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Your Ref: July 26th 2018
No CL/4245

Our Ref: November 19th 2018
No 1-15/18/342

**First consultation on the implementation
of the 2015 Recommendation Concerning the Preservation of,
and Access to, Documentary Heritage Including