



Main Articles

The Norwegian National Digital Library

[Marianne Takle](#) describes the National Library of Norway's digitisation strategy and how the National Library is taking on a key role in the country's digital library service.

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Introduction

The National Library of Norway is in the process of establishing itself as a digital national library and of taking on a key role in the country's digital library service. The most ambitious outcome of this positioning is that the National Library has comprehensive plans to digitise its entire collection.

The digital national library has been given the name *NBdigital*, and its objective of establishing itself as a digital library is also reflected in the institution's practices. Resources have been redistributed so as to give priority to digitisation, and competence in digital media is being enhanced. Growing numbers of documents are being deposited in digital format, as is the case in the collaborative project with the Norwegian Broadcasting Corporation (NRK). Agreements on the digital deposit of certain newspapers and of books from some publishers have also been established. By gradually supplementing the traditional library with digitised collections, the National Library of Norway is adapting to the transition from printed books to electronic media.

The relationship between collections and digital techniques has now entered a new phase in which the most important issue is not one of having access to the catalogues by means of digital communication, but rather one of making the content of the collections available to users over the Internet. This poses a number of new challenges of a technical, financial and legal nature. Through active policy-making in both the technical and the political areas, the National Library of Norway has become a key participant in the development of solutions to meet these challenges.

Three Strategy Documents to Digitise All Norwegian Material

In its strategy documents from 2005, the National Library defined its main goals to be to 'form the core of the Norwegian Digital Library' [1]. Since then, this goal has been further refined into three new strategy documents which deal exclusively with a digital national library.

The first strategy document concerning the digital national library was published in February 2005 and was entitled 'Det digitale nasjonalbibliotek – Strategimanifest 2005' ('The Digital National Library–Strategy Manifesto 2005'). The justification for the digitisation work focused on the needs of the users. Furthermore, the strategy manifesto claimed that the Library had the potential to provide access to a rich and varied content on all desktops and in every home. Importance was placed on the National Library's contribution to enabling the Norwegian library community to provide new and improved services to a variety of stakeholders, and the National Library would facilitate learning and research. In this way the Library intended to serve all user groups: students and researchers, the rest of the country's libraries, and the entire population. This perspective of the general public as

users lent a national dimension to the digitisation project.

In December 2005, the National Library presented its second strategy document, which was entitled 'Tilgang til digitalt innhold i Nasjonalbiblioteket. Strateginotat for digitalisering av Nasjonalbibliotekets samling' ('Access to Digital Content in the National Library. Strategy Document for the Digitisation of the National Library's Collection'). In this document the National Library expressed for the first time its goal of establishing a digitisation programme which would serve as the basis for digitising the Library's entire collection.

This was a formidable task. The digitisation programme would cover all forms of material published in Norway. Since 1990, the Norwegian Act relating to the Legal Deposit of Generally Available Documents has applied to audio, photographic, film and electronic media as well as to written material. This represents a vast amount and variety of material. Furthermore, the strategy document showed that only a negligible portion of the National Library's Norwegian material had been digitised. According to the National Library's estimates from December 2005, none of its collections of books or journals had been digitised. Material which had been digitised included 100,000 newspaper editions, 570 hours of film, 54,000 hours of radio, 205,000 images and approximately 1,000 manuscripts.

These ambitious plans were followed up by action and quickly led to concrete results. By the spring of 2009, the digital collection comprised 90,000 books, 200,000 newspapers (roughly the same number of journals as in 2005), 3,100 hours of film, 250,000 hours of radio broadcasts, more than 420,000 photographs and around 23,000 manuscripts. The numbers of digitised documents in the other collections remained the same as for 2005 [2].

In addition to the plan for digitising all its Norwegian material, the National Library began systematically collecting from the Norwegian sector of the Internet, that is, sites registered under the '.no' Internet domain. This meant that not only would Norwegian works be preserved, but also large portions of the Norwegian digital public domain. In Spring 2009, this entailed 1,800,000,000 files being downloaded from the Internet. As Eivind Røssaak has shown [3], this type of downloading clearly illustrates that the National Library's archives are undergoing a gradual change. Even though vast amounts of material can be stored through collecting Web-based material, it does not follow that it can be made available.

In February 2006, the National Library presented its third strategy document, entitled 'Digitalisering av Nasjonalbibliotekets samling' ('Digitisation of the National Library's Collection'). In this document the crux of the reasoning shifted from why the collection should be digitised to how the digitisation was to be implemented in practice. This was followed up with a prioritisation of resources that would make it possible to achieve the goals. The earlier ambitious visions were moderated in the description of the practical implementation. A list of priorities was thereby incorporated into the strategy documents.

