

## Contracts Enabling Collaboration of The National Library of Finland with Media Houses in Electronic Deposit

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### **Abstract:**

*There is legal deposit for analogue newspaper materials in Finland. The electronic deposit of newspapers is based on contracts and collaboration with media houses at the moment. The National Library has been focusing on receiving the newspapers in electronic format and has built the technology for deposit, launched in 2013.*

*The media field is in turmoil and the media houses are interested in collaboration with the Library for various reasons: ensuring the proper long-term preservation for their materials, digitising their historical newspapers and creating new business models. The Library can provide access to digitised or born-digital newspapers either via its interface or via raw data.*

*Many of the media houses in Finland have a poor archival coverage, especially of their early electronic materials. The Library on the other hand, has had the legal deposit for centuries and has an excellent coverage of the published newspapers in Finland since 1771.*

*Contracts enable wider use of the digital materials than the current law. Negotiating with news media houses requires proper understanding of legal issues, especially in copyright and data privacy, and business skills. Close cooperation with the national copyright organisation is also needed.*

*The Finnish collection of digital newspapers and journals is available online until 1910 (<http://digi.kansalliskirjasto.fi>), over 10 million pages altogether. They include the old digitised newspapers as well as the electronically deposited papers all in the same user interface. The materials under copyright are available in the six legal deposit libraries all over Finland. There is a pilot in the Mikkeli region, where two newspapers until 2013 are in use in e.g. schools, community college, libraries and research organisations in 2016 - 17. This pilot will help in applying the model to other regions or nationally.*

**Keywords:** Newspapers, copyright, access, digital source materials, Finland

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## **Electronic deposit of newspapers based on contracts**

There is legal deposit for analogue newspaper materials in Finland. The National Library is receiving and microfilming all the published newspapers and delivers them to domestic and foreign libraries. Microfilming has begun in the 1950's and the Library has also done re-filming of the early non-standard microfilms. The newspaper process has been changing in the recent years. The Library has the duty to preserve the content by law, eternally. The electronic deposit of newspapers is based on contracts and collaboration with media houses at the moment. The National Library has been focusing on receiving newspapers in electronic format and has built the technology for deposit, launched in 2013.

The process includes the technical production environment, software and servers. It accelerates the handling of newspapers considerably compared to microfilming. It also enables high-quality long-term preservation both using computer output microfilm and in a digital format. The digital deposition format includes metadata, does not require OCR or suffer from print-related flaws. Long-term archival of the material is largely done automatically by the software.

Electronically deposited newspaper material can be used via the same interface, <http://digi.kansalliskirjasto.fi>, as the digitised historical material. Thus it is possible to have the whole history of a newspaper in the same interface: the old papers in digitised format and the deposited newspapers in born-digital format. The same technical functionalities apply for all the papers. For publishers electronic deposit of newspapers offers new possibilities for e.g. using old and new materials together as well as for preserving their materials. The National Library can digitise the in-copyright historical materials as well, in partnership with the publishers. At the moment the Library is moving towards digitisation of analogue newspapers and producing microfilm via Computer Output Microfilm. Finland has a national long-term preservation system underway but the digitised newspapers are not in the system yet.

## **The Finnish Historical Newspaper Library includes over 10 million pages in 2016**

The Newspaper Library is composed of over 10 million pages altogether at the moment. All Finnish newspapers from the first published paper in 1771 until 1910 are freely available to everyone online. The interface is usable in Finnish, Swedish and English. The newspapers are mainly in Finnish and Swedish, which are the official languages in Finland. The National

Library has digitised some newspapers further than 1910. The newer digital newspapers and deposited newspapers are in use only in the six Finnish legal deposit libraries in accordance with the copyright restrictions. In-copyright newspapers are available also on microfilm in selected libraries in Finland and abroad.

The interface [digi.kansalliskirjasto.fi](http://digi.kansalliskirjasto.fi) has crowdsourcing functionalities and clippings made by users of the digitised materials. In the future the interface and back-end system can serve media houses and publishers more widely as well as research and learning from basic education to university research.

### **Contracts enabling use of in-copyright newspapers**

Contracts enable wider use of the digital materials than the current Finnish law. Negotiating with news media houses requires proper understanding of legal issues, especially in copyright and data privacy, and business skills. Close cooperation with the national copyright organisation is also needed.

The media field is transforming. The limits of media content, creating and modifying content, sharing and consuming are all changing. The digital rupture requires innovative attitude of media players. The media transformation to digital devices can be expanded to its historical content as well.

