

# **The European Archives Group: making the most of European collaboration**

*Discussion paper for the EBNA meeting in Athens on 6 June 2014*

*Michael Hollmann, Josee Kirps, Karel Velle, Martin Berendse*

## **1. Introduction**

For various reasons, international cooperation between archives is becoming increasingly important. The missions of archive services are expanding, the environment in which they operate is changing rapidly, and numerous national and international political, institutional, organisational, and regulatory initiatives are influencing archives and archive services. Under these circumstances, international collaboration, the exchange of good practices, comparative studies, etc., can help us meet the expectations that politics and society have put on us: that we perform well and that we do so efficiently.

One of the important changes in the environment of archives is the overall influence and importance of digital information and data (technology). This development is for instance reflected in the European policy agenda, on which, over the last years, data and information have become a major issue. One of the core initiatives of the Europe 2020 programme, the European Union plan for development, is the Digital Agenda for Europe, led by the Vice President of the European Commission, Neelie Kroes, and the European Commission Directorate General for Communications, Networks, Content & Technology (DG CONNECT).

Even though within the EU archives are commonly perceived as a competence of national policy making, the Digital Agenda initiative means that the EU policy making process has become and is becoming increasingly relevant and important for the archival sector, the ultimate custodian of analogue and digital (public) records. One way or another, EU policies on digitization will affect the field of archives. At the same time, the work of archives and archivists is of great relevance to the EU's ambitions, for example in the field of open data. Because of this overlap, increased cooperation within the European archival sector to influence European policy making processes is needed.

In light of this, the intention of this discussion paper is twofold: to start the debate on what would be the best way to shape European collaboration in the future and, if possible, to take concrete decisions that lead us there so that we can have a real impact on the various domains and policy-making bodies relevant to our sector.

## **2. Channels of European archival cooperation: EBNA, EAG and EURBICA**

European archivists already attach great importance to international collaboration, for which three separate bodies can be discerned. First, there is the European Board of National Archivists (EBNA), an informal network in which European national archivists have been working together for years.

Another organization for European cooperation is the European Archives Group (EAG). In November 2005 the Council of Ministers adopted a Recommendation on increased cooperation in the field of archives in Europe. This recommendation asked for the creation of the EAG comprising experts designated by the Member States and the EU institutions to ensure cooperation and coordination on general matters relating to archives in a more formal way. Following the Council Recommendation, the EAG was created as an expert group of the European Commission in 2006 with the Commission's Secretariat General as its overseeing body.

The third European organization for archival cooperation is EURBICA, the European branch of the International Council on Archives (ICA). Unlike EBNA and EAG, EURBICA provides representation for European countries in the broad geographical sense (also non EU-member states) and has no (formal) relationship to the European Union. Within the ICA, the overall performance of EURBICA is considered to be limited: it has no autonomous legal constitution, bank account or secretariat, and its visibility, effectiveness and impact are, with some exceptions, low. Regional needs, such as sharing archival knowledge, are met in bilateral and multilateral settings rather than through EURBICA. EURBICA is therefore considering to orient its activities more specifically and exclusively

toward the promotion of collaboration in and with non-EU member states within Europe, that cannot fall back on the previously mentioned channels related to the European Union (EBNA, EAG).

Besides these three bodies, European archivists have been cooperating within two projects funded by the European Commission. The DLM Forum is a community of public archives and interested parties from across government, commercial, academic and voluntary sectors who are active in information governance. It was founded by the European Commission and first met in 1996. The Archives Portal Europe network of excellence (APEx) is the framework for European Archives to collaborate for wider and enhanced accessibility of their content on the web. The APEx project is a continuation of a previous project, APEnet. It is funded and supported by the European Commission's Information and Technology Policy Support Programme and runs until 2015.

As was said in the introduction, increased cooperation within the European archival sector is needed. The current bodies for cooperation provide the possibilities for this, but since there are at least three of them there is a risk of fragmentation of efforts. To avoid this, we should also reconsider the interrelations between the different bodies for European cooperation and make clear-cut choices for the division of roles.

