

# Slovenia

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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.**

1. To improve framework conditions for systematic digitization and online accessibility of cultural material in national legislation the following provisions have been provided:
  - New Cultural Heritage Protection Act adopted at the beginning of the year 2008 is the most important progress on systematic digitalisation and gathering cultural content. Act clarifies the legal background for interoperability among different sources and institutions, in the following sense: the providers shall keep the register and document the heritage, including the library and archival materials, in the form and in the manner enabling a uniform presentation of all public digital materials on the Internet. The act also introduces the obligation of the accessibility of the digital cultural content, if financed from public money in the way that all institutions producing contents that are important for the Register shall regularly, free of charge, and in the form and manner prescribed by the Minister, transmit these contents to the Ministry for the needs of the Register, if the production of these contents is financed from public resources
  - New Legal Deposit Act was passed by the Slovenian parliament on October 2006. Act has been extended to include electronic publications. It regulates also legal deposit, digitally born publications and web-harvesting
  - New Protection of Documents and Archives and Archival Institutions Act entered into force

on March 2006. Provisions newly introduces maintenance, use, and preservation of digital archival documents.

2. To establish the strategic framework of digitization, preservation and accessibility of cultural content the special part of the "Strategy of Development of Information Society in the Republic of Slovenia si2010" is devoted to the national vision and strategic goals of digital cultural content. It has been adopted by the Government of the Republic of Slovenia in June 2007.
3. In order to harmonise digitisation plans and monitor the activities and prevent duplication of digitization the national expert group on digital cultural content has been nominated in 2006. The experts come from different cultural fields; museums, galleries, libraries, archives, multimedia centres, audiovisual field, etc. The expert group is lead by the state secretary of the Ministry of Culture.
4. To overview the digitalisation activities at the beginning of 2007, the national data base about past and planned digitisation of cultural material has been established. The data base is regularly updated on national level mainly when executing the procedures of financing or co-financing by the Ministry of Culture.
5. To improve dissemination of information the thematic portal on digital cultural content named e-culture is in developing phase. The data base on digitisation is published on the portal, as well as actual information and recommendations regarding digital cultural content, accessibility and preservation of cultural material. Exchange of information among museums, libraries, archives, and other cultural institutions is encouraged.

**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.**

1. The operational measures for preservation, digitalisation, and accessibility of the digital cultural content is part of the "National programme for culture (2008-2011)" which has been adopted recently. The benefits of these efforts are recognised as existence of national cultural contents for future generations, increase the use of cultural contents in lifelong learning and creative industries and with this creative inclusion into information society, knowledge society and recognisability of Slovenian cultural heritage in Slovenia, Europe and world. The following measures are introduced:
  - establishment of a common centre for secure and long-term preservation of digital cultural contents at national level for museums, libraries, archives, mass media and other cultural fields
  - acceleration of the digitalisation of the existing analogous cultural contents in a form and content appropriate for multipurpose uses for permanent preservation, education, research, presentation and repeated creative use
  - increase accessibility of digital cultural content, especially through Internet, support of development and function of e-facilities, e-business, "one-stop" portals, information systems for maintenance and use of digital content and web services
  - linking digital cultural contents (e-mass media culture, e-fine arts and multimedia, e-cultural heritage, e-archives, dLib Slovenia) in common presentation and interoperable framework, applicable for e-services, e-education, research, promotion, creative industry and inclusion in the European Digital Library and other international digital collections.
2. The above mentioned Programme also introduces the following indicators for measuring the success of digitisation and accessibility of digital content:
  - the number of institutions in the field of culture that provide for the sustainable preservation of the digital contents
  - the share of the digital cultural contents for which sustainable preservation is provided (physical scope)
  - the number of digitised units per year, the number of units displayed by means of the Slovenian joint culture portals

- the number of units displayed in the European Digital Library (EDL) originating from the Slovene museums, libraries, archives and other cultural institutions
  - the number of units transferred using web services.
3. The main financial instrument is cofinancing the digitisation of analogue cultural contents, especially the content of important cultural value for Slovene and European culture. The core of this financing is state budget where allocating the amount of 2MIO EUR for the year 2008 and 2009.
  4. The next step is to develop common method for the selection of the material to be digitised. The analytic hierarchy process methodology is suggested to be used for prioritization decision support model.