Cultural Heritage Just a Few Clicks Away

The official beginning of the National Library's systematic digitisation of its entire collection was marked by a ceremony at which Trond Giske, Minister of Culture and Church Affairs, was invited by the Library to digitise the first book on 29 March 2006. On the same day, Vigdis Moe Skarstein, the National Librarian, wrote an article in the *Aftenposten* newspaper in which she declared that the goal for the National Library was to be 'the first in Europe to have everything on computer' [4]. In the article she also maintained that the feasibility of digitising everything was related to the comparatively modest quantity of documents in a small country like Norway. According to the National Librarian, the goal was that the Library's material should be made as available in the same manner as Web search engines such as Google and others which had imitated and further developed the libraries' business concept. She saw no reason why the content of the nation's cultural heritage, which the National Library administrated, should not also be just a few clicks away.

Large-scale digitisation will represent an important contribution to Norwegian digital content on the Internet. Because users generally prefer to use the larger Internet search engines such as Google and Yahoo, the National Library will make both metadata and content in the Library searchable in both national and international search engines. The reason for this is that the National Library wishes to be available via the services which users prefer to use. The most important point for the National Library is that its material should be available and be used. However, making new material available presupposes agreements with rights holders, which consequently entails some form of funding model,

something which, in 2006, had not been discussed in detail.

The National Library's statements regarding the relationship between digitisation and dissemination appear to be ambiguous and have been strongly criticised [5]. Whenever the Library has been criticised, it has stressed that it has plans for dissemination through NBdigital. At the same time it is clear that, in the first phase, the Library has given priority to digitising as much material as was necessary to reach what it characterises as a critical mass [6]. Dissemination projects are continually being developed on its Web site, but their scope is generally modest. Although the National Library is cautious and tentative in its dissemination initiatives, the institution is very active in other areas covered by the strategy for NBdigital. In close co-operation with the Ministry of Culture and Church Affairs, the new National Library is on the way to assuming a key role in the public digital structure that is under development in Norway. In any case, it will be this digital structure and its pertaining rights that will set the terms for the future digital dissemination of culture.

Digital Security Repository: Priorities

As part of its digitisation strategy, the National Library has developed an archive for digital storage called the Digital Security Repository with a total capacity of 4,000 terabytes. The amount of digital content in the repository increases by several terabytes (1 terabyte = 1,000 gigabytes) every day. Approximately 1,200,000 digital objects of different types are stored in this digital security repository. Around 30% of this amount comes from digitally deposited material, and this portion will grow as more media are gradually deposited. The rest of the increase is due to the National Library's work on digitisation [7].

The overall objective for the digitisation strategy is, as already mentioned, to digitise all the Norwegian material, though there are priority areas. These are given in the selection criteria, which determine which areas of the collection will be digitised first.

Three Guiding Principles of Selection

Selection is based on three guiding principles, the first of which is pragmatic and technical in nature and directly related to the goal of a methodical, mass digitisation. The National Library begins with the oldest material, which has ended up in the public domain. In the case of books, works for which several copies exist are generally selected, while in the case of newspapers, priority is given to those most in demand. When digitising photographic material, priority is given to those collections which were deposited or donated to the National Library, and in the case of music, priority is given to digitising endangered sound formats. The National Library has a plan to digitise all types of material.

The second guiding principle is the thematic selection of material across all media types. This is governed by, for example, writers' anniversaries and national and international red letter days. One example is the digitisation of the Norwegian writer Henrik Wergeland's collected works and other selected material in connection with the writer's anniversary year in 2008 [8]. Since 2007 the National Library has undertaken a new role as the country's formal national anniversary organiser, and this has created a need for new Web services. In the wake of the anniversary celebrations for the writer Henrik Ibsen in 2006, the anniversary Web site was transferred to the National Library, which has also been assigned responsibility for continuing the Web service. The Library has its own Web pages on the writer Knut Hamsun, and in 2010 it will organise the anniversary celebrations for the writer Bjørnstjerne Bjørnson. This thematically based digitisation makes it possible to place material in a broader context by means of differing presentation. In this way NBdigital can take responsibility for more cultural and knowledge-related aspects of national library tasks.

The third guiding principle for selecting material for digitisation is to follow up enquiries from other users and institutions and through co-operating with them. This can be material which is held by the National Library or which other institutions hold and want to have digitised.