Where influencing European policy making processing is concerned, as we see it, neither EBNA nor EURBICA seem to be the appropriate bodies to do so. EBNA does not hold a formal status within the European policy framework. EURBICA represents Europe in a wider geographical sense than just the European Union and as such is not a compatible counterpart within the EU framework. EURBICA could, however, be seen as a linking pin between EU member states and non-members, for example, in Eastern Europe. Because of its formal status as an expert group of the European Commission, the EAG seems to be best suited to operate on the rising crossroads between EU policy making and the effects of digitization on the archival sector. In order to execute this role, however, the way in which the EAG operates will have to change.

### **3. Means and methods of the European Archives Group: what can we do?**

#### General framework and rules of procedure of the European Archives Group

As an expert group of the European Commission, the EAG operates within the terms of reference provided by the European Commission in the document 'General Framework governing the establishment and functioning of a group of experts on cooperation between Member States in the field of archives'. The EAG's terms of reference contains articles on the composition, the task, the operation and expenses of the EAG.

Besides the European Commission's framework for the EAG as an expert group, the EAG has its own document with rules of procedure, for example on the convening, preparation and follow-up of meetings, and the appointment of sub-groups to examine specific questions.

#### Meetings of the European Archives Group

The EAG is co-chaired by a representative of the Commission and the representative from the Member State that holds the Presidency of the Council of the European Union. The EAG meets twice every year. Its activities and agenda are planned under the responsibility of the Commission Co-chair. In a way, this means that the archives themselves have limited say over the EAG agenda. At EAG meetings, the issues discussed rarely lead to the assignment of follow up actions to members. In between the two meetings per year, communication and exchange of information and ideas between members is found to be minimal.

Since 2009, EAG meetings have been held jointly with the meeting of the European Board of National Archivists (EBNA) and have been hosted by the EU Presidency. Generally speaking, EBNA meetings are far more elaborate than EAG meetings. In order to avoid fragmentation of efforts on the European front, it might be worthwhile to examine the current form of EBNA meetings and their relation to the EAG. Is it still meaningful that they be separate, though consecutively organized meetings, or could they be joined together more strongly?

### Sub-groups of the European Archives Group

In agreement with the European Commission, the EAG may set up sub-groups to examine specific questions under terms of reference established by the EAG. In the past, numerous sub-groups have been set up, for example the working groups on 'preservation and disaster prevention', 'the creation and maintenance of an Internet Portal for Archives in Europe', and 'measures to prevent theft of archival documents'.

### Consultation

According to its terms of reference, the EAG may be consulted by the European Commission on any matter relating to archives. Furthermore, the co-chairperson of the EAG representing the Member State holding the Presidency of the Council of the European Union may advise the Commission that it is desirable to consult the EAG on a specific question (article 3.1, 3.2). This gives the EAG the very valuable prerogative to actively offer its advice to the European Commission on European policy-making that directly or indirectly affects European archives. A proactive approach of the archival sector would also be beneficial to the European Commission itself in performing an impact analysis of its proposals.

In the past, the EAG has not yet been consulted by the European Commission, nor has the EAG advised the Commission to be consulted.

### Progress reports to the European Council

The EAG can report on its progress on set priorities through progress reports to the European Council. It has done so in 2008 and 2012. By doing so, the EAG creates official European documents, that potentially have the power to influence the position of European archives on the one hand and European policy-making on issues related or relevant to European archives. Furthermore, the support of official European documentation could potentially help European archives in their advocacy at national level. Unfortunately, however, the decisions and recommendations from the 2012 report were only partly followed up by the EAG members themselves.

In its most recent progress report (2012), the EAG stated that, going forward, the National Archives *'will coordinate their efforts, between themselves and with the EU institutions, via the European Board of National Archivists and the European Archives Group. In addition, the National Archives will seek to engage more closely with other bodies involved in information management and e-government. The National Archives aim to be a full partner in EU policy development on open data and online access to information.'*

## **4. Influencing European policy making: why is it important for us?**

As was said in the introduction, it is important for the European archival sector to be(come) a stakeholder in European policy making processes, especially in the fields of information and data (technology), by with the European Commission's Directorate General CONNECT. One way or another, EU policies will affect the archival world. But why is DG Connect so important to us?

