservation needs, 1% accessible via Internet)
- In museums: ca 500 000 digital objects (mainly for own needs, 1-2% accessible via Internet in form of virtual exhibitions).

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

In Poland up to now there is no examples of successful partnerships with private sector companies to provide on-line access to digitised cultural heritage.

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

In general, Polish memory institutions are not prepared up to now for the large scale digitisation. The main

reason is lack of funds. However, in 2008 the National Library of Poland plans to digitise ca 30 000 objects from collection containing postcards, photographs, drawings, etc, mainly from public domain and to give access to them via Polona National Digital Library.

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.

Important activity of the Committee for Digitisation is to encourage the memory institutions the adoption of common technical guidelines and open standards in order to enable building of e-services that give integrated access to cultural and scientific heritage for all users. In 2007 two working groups were convened by the Committee: working group on technical standards and working group on metadata standards. They spent the majority of its time working towards the goal of preparing two important documents: guideline for technical standards and for metadata. Recommended standards will be used by Polish memory institutions. Important role in this work is played by the National Library, which has rich digitisation experience and is a host of the National Digital Library Polona.

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

Copyright and intellectual property rights are very important issues in Polish digitisation. Polish memory institutions realize that digitisation and making available of digital works must not undermine the right of the creators or the commercial sustainability of the publishing industry. From a legal and an economic point of view orphan works and out-of-print works cannot be neglected. Polish cultural institutions need a copyright legislation which is more friendly to the legitimate interest of the public and which is really supporting the public domain as a main source of creativity. Reasonable solution could be for national copyright legislation to establish a basis for licensing mechanisms, e.g. the law might require that before

this kind of digital material is published, reasonable efforts must be made to identify copyright owners. In projects of academic and high schools libraries, obtaining copyright clearance for book and journals' articles is a bigger problem than technical issues of image capture. New copyright to harmonise legislation between EC member states pose some problems for identifying copyright owners and digitisation of local studies material. This must be taken into account in all Polish digital libraries when assessing collections for digitisation. Libraries, archives and museums should cooperate with initiatives like the Open Content Alliance and donate digitised public domain materials to them. Ideas and proposals for improving legal conditions for digitisation, accessibility and preservation is the important field of Committee for Digitisation activity. In Poland up to now there are no mechanisms or official statements to facilitate the use of orphan works. But common approach in the digital libraries is to allow users to use digital copies of orphan works without permission after a reasonable enquiry to identify and locate the copyright owner, led by the digital librarians.

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

In 2007 there was no progress in this area. In November the Committee for Digitisation convened the working group on copyright to define a strategy for dealing with copyright issues in relation to digital materials.

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

In 2007 there was no progress in this area. In November the Committee for Digitisation convened the working group on copyright to define a strategy for dealing with copyright issues in relation to digital materials.

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.

All projects concerning digitisation of Polish cultural heritage must respect the intellectual property rights of the resources they work with, including the rights of the owners of the source materials that are digitised, the rights of the owners of the digital resources and also the rights or permissions granted to a service provider to make the digital resources available. Access

to digitised cultural heritage content is encouraged and promoted in Poland as long as it conforms to Polish copyright law, respective EU and international regulations on copyright.

There are some obstacles of a legal nature that cause the lack of general access to digital cultural heritage. Main obstacle in digital libraries is related to copyright. According to the law regulations (Copyright Act, 1996) Polish memory institutions are allowed to give public access to the digital objects 70 years after the death of author (co-author, translator, illustrator, etc.). In archives important obstacle is protection of individual privacy (Personal Data Act, 1997). However, to maximise the value of digitisation projects, material in copyright as well as material out of copyright must be included. In few Polish digital libraries (e.g. Polona National Digital Library, Kujawsko-Pomorska Digital Library) digitised materials with copyright are accessible only via intranet, with protection of the intellectual property of publishers and copyright owners from uncontrolled transmission and copying.

The working group on copyright of the Committee for Digitisation will work in 2008 on the problems concerning copyright relation to the digital materials and will define a strategy for dealing with copyright issues.

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.

The main efforts of the Committee for Digitisation are dedicated now to create the national strategy for digital preservation of Polish cultural heritage. The strategy will contain a framework for developing the cooperation of all institutions responsible for cultural heritage and will consist of main recommendations concerning common criteria for selection of the material, technical standards of scanning, processing the scanned material, metadata, online access and long-term preservation. The problem is that technical methods for the long-term

preservation of digital resources in Poland are still far from being a functional application for mass usage and that Polish memory institutions have no experience in testing the sustainability of large digital repositories facing software and hardware obsolescence. Only when trustworthy and persistent organisational and technical procedures will be established, digital repositories may rely on digital copies of scanned originals.

In 2008 the National Library is going to initiate the test project of National Repository of Electronic Documents to establish a production line for archiving digital objects.

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

Polish strategy for digitisation and long-time preservation of digital objects in 2008 will be translated into English and published in Internet. The Ministry of Culture and National Heritage plans to present it in international conferences.

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

There was no progress in 2007 in this area.

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

The rapid growth of the amount of web-content and born-digital documents has created the need for its long-time preservation. That is why the National Library of Poland in 2008 is going to initiate the test project of National Repository of Electronic Documents (Narodowe Repozytorium Dokumentów Elektronicznych) to establish a production line for harvesting and archiving digital documents covered by the Polish legal deposit act. Since 1996, the law has mandated deposit of electronic documents. National Library of Poland is the legal deposit institution for Polish publications, however, its tools and infrastructures are not oriented towards Internet documents yet, so legal deposit is mainly restricted to digital publications on physical media, such as CD-ROMs.

Pilot project will consist of few steps:

- preparing a strategy for the preservation of Polish web space (.pl domain)
- selection of appropriate storage systems
- development of a suitable legal framework
- choosing webcrawling software to automatically copy and collect the Internet content (open source products)
- choosing optimum methods for ensuring future access and preservation
- investigating metadata formats for the description of electronic documents
- initial gathering of a snapshot of the digital content (at least two thematic harvests on a given subject).

Results of the pilot project will help to choose the web archiving model. Now the National Library plans to archive defined portions of web space (static and dynamically created web pages) and other kinds of resources (physical format electronic products transferred to server hard disks, static online publications, e-journals, e-books, etc.).

The aim of the National Repository of Electronic Documents will be protection of the Polish web cultural heritage. To run the project in a routine way, two conditions must be met: sufficient long-term funding and legal background, including the legal deposit legislation. The next step after the creation of the Repository will be providing access for library users, although it is a difficult matter due to the many, and sometimes conflicting, regulations in the legal deposit act, the copyright act and the personal data act. Important area of the Repository's activity will be also making agreements with publishers for chosen digital resources, which will authorize the National Library to make accessible online the archived digital content.