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

1. New Slovenian Public-Private Partnership Act entered into force in 2007. Provisions affect public financing of public institutions, as Slovenian cultural institutions mainly are. Act is giving new opportunities for promotion and furthering digitisation projects according to the model of public-private partnership.
2. Legislation provides general provisions on public-private partnership, which can be applied to the area of digitization. First pilot cases are therefore emerging in different fields (e.g. national archive, national library). Most of such cases are based on the role of the private partner as an investor providing needed technological infrastructure and the role of the public partner as providing access to the material. Business models are mostly based or are expected to be based on joint exploitation of digitized content.

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

1. In Slovenia there is a considerable lack of digitization expertises on certain cultural content areas, especially when museums are in question. Therefore two research projects for piloting the digitization have been prepared and completed at the end of 2007.
2. Above mentioned research results are going to be the initial points for public proclamation

of digitization in the year 2008 and 2009 when government encourage establishing the consortiums of enterprises for digitization of cultural content.

3. Development project NUK Jožeta Plečnika is very important regarding the digital content of libraries. Project consists of building a new library and includes the project for digitization of cultural and scientific heritage. Development project is a part of the "Resolution on national development projects of the Republic of Slovenia". The project is now in the design phase.

**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.**

1. The cultural institutions are using technical standards, recommendations and guidelines as is Dublin Core, XML, OAI, Spectrum... This is considered as first condition to make digital material interoperable among several digital content providers, users and within the European Digital Library at the first place
2. In order to facilitate the multilingual and cross-cultural search and retrieval of the digital content we began or strengthened the projects concerning terminology and thesaurus in Slovene language
3. National and University Library, Ljubljana is a Slovenian flagship promoter of the European digital library. Participation in EDLNet and EDL Project demonstrates to Slovenian users the benefits when digital content in Europe is more cross border accessible and usable. It is estimated that in the National and University Library will be available about 500 000 digitalized items at the end of this year.

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

Problems related to orphan works are almost non-existent in Slovenian practice. Users of copyrighted material most often than not refrain from using of copyrighted works due to the unknown author and thus unattainable copyright agreements.

The possibility of the copyright owner taking legal action against them is very remote. That is clearly shown by the negligible amount of disputes in these area, as shown in statistical report of the District court in Ljubljana (the court is specifically appointed as the only first instance court in Slovenia to deal with intellectual property lawsuits). Different factors are believed to influence such behavior ranging from low authors or other copyright holders awareness of their options for legal remedies to the protracted and costly court proceedings (in complicated cases in average taking more than 12 months) and relatively low prescribed sanctions for such violations. These sanctions are primarily limited to the compensation of damages, while the civil penalty (double amount of the usual authors' fee) is provided only for the cases of intentional violations or gross negligence cases.

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

1. The Slovenian Law on Authors' Rights and Similar Rights (Article 92) clearly defines the out-of-print work (less than 5% or less than 100 copies) and allow public institutions to reproduce such works only for their own needs and not for the public use.
2. Progress could be observed in the Article 20 of the Legal Deposit Act (the Official Gazette 69/2006) allowing that the depositary organisation in case the publication that has not been available on the market for at least two years, in case of its loss or that it was damaged, can reproduce one issue of the obligatory publication that is stored by some other depositary organisation for sake of preserving and accessibility as well as to be used within the organisation, so that the reproduced publication is available for use only on the premises.

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

1. At the time being, the issue of "orphan works" is not widely recognised in Slovenia as a big problem and we do not have experiences in this area as yet. We suggest and support the actions in this field on the EU level.
2. The significant progress we are expecting within the project proposed to be financed within eContentPlus framework call in 2007. Slovenia is also a partner of the project. The delivered infrastructure

will include the creation of a European distributed registry of orphan works and a network of clearance centres for out of print 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.**

According to the new legislation mentioned in the answer to question no (1) Cultural Heritage Protection Act, Legal Deposit Act Protection of Documents and Archives and Archival Institutions Act, and their bylaws we are estimating that main barriers in our legislation concerning public domain are successfully removed. This was accompanied with specific provisions on digitization, issue of technical rules and regulations, quality assurance through accreditation of equipment and service providers. All these new regulations also provide for public (web) access to digital content in public domain. Where needed regulations also oblige public institutions to enter into simple and egalitarian copyright agreements (e.g. digital photos of archived documents are copyright works etc.).