DG CONNECT, in its own words, supports the kind of high-quality research and innovation which delivers imaginative, practical and value-enhancing results; fosters creativity through a European data value-chain in which anyone can share knowledge; promotes greater use of, and public access to, digital goods and digital services, including "cloud" computing, in order to boost the European single market; ensures that those goods and services are more secure, that people can trust the rapidly evolving technologies which surround them, and that people have the right skills and confidence to use them as part of everyday life; and works with partners globally to support an

## **DG CONNECT activities of interest to the archival sector (selective list)**

### DG CONNECT Theme: Improving conditions for innovation, growth and jobs

**Open data:** to contribute to implementing and further developing the European Commission's open data strategy by ensuring discussions and feedback inside the Commission, and between the Commission and all other stakeholders, on how open data can best achieve public interest objectives. The Commission's interest in this has to do with untapped business and economic opportunities ('data is the new gold'), as well as issues of open governance and citizen empowerment and societal challenges. Within this activity, DG CONNECT faces challenges such as the terms of re-use, a variety of digital formats, complicated licensing procedures etc.

**Data value chain:** to help the various stakeholders in the EU data economy closely cooperate in a coherent data ecosystem in order to extract the maximum economic and social value from data by building on the intelligent use of data sources across the European Union. A well-functioning data ecosystem is supposed to bring together the research community, software companies, the data intensive sectors and data users.

**Open data policy and public sector information:** to make open data the norm in the practices and mindset of public sector bodies across the EU, which will support the re-use of the data for innovative applications and contribute to the democratic process, creation of jobs and economic growth. The priority is to advance the Commission's open data policy by accompanying the adoption process of the revised Directive on the re-use of Public Sector Information (PSI) by Parliament and Council, by handling complaints and infringements based on the existing PSI Directive and by promoting open data policies across the EU.

**Open data and language resources: pan-European portals:** to provide a single point of access to data sets produced by public bodies at EU, national, regional or local level with the help of EU wide open data infrastructure in order to enable the full exploitation of related market opportunities so that the accessibility and usability of fragmented data and language resources available at local, regional and national level will improve.

**Public services: eGovernment Action Plan 2011-2015:** DG CONNECT strives to implement its vision for enhanced innovation in and transformation of the public sector, aiming to transform governments into more open, transparent and collaborative entities, where citizen and businesses are put at the heart of their thinking and action.

### DG CONNECT Theme: Framing better rules

**Digital single market for content:** Europe is home to a wide range of innovative online services across the different creative content / entertainment sectors (incl. audiovisual) and European organizations and citizens benefit from state-of-the-art digital and online solutions for research, education and dissemination of cultural heritage. Priorities are to contribute to the reform of regulatory frameworks, for example on copyright issues, and to disseminate best practices for the digitization and online availability of film heritage.

**ePrivacy:** DG CONNECT aims to ensure that the legal framework and policies on data protection and privacy protect EU consumers uniformly across the EU, promote pragmatic and effective solutions which foster citizen's trust and confidence on-line and in the ICT sector in general.

### DG CONNECT Theme: Ensuring ICT benefits society

**Online accessibility and digital preservation of Europe's cultural heritage:** online accessibility of all of Europe's cultural heritage and its long-term preservation to promote and protect cultural diversity across Europe, contribute to better quality of life for European citizens, and fuel innovation. Priorities are to promote efficient solutions for the digitization of cultural resources across Europe, to improve their online and cross-border accessibility, to contribute to their digital preservation, and to develop their economic potential.