International Co-operation

Furthermore, the National Library's principles for selecting material for digitisation are linked to international co-operation projects. Many European national libraries are co-operating on a European digital library, and the European Commission has appointed a group to develop common strategies for digitisation. The National Library participates in three projects which are partly funded by the

European Commission's research programme: the European Digital Library (EDL) Project, European and TELplus [9]. Within this framework, the National Library will in the course of 2009 submit 1.6 million text pages to EDL, to include the works of 40 Norwegian writers dating from the 17th century through to the beginning of the 20th century. As part of this project, the Library will digitise works that have passed to the public domain and will make them searchable in full-text format through the TEL portal, along with digital content from other European national libraries. This is one example of co-operation between national libraries in Europe in which each country contributes with works which they themselves have chosen to publish on a common European portal. One of the goals of the European digital co-operation project is to strengthen the presence of European culture on the Internet [10].

Other NBdigital Work

To a large extent, NBdigital performs national library tasks by virtue of its co-operation with other institutions. One of the National Library's goals is to have gradually more of the legally deposited material deposited in digital form. The Digital Security Repository is used on the basis of agreements and is then expanded by co-operating institutions to serve both as an archive for long-term storage and as a digital archive. For example, the National Library has been co-operating with the Norwegian Broadcasting Corporation (NRK) on the digitisation and digital deposit of radio programmes since 1998. Today the security repository serves as NRK's digital radio archive from which journalists in NRK can retrieve archive material electronically whenever required. In 2008 the work began on transferring television programmes to data files and storing them in digital form in the National Library. This not only ensures digital deposits, but also ties NRK directly to the National Library as a user. This digitisation co-operation work is funded 50% by each institution [11]. In addition, the National Library has entered into a collaborative project with the Archives of the Storting (the Norwegian parliamentary archives) to digitise the Storting's parliamentary business. The Norwegian Library of Talking Books and Braille also preserves its digital sound productions in the Digital Security Repository.

In order to achieve larger quantities of digital deposits, the Library has entered into collaborative projects with two newspapers, *Aftenposten* and *Stavanger Aftenblad*, to digitise their newspapers. Its ultimate goal is to see all newspapers deposited digitally. In 2008 the National Library entered into a framework agreement with the Norwegian Publishers Association over the digital deposit of books and journals by their members. Three publishers have entered into agreements with the Library, and practical solutions for their implementation are being worked out.

The Digital Security Repository gives the National Library a pivotal position in the Norwegian digital media landscape. One reason is that the Digital Security Repository can both offer security and serve as a potential distribution centre. Through its ambitious digitisation programme, the National Library will secure control of a large digital repository of media products. The Digital Security Repository could make the Library an institution with which many partners will want to co-operate in disseminating digital material because the National Library already holds significant digitised material. This digital repository will become a dominant factor in the digital network that is under development in Norway. The important point in a political context, however, is that the hub of the network will be the National Library's Digital Security Repository, and this is a government-supported, national institution. According to Trond Giske, Minister of Culture and Church Affairs, the digital repository will also be open in the future to commercial partners who want to use it to publish material to which they hold the rights [12]. The fact that it was the Minister of Culture that performed the first digitisation of a book to NBdigital on 29 March 2006 was therefore an act steeped in symbolism.

The National Library has, however, made sure that it was in a position to take on this central role. Through redistributing its internal resources, it has speeded up its digitisation work. In 2006 the Library spent approximately GBP 2.1 million [13] on digitisation. While it spent approximately GBP 1.8 million in both 2007 and 2008, it has budgeted for approximately GBP 2.8 million for 2009. These represent considerable sums of money when viewed in light of the fact that approximately GBP 0.3 million was granted for digitisation by the Ministry in 2007 and in 2008 whereas the sum was increased to approximately GBP 1.3 million in 2009.

In the Government's national strategy for the digital preservation and dissemination of cultural heritage, the National Library plays a central role. In the Ministry of Culture and Church Affairs' Report to the Storting on digitisation in April 2009, emphasis was placed on co-operation and the distribution of work on digitisation among the different participants involved [14]. Within this

partnership, the National Library should be the lead partner for digitisation work in the bibliographic field, which as we have seen is already the case in practice. In addition to the tasks which follow from the Act relating to the Legal Deposit of Generally Available Documents with Regulations, the National Library should have sole responsibility for national bibliographic standards and should create a digital solution for performing simultaneous searches for material on the catalogues of all Norwegian libraries. Arkivverket (the National Archival Services of Norway) has been designated a similar role on the archive side. As for the long-term preservation of national digital material, responsibility should be shared between the National Library and the National Archival Services of Norway. Based on the National Library's development of common searches in the library area, a common search engine is to be developed which would also include archives and museums. This should be achieved through co-operation between the National Library and the National Archival Services of Norway [14].