## 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.**

1. There is a clear national strategy for the long-term preservation: to establish a joint centre for long-term preservation of digital cultural goods at national level. It will preserve digital content from museums, libraries, archives, national television and other cultural institutions.
2. In order to prevent the possible damage and risk when storing cultural digital content, the prototype long-term preservation service has been established recently, at the second quarter of the year 2008. The new existing multi-user e-archive centre compliant with the archive and digital signature standards will be used.

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

1. Exchange the views and approaches on Member States' Expert Group on Digitisation and Digital Preservation in Luxemburg.
2. Publishing National Strategy for Digitalisation of Cultural Content of Slovenia on international meetings (e.g. International Conference Museums, Libraries and Archives Online: MICHAEL Service and Other International Initiatives).
3. Exchange the opinions and best practices with other EU members when preparing operational programmes for Slovenia of Structural Funds for new financial perspective 2007-2013.
4. The best way to promote the European Digital Library was when preparing the proposals for Best Practice Networks for Digital Libraries of eContentPlus call. All Slovenian museums, archives and other cultural institutions were invited to participate with their content.
5. Participation on European branch professional networks of museums, archives and libraries as well.
6. The Slovenian Presidency and Ministry of Culture of the Republic of Slovenia organize in cooperation with MinervaEC Network the international conference *Culture Online* at Brdo from 5.-7. June 2008, which was attended by 165 participants from 21 countries, including the countries of Southern and South-Eastern Europe.

The main theme of the conference was to review the cultural content already available online (particularly the content using the most advanced technologies) in all cultural sectors, education, lifelong learning and cultural tourism, to exchange experience in this field and to identify mechanisms which:

- promote the integration of cultural content in the online environment
- enhance the accessibility of cultural content for all users - EU citizens
- ensure the implementation of Commission Recommendation No 2006/585/EC on the digitalisation and online accessibility of cultural material and digital preservation
- contribute to the implementation of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005, in particular Articles 6 and 7 thereof, establishing the right of the parties to the Convention to adopt policies and measures enabling creation,

production, dissemination, distribution of cultural expressions and access thereto.

The conference generated the following conclusions: given that all EU Member States are parties to the Unesco Convention on the Protection and Promotion of the Diversity of Cultural Expressions, as is the European Union itself, it is absolutely vital for the European Commission and the Council to make every effort within their power to provide, together with the Member States, a permanent supportive environment for the promotion of cultural content in the online environment. The following activities in particular should be given support:

- establishing dialogue and partnership between digital cultural content creators and online providers operating in the online environment,
- enhancing national interoperability by linking up all the digital cultural content of museums, archives, libraries and other national and local cultural institutions,
- promoting the central role of 'Europeana' (the European Digital Library) as a European project embracing all digital cultural content at the European level,
- improving the functioning of informal cooperation networks in implementing digitalisation, storage and accessibility of digital cultural content and promoting the involvement of the Member State authorities competent for culture and cultural heritage, thus continuing the good practices adopted previously by the MinervaEC project,
- enhancing the role of Europeana in supporting and developing multilingualism in the online environment, including the creation and distribution of multilingual cultural content as well as the development and use of multilingual user interfaces,
- improving the accessibility of cultural content online in time and place by using GIS technology,
- expanding the possibilities of accessing cultural content free-of-charge on all technological platforms for everyone and in particular for the most vulnerable groups.

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

Above mentioned new regulations also deal with migration and copying of digital cultural material and also allow for transformation (format conversion) to ensure long-term access and usability.

Thus for example the deposit library (e.g. national library) may in the case of loss or damage make one copy of the publication received through legal deposit, that is at least two years absent from the market.

This copy may be made from another legal deposit copy of the publication held by any other deposit library. Such copy may be used to ensure preservations and access and for use inside the organization (use is allowed only within organization premises). Technical changes or conversion into other formats is also allowed to ensure access and storage.

### **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.**

The *Regulations on Type and Selection Criteria for Legal Deposit of Electronic Publications* entered into force on 6<sup>th</sup> October 2007 (the Official Gazette of the RS No 90/2007). The rules were prepared by the National and University Library (NUK) following the practices of regulations from this area in other Member States of the EU (e.g. Great Britain, Denmark, Sweden, Czech Republic).

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

As mentioned in the answer to question no (1) new Legal Deposit Act regulates also a preservation of web-content. The mandated institution is the National University Library. At present, the amount of the loaded publications is low because in 2007 the work was mainly concerned with the preparation of the rules, establishing of the infrastructure for loading of web-based publications, and prototype capturing of case Internet domains.