**Europeana platform:** European citizens and the Cultural and Creative Industries (CCI's) can access European culture for the widest possible variety of purposes. Europeana has developed into a data hub for the creative industries and contributed to unleashing the economic potential of Europe's cultural heritage as input for innovative added-value products and services. Europeana serves as a test bed for the emergence of solutions for cross-border access to and re-use of digital cultural material as well as new business models for the CCIs.

open Internet. To achieve these goals, DG CONNECT's activities have been divided into various themes.

Even a quick glance at these themes and activities shows areas where EU priorities overlap with and could potentially either harm or benefit archival interests. A non-exhausting impression of the themes and activities that should be of interest to the archival sector is given in the box on page 4. Initiatives on open data, privacy, and the online accessibility and digital preservation of heritage – important challenges that archives are faced with in the digitized society – pop out. What also stands out is the fact that the library world is represented in one of DG CONNECT's key initiatives: the Europeana platform (incl. efforts to sustain the funding of this platform). To draw the parallel: the archival sector too has developed a vehicle for cross-European online accessibility and digital preservation, but even though the development of APE and APEX has been funded by DG CONNECT, the DG's priorities and activities do not mention them. A possible starting point for a closer working relation with DG CONNECT could be for the EAG to create a link to MSEG, DG CONNECT's expert group on digitization and digital preservation, in which Member States are mostly represented by their Ministries of Culture.

Clearly, it would be wise for the EAG, being a formal expert group of the European Commission, to be more aware of policy developments, particularly within DG CONNECT, to invest more in its relations with the Commission and to offer its expertise on matters concerning the archival sector. In order to do so, the EAG needs a shared and clearly defined internal agenda as well as a long term strategic agenda.

## **5. EU Data Protection Regulation: what lessons have we learned?**

In January 2012 the European Commission finished a proposal to reform existing regulations on data protection. This proposal for a new Data Protection Regulation intends to further protect data of European citizens and companies, for example by awarding citizens the right to have their personal information removed.

Although the proposed measures would have great consequences for the archival sector, as the ultimate custodians of (public) records, in drafting its proposal the European Commission did not consult the archival sector, nor did the EAG actively seek to be consulted. In fact, only after the Commission's proposal had already been submitted to the European Council did the archival sector become aware of the regulation in the making and its possible implications. As an expert group of the European Commission, the EAG can only be consulted by or give advice to the European Commission during the drafting phase of new policy proposals by the Commission. Therefore, once a proposal has been submitted to the European Council, the EAG is no longer an official stakeholder in the policy making process. At this stage, it is up to individual Member States to comment on proposals through their Permanent Representatives.

Fortunately, European archives were able to have their issues with the Data Protection Regulations put on the Council's agenda by their national representatives and have archives defined as an exception to the general regulations in a separate article. In this process, the EAG network proved very valuable, as it allowed the various European archives to exchange and sometimes co-draft positions.

Although archives themselves, as a part of the cultural domain, are not within the competence of the European Union but that of the individual Member States, the example of Data Protection Regulation proves that insight in and influence on European policy-making can be of great importance to archives. The case of Data Protection Regulation, combined with the EAG's means and methods described above, also shows that the EAG is not making the most of its prerogative to be consulted by the European Commission in the early stages of policy development or the possibility to position itself firmly on relevant issues through its progress reports to the European Council.

On the positive side, the way in which European Archives were able to influence the policy making process through their Permanent Representatives once the European Commission's proposal on Data Protection Regulation had been submitted to the European Council also shows the archival sector's potential combined strength in the European arena.

## **6. The European Archives Group compared to other sectors and their representatives**

Within the European framework, archives are just one of many stakeholders. Within the archival community, it is often thought that other branches in the field of data and information (technology) such as statisticians, libraries and mapping agencies are far more successful in influencing European policies. But what makes them successful? Do they have a better organizational starting position than the archives, or are they simply organized more effectively?

To start with the statisticians, their status within the European Union is in fact a different one. Within the European Council there is an actual 'Working Party on Statistics'. This working party takes part in the preparation of legislation by the Council. In the case of Data Protection Regulation, the statistician's working party was able to state its position on the draft Regulation to the Council. The archival sector does not have its own working party within the Council, but, as we have seen, can only try to influence a proposal of the Council through its Permanent Representatives. Issues concerning archives specifically are usually treated either in the 'Working Party on Information' or in the 'Committee on Cultural Affairs'.