Copyright

The greatest obstacle to making works available to the public in digital form is not related to technology, but rather to copyright issues. A digital library which makes its collection available over the Internet is not only a place where one gathers, preserves and lends what others have produced; by virtue of its digital presentation, one creates new copies which have the same status as the digital original [15]. A digitised library which makes its collections accessible over the Internet will function in more or less the same way as a distribution department in a publishing house.

All the National Library's documents regarding digitisation since 2005 have alluded to the copyright challenges involved in digitising and preserving digital documents. These documents emphasise that, in the work on a digital library and access to digital content, the National Library must comply with the rights and restrictions laid down by law. The National Library's digitisation programme is entrenched in the Act relating to Copyright in Literary, Scientific and Artistic Works, etc. and the Act relating to the Legal Deposit of Generally Available Documents. The term of protection of copyright is 70 years after the death of the author. During this period copies of a work may only be produced with the consent of the author or the legal heirs. Those parts of the National Library's collection that are older than 70 years have become part of the public domain, and so can be made available immediately. In 2007 amendments were made to regulations relating to the Norwegian Copyright Act which mean that the National Library may produce copies of works held in its collections in formats other than the original for the purposes of preservation and safe-keeping. The Library is thereby authorised to digitise material in order to preserve it, but it is still not permitted to publish the digitised copies on the Internet without a prior and specific agreement.

Forming agreements to allow those parts of the National Library's collections which remain outside the public domain to be made available to the public over the Internet is a demanding process. Such access clearly exists in the National Library's plans, but preparing the ground for reaching out to the public in this respect is an arduous process.

The National Library also plays a leading, national role in this work. It has succeeded in putting in place two major agreements which give the public access and ensure financial remuneration of the rights holders through the central government budget. The duration of these agreements is however limited, partly because the parties involved wish to trial them before entering into longer-term collaboration.

The agreements with rights holders regarding distribution over the Internet relate to two specific projects. The first concerns literature relating to the High North. The Norwegian Publishers Association, the Norwegian Authors Union, the Norwegian Non-Fiction Writers and Translators Association, the Norwegian Critics Association and the Licensing and Collecting Society (LINO) have entered into an agreement with the National Library to make available in digital full-text version copyright-protected material relating to the High North and literature about and from northern Norway. This agreement was signed on 14 March 2007. Initially it lasted until 30 September 2008 and was then extended for one year. This has given the National Library the opportunity to digitise and make available copyright-protected works relating to the High North via its Web site <http://www.nb.no> [16]. Users are not allowed to download or copy the material to their own computers, and the National Library must not provide the capability for users to make printouts. While the National Library has been responsible for the digitisation work, the rights holder organisations have been responsible for clearing the rights. Each party covers its own costs. In addition, the National Library has paid a one-

off fee of NOK 200,000 to the right holder organisations for making the works available to the public [13]. As the leaders of the rights holder organisations have themselves remarked, this is an example of how copyright issues can be resolved [17].

In the agreement over the High North project the partners expressed their common aim of making literature and other copyright-protected material available and to provide the public with an insight into and knowledge of the diversity of Norwegian cultural heritage: 'Through this project the parties wish to gain experience that can serve as a basis for future agreements on the digital dissemination of Norwegian copyright-protected works.' The agreement has a national scope and, not least, the national dimension is evident from the choice of the High North as the pilot project, (moreover somewhere in which Norway has important strategic interests and which represents a priority component of Norwegian foreign policy [18]).

Extended Collective Licences

Based on an evaluation of the High North Project from October 2008 which showed, among other things, high figures for online visits made to a large proportion of the material, the National Library set up a new collaborative project with the rights holder organisations called Bokhylla.no (Bookshelf.no) [19]. In this project, literature from the 1790s, 1890s and 1990s was digitised and made available. The project involves an estimated 50,000 books and is far more comprehensive than the High North Project. While the material from the first decade and most from the second decade have become part of the public domain, literature from the 1990s is protected by copyright. The Ministry of Culture and Church Affairs therefore appointed a working group – of which the National Librarian was a member – to examine models for paying authors for making their material available on the National Library's Web site.

In the High North Project one had to clear the digital dissemination of material with individual rights holders to obtain consent to their work being published. Works by authors who were not members of a rights holder organisation fell outside this agreement. Bokhylla.no is therefore based on collective agreements. This is a form of an extended collective licence, which means that the terms of an agreement between a user and an authorised organisation representing authors are validated. In this way all works can be cleared through an agreement with a collective organisation. Rights holders who are not represented by a professional organisation are also made subject to the terms of the agreement, and are in return entitled to the same rights to remuneration derived from the users. In Norway the extended collective licence scheme was introduced in 1961 in connection with the use of works in NRK programmes. Since then the provisions have been made applicable to new instances such as copying work for educational purposes. In 2005 the Norwegian Act relating to the Legal Deposit of Generally Available Documents was amended to introduce an extended collective licence to permit libraries to make works available to the general public. This provision has made it possible for the National Library to clear books for publication on the Internet.