Different Finnish trade and technology umbrella organisations have ordered the new Digital Barometer published in June 2016. Its results form a ranking of 22 countries based on 36 variables reflecting the digital position of each country. All in all the target of measuring is the wide societal exploitation of digitalization. The measuring framework consists of three levels (1. preconditions, 2. use and 3. effect) and three sectors (1. companies, 2. citizens and 3. public sector).<sup>i</sup>

Finland was placed first in the Barometer followed by Norway, Denmark and Sweden. Finland thus has the best qualifications for benefiting from deeper digitalization and the best chance to face the exceptionally imposing digital disruption facing Finland, that the World Bank predicts. Nevertheless, Finland has not exploited its digital possibilities to a great degree. On the use level Finland is number five and on the effect level number three. Lately especially the public sector has taken great leaps of improvement.<sup>ii</sup>

The National Library aims at widening the use of library's source materials towards research, learning and citizens' needs. A survey was conducted in 2014 in order to find out what the interest of publishers is to use old digital newspapers in their business. Kopiosto – the copyright organisation – and The National Library cooperated in the survey, which was financed by Viestintäalan tutkimussäätiö (Research Foundation of Media) and carried out by Doctor of Laws Outi Somervuori. The survey had as its topics: newspaper publishers' experiences and insight into digital publishing, most interesting user groups and alternate ways of arranging digitisation and use of materials. Publishers were interested in the possibility to cooperate with The National Library in digitising materials and in their use.

The publishers have an interest in proper long-term preservation and digitisation of their materials. They are looking for new viable business models. The Library has different options for providing access to newspapers: in its interface historical and new newspapers can form the full history of a newspaper title. The Library can also provide material as raw data. In

many media houses in Finland the archival newspapers were also used and thus can have a poor condition and imperfect archival coverage. The early electronic materials have also been at great risk of disappearing. The Library has received the published newspapers in Finland since the first published newspaper in 1771, due to the legal deposit. This gives the Library a fruitful position.

### **The Aviisi Project is the first of its kind in Finland**

The survey made in cooperation with the media houses and the copyright organisation gave results, which were helpful in starting the Aviisi Project (2015 – 16). The Centre for Preservation and Digitisation of The National Library is responsible for the Project. The National Library, Kopioisto and media houses work together again in widening the use of in-copyright newspapers based on extended collective licensing and contracts. Extended collective licensing means that collecting societies negotiate extended collective licensing agreements on behalf of their members, as well as non-members (Wikipedia, reference 4<sup>th</sup> July 2016). The first laws of this kind came into force in the Nordic countries and have been used for library materials for some years now.

The Project is creating a new cooperation model and contract base for wider use of in-copyright newspapers, in addition to the possibilities of the law, and testing it in regional pilots. For this to succeed, the input of all the crucial partners is needed: the publishers and rights holders as well as the copyright organisation administering these rights and the National Library. The Project is an example of public – private partnerships.

The Aviisi Project has connections to the general digitalisation trend and is taking us towards an open knowledge society. The Ministry of Education and Culture has a project going on focusing on digital learning materials and the government is also building a national digital service portal. Also the Town of Mikkeli, where the Centre of Preservation and Digitisation is located in Eastern Finland, has chosen digitalisation as one of its strategic targets.

In-copyright materials can contain issues regarding personal data protection. The Aviisi Project ordered a data protection survey from the perspective of the Aviisi pilot cases. A leading Finnish expert in the field, docent and Doctor of Laws Marjut Salokannel, conducted the survey. The survey stressed especially the role of contracts in opening materials for wider use and showed that the pilots can be carried out according to original plans. They are congruent with the new European Union data protection directive, to be officially in use in Finland in a couple of years' time. Data Protection Ombudsman also took the same stand in discussions regarding the Aviisi Project.

### **Pilots based on contracts in the Mikkeli area**

The pilot case in the Aviisi Project includes two in-copyright digital newspapers, covering the period from 1916 to 2013. The other newspaper is local and the other one has national circulation. Their whole history until the end of 2013 is available for the users in the pilot mostly in the Mikkeli region. The number of pages in use is about 620 000 altogether. The National Library has digitised these newspapers earlier in partnership with the publishers. This was one of the reasons why these papers were chosen as Project members, only few papers have their whole history digitised. These publishers were also interested in becoming the first newspaper houses pioneering use this way. It was a pleasant surprise that they had no objection to giving access to their papers until the end of 2013. The compatibility of these

materials for use is tested in several different user organisations, which have signed contracts with the National Library of Finland about eligible use in agreement with the copyright organisation. The target of the pilots is to be able to expand the functional use model of newspaper materials towards new user groups, locally or nationally, based on the experiences gathered during the piloting period. The contracts enable agreeing also on using the source materials for text and data mining and for using the materials in research and education.

The pilots have required a legal, technical and educational approach. In addition to contracts technical work has been needed in opening the pilot materials for certain user groups using IP addresses or personal user codes. Part of the Project includes developing user administration and user statistics, which are undergoing a considerable change. From the educational point of view, the users in organisations have had the chance to get guidance from the Library experts. Brainstorming and learning sessions have been organised for them. The organisations have been able to see, what data is available, how it could be used and have discovered new ways of benefiting from the materials.

The digital newspaper materials have full-text search, and other search possibilities, clipping function and your own personal page for clippings. The two newspapers will be available in the following institutions, maximally until the end of 2017 in:

- the newspapers and media houses themselves for editorial work
- the Mikkeli region in
  - elementary and high schools as learning materials
  - all library client user computers
  - Community College courses as research materials
  - museums for personnel use and as research materials
  - Regional Archives and Central Archives for Finnish Business Records as research materials
- the universities and their research groups included in Aviisi. The University of Helsinki also has a research unit in Mikkeli.