Libraries, on the other hand, do not hold a formal position within the European policy-making framework, neither as an expert group of the European Commission, nor as a working group within the European Council. The library world has however set up its own independent lobby group, the European Bureau of Library, Information and Documentation Associations (EBLIDA). EBLIDA focuses on European information society issues, including copyright and licensing, culture and education, and promotes 'unhindered access to information in the digital age and the role of archives and libraries in achieving this goal'. Through their lobby work, libraries have made themselves a visible and influential stakeholder. They have been involved in the Digital Agenda from the beginning and they have taken seats in various advisory and working groups of DG CONNECT.

Like the library sector, European mapping agencies also do not have a formal position within the European policy-making framework. The official National Mapping, Cadastre and Land Registry Agencies (NMCAs) of Europe have however combined their strengths in EuroGeographics. EuroGeographics is a registered not for profit association that aims at 'achieving interoperability of the Members' national land and geographic information assets to provide Europeans with an information asset that will support its goal to become the most competitive and sustainable economy in the world.' Its activities focus on underpinning the European Spatial Data Infrastructure with definitive reference data collected, maintained and provided by its members. One of these activities is listed as: 'Engagement with European decision-makers, enables our positive contribution to important initiatives, policies and projects. We also act as our members' eyes and ears in the EC and Parliament to keep them fully informed about relevant developments.'

A more elaborate comparison, or benchmark, of various data and information sectors could be helpful in determining a new course for the EAG as a stakeholder within the EU. Based on the above it seems clear already that a specific formal status within the EU policy-making framework is not a necessary precondition for becoming a visible and influential stakeholder. The library world and European mapping agencies seem to be doing fine without it. At the same time, the statisticians are working their formal position within the Council to their full advantage. It could be argued that, compared to libraries and mapping agencies, the archival sector at least in theory has a much stronger starting position for advocacy on European policy issues.

## **7. Making the most of European collaboration: a discussion on future strategy**

### Exploring the problem

It is our belief that investing in European advocacy is not only worthwhile, but crucial to the European archives' sector. European policies in many areas, such as data protection, can have far-reaching consequences for archives and the archival profession. At the same time, initiatives, knowledge and experience of the European archival sector itself can be beneficial to EU key priorities. Therefore, it is of the utmost importance that archives position themselves as a stakeholder within the European policy arena.

Because of its status as an expert group of the European Commission, the EAG is the best suited platform for this, since it can a) offer its expertise to the European Commission in the earliest stages of policy making and b) assert its positions in progress reports to the European Council, that then become official EU documents. Realizing the EAG's full potential as an expert group in a proactive way is not only beneficial to the European Commission and the European archival sector as a whole, but can also help national archives to strengthen their position on a national basis.

Although the European archival sector has the potential to be an influential stakeholder, especially through the EAG with its formal status as an expert group of the European Commission, it is not. Resuming what was stated in previous sections of this discussion paper, a core problem in this is that the EAG is not using its formal means within the European framework effectively:

- The European Archives themselves are not in control of the EAG's agenda.
- EAG meetings rarely lead to the assignment of responsibilities and follow up actions on specific topics to EAG members. In between the two meetings per year communication, exchange of information and ideas within the EAG is minimal.
- During its existence, the EAG has not formally been consulted by the European Commission, nor has it requested to be consulted proactively.
- Although the EAG has written two progress reports to the European Council, priorities set in these reports have not been given proper follow up. A new report is not yet foreseen.

### Exploring the causes

What has prevented the EAG from proactively pursuing a more strategic agenda until now? To start the discussion, we would like to invite the EAG members to explore possible causes with us. We have listed some possibilities below, but there might very well be other factors that we have overlooked.