To achieve this, the National Library entered into an agreement with Kopinor, an organisation which represents a substantial number of both publishers and authors of works that are used in Norway. Kopinor can therefore give consent on behalf of the rights holders to copying in schools, organisations, companies, etc. The resulting fees are collected and then distributed to the authors. The Kopinor agreements were initially formed to accommodate photocopying but were subsequently expanded to cover digital reproduction [20].

In April 2009 the National Library entered into an agreement with Kopinor to make material available for Bokhylla.no. [21] As in the High North Project, the material will be searchable and retrievable over the Internet, though it will not be possible to download or make print-outs. In addition, Bokhylla.no shall only be made available to Norwegian IP addresses. A fixed fee per page must be paid for making this material available. The fee to the rights holders amounts to NOK 0.56 (roughly equivalent to GBP 0.056) per page per year for copyright-protected material that is made available during 2009 through to 2011. There are no rights of reservation in the Kopinor agreements on copying, but for agreements on digital availability, such as Bokhylla.no, it will be possible to reserve rights. This, however, will require positive action on the part of authors. Due to poor quality digitisation and insufficient metadata, some Norwegian writers have expressed a wish to reserve their rights [22].

Depending on how Bokhylla.no works, it should be possible for the agreement to serve as a basis for similar types of extended collective licences for other types of material. In this area, legal practice is

lagging far behind both the technical potential and many users' understanding of their personal rights. One example of this is the Pirate Bay judgment in April 2009 and the conflict surrounding this case, as can be seen on the Web site of the Swedish courts [23]. Another example is the settlement which Google reached with American writers and publishers in October 2008. The settlement covers books which Google had scanned in the US, but it also applied to the interests of foreign rights holders in the US. The agreement resulted in a moderation of Google's initial ambitions and at the same time secured financial compensation for the rights holders [24]. This makes the agreement a milestone in terms of the legal aspects of digitisation. It is worth noting, however, that this agreement was reached between private parties and that the US Government did not become involved in the conflict [25].

What is special in Norway's case is that the Government is an active party and that both the authors and the users are represented by professional organisations. This will most likely become a condition for such agreements being formed in Norway. Both the Ministry of Culture and Church Affairs and the Ministry of Education and Research want to consolidate such extended collective licences. One possible solution under consideration by the library sector is national licences for electronic material which could either grant access to all comers or offer different levels of access for different user groups [26]. The Ministry of Culture and Church Affairs' Report to the Storting on digitisation, assigned national responsibility to the National Library for all pilot activities related to finding solutions in respect of digital use and copyright issues. National competence in copyright and privacy protection should lie with the National Library and the National Archival Services of Norway, which should provide services to other archives, libraries and museums. Given this position and the agreements into which the National Library has entered with the rights holder organisations in the High North Project and Bokhylla.no, the National Library will be involved in forming national legal practice for the digital availability of copyright-protected material. This makes the National Library a key national institution in the area of digitisation.

Conclusion

It is possible to discern a pattern in the digitisation practice of the National Library. It consists of priorities for and the practice of digitisation, the agreements on availability with the rights holder organisations and the establishment of partnership agreements with a number of other institutions on, among other things, digital deposits, and the use of the Digital Security Repository and dissemination projects. By virtue of these activities, the National Library is in the process of assuming a key role in the Norwegian digital media system.

The National Library has distinguished itself as a combination of political partner and national political instrument, in two areas in particular. One is the Digital Security Repository. This can be developed into a dominant digital repository of cultural products in Norway, under full government control. Such a digital repository could in turn form the basis for dissemination through the library system as well as through public and private partners. The other area where the National Library has made its mark is in the agreements it has made with rights holders. The National Library has principal responsibility for negotiating with rights holders over the libraries' dissemination of their works over the Internet. This entails breaking new legal ground and is work in which the Norwegian government is directly involved as a party and financing body.

One crucial political aspect of this role is that the National Library is a state institution. This means that the dominant media base in Norway will not be controlled by a private organisation in the same way as, for example, Google's Internet index is. Both digitisation activities and distribution agreements with the rights holders have a national scope and have drawn the Norwegian government in as an active party in the negotiations over public distribution. This makes NBdigital a national, government project in an international digital media world.

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