### **Opening up digital newspapers to the public: an example of a pilot**

The Centre for Preservation and Digitisation of The National Library in Finland organised the course "Discover the treasures of the history pages of newspapers" for people in the Mikkeli area. The course was cooperation with the Mikkeli Community College and Provincial Library. The participants were e.g. city guides looking for interesting newspaper information for their guided tours, senior citizens, journalists, museum personnel and genealogy enthusiasts. They chose important topics for themselves and looked for news items from the digital newspapers of The National Library, the "digi.kansalliskirjasto.fi" service. The chosen topics varied and included colorful personalities from wartime hero, Marshal Mannerheim's activity in the Head Quarter Town of Mikkeli during the war to a grand-mother working in a circus!

The course fulfilled its different objectives well. The number of people participating from course session to another confirmed that there is demand for this kind of community activity. The participants' interest was spread amongst various topics, all available by using newspapers as source material. Personal, local and national historical events, development and history of buildings, linguistic issues in Finnish and Swedish etc. were all in focus. Learning by doing and sharing was the third objective of the course. The group studied

together, supported by tutors, discussed the issues and shared information. They learned computer skills by experimenting and searching for information, at the same time interacting and creating social well-being.

### **Challenges encountered and next steps**

The challenges encountered so far were various due to the pioneering nature of the project. The amount of pilot organisations was high and at the beginning it didn't even seem realistic. In general interest was evident, but also few organisations dropped out because they felt that the material offered was not best suited for their users' needs or because of their own system delays. The ones that were involved clearly benefited from a "show and tell" approach, and were activated by common brainstorming and guidance.

With regard to copyright issues it has been the first time in Finland when the copyright organisation, publishers and the National Library have developed models for contracts and copyright compensation. The project was organised in a couple of working groups, one of which was the juridical group. It had many meetings discussing the copyright and data protection issues and the models are now evolving. They are also discussed with the media and rights holder sectors and hopefully will be in use in the future, after the project.

The National Library is looking for continuation of cooperation with media publishers in different ways. One of the ideas is to start a new project, which is in the planning phase at the moment and will result in an application for regional European Union funding in about a month's time. This project will focus e.g. on identifying users in a reliable manner and building an api for the newspapers, usable for different user groups. Cooperation with media houses requires skills in legal issues and in understanding the rapidly changing environment as well as negotiation partners!

### **Newspapers in Finland: long and active history**

The recent Digital News Report 2016 of the Reuters Institute / University of Oxford shows, that in Finland the established media brands are still going strong online despite of social media. The websites of traditional media brands were visited by 62 percent of the participants of the survey. Only five percent evaluated social media as their primary news source, the smallest figure in the report, whereas 24 percent looked for news there.<sup>iii</sup>

The Finns have always relied and are still relying on news media as well as on the importance of reading: 90 percent follow news daily. Over 25 percent check news over five times per day.<sup>iv</sup> Newspapers are present in research, teaching and everyday life. They offer a relevant source of information in various fields of life: politics, economy, science, culture, art, religion, biology etc. Their cultural and historical content is invaluable and rich and reflects activities of society from the local to the national level.

The participants in the Digital News Report in Finland had high trust in news and 65 percent esteemed most news reliable. Trust in news media organisations is also evident. The media in Finland is not strongly politically divided or polarised, is fairly independent and journalists aim at providing readers a multi-faceted view on issues.<sup>v</sup> In Finland there are numerous newspaper titles published taken into account the population of the country. In international comparison e.g. the Swedes only trust in 40 percents of news. The lowest trust in news is in South Korea and Greece.<sup>vi</sup>

Finland is celebrating its 100 years of independence in 1917. The National Library is hoping to be able to convert the utterly important and historically irreplaceable newspaper materials to modern digital format and to advance access to them. This will happen gradually but is very important to the nation. The Aviisi Project and the many pilots going on clearly reflect and answer the users' need of looking for historical newspaper issues for their different use purposes.

Digitisation of historical newspapers is the first step in opening their materials for use. They are needed as sources for various purposes: in editorial work and customer use in media houses, research and teaching, adult education as well as in business use. The citizens should have access to all this valuable national cultural heritage. In digital format it would be in wider use and benefit the whole society by opening new ways of re-using the content.

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### **The Aviisi Project 2015 - 2016**

The Centre for Preservation and Digitisation of The National Library of Finland is responsible for the Project. The Centre is located in Mikkeli, Eastern Finland. The National Library is part of the University of Helsinki. The partners and co-financiers in the Aviisi European Regional Development Fund Project in addition to the Library are:

- Kopiosto Copyright Organisation
- Viestilehdet Ltd – Newspaper Maaseudun Tulevaisuus
- Kaakon Viestintä Ltd – Newspaper Länsi-Savo
- Town of Mikkeli
- South Savo Regional Council
- European Regional Development Fund

Additional information: <http://blogs.helsinki.fi/digiaviisi/> (in Finnish)



Leverage from  
the EU  
2014–2020

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