- The need for a proactive strategic approach on a European level is not shared by other EAG members.
- EAG only meets two times a year, while European policy making takes place all year long.
- Efforts of the archival sector within Europe are too fragmented (EAG, EBNA, EURBICA).
- Unfamiliarity with European policy making (procedures, stages and possible interventions).
- A lack of insight into (new) initiatives for European policies that directly or indirectly influence the work of archives.
- Organizational distance of the EAG from the European Commission's Directorate-General overseeing the EU Digital Agenda, while many of the initiatives relevant to archives take place in the field of digitization.

### Exploring possible solutions: proposed decisions for the Athens meeting

Having explored the causes, we would like to invite the EAG members to explore possibilities and discuss proposals for a more strategic course for the EAG. We have listed some proposed decisions to take the first steps below:

**1. The EAG will implement a new, strategic course in order to increase its influence on European policy-making processes relevant to the archival sector. It will make better use of its prerogative to be consulted by the European Commission.**

Corresponding actions:

- A sub-group of (min.) 2 EAG members will be created to:
  - strengthen the EAG's knowledge of European policy-making processes and current / upcoming policy developments;
  - formulate proposals for a long term strategic agenda and activities for the EAG;
  - define the EAG's strategic priorities and relevant EU policy areas in a new progress report to the European Council.

This sub-group will report to the EAG at its next meeting in Turin, November 2014.

- In light of the new strategic course of the EAG, all European national archives will reconfirm who will represent them in the EAG. It is recommended that all national archives are represented at a management level.

**2.**

**A. To provide the EAG with continuity in its strategic course, its chairmanship will be strengthened. Besides the two co-chairs currently defined in the EAG's Framework – a representative of the European Commission and a representative of the Member State holding the presidency of the Council – representatives of the previous and upcoming EU presidencies will take part in drafting the EAG agenda.**

**OR**

**B. To provide the EAG with continuity in its strategic course, its chairmanship will be strengthened. Instead of the rotating co-chairmanship defined in the EAG's Framework – consisting of a representative of the European Commission and a representative of the Member State holding the presidency of the Council – there will be a steady co-chairmanship consisting of a representative of the European Commission and two representatives of Member States, elected co-chair and deputy co-chair by the EAG for a period of at least two years.**

***N.B. To enable this, the EAG Framework would have to be altered.***

Corresponding actions:

- In case of decision A, the next EAG chairmanship will consist of:
  - A representative of the European Commission;
  - A representative of the previous EU Presidency: Marietta Minotos;
  - A representative of the current EU Presidency: Giulia Barrera;
  - A representative of the next EU Presidency: Mara Sprudza.
- In case of decision B, the EAG will elect one of its members as permanent co-chair for a period of four years at the next EAG meeting in Turin, November 2014.
- The EAG's co-chairs are responsible for defining (new) working relations with the EAG's Secretariat in Brussels, with the ambition of creating year-round support for the EAG.

**3. The format and order for EBNA / EAG meetings will be altered. Going forward, the EAG meeting will take up the full first day of the assembly and will cover the EAG's strategic agenda. This includes formal presentations on the DLM Forum and APEx to the EAG. On day two, the informal EBNA meetings will take place as well as a session on (the link with) EURBICA and non-EU members.**

Corresponding actions:

- The host of the next EBNA meeting (Italy) and the new chairmanship of the EAG will apply the new format for the EBNA / EAG meetings in Turin, November 2014.



- 4. The EAG will examine its relationship with and the approach of other European archival bodies (such as EBNA and EURBICA) as well as other sectors within the data and information branch to collect good practices and to map where possibilities for combined action exist.**

Corresponding actions:

- A sub-group of (min.) 2 EAG members will be created to:
    - examine the EAG's relations with other European Archival bodies;
    - benchmark the EAG's approach with that of other sectors and collect good practices.
- This sub-group will report to the EAG at its next meeting in Turin, November 2014.

***Annex I: General framework governing the establishment and functioning of a group of experts on cooperation between Member States in the field of archives***

***Annex II: Rules of procedure of the European Archives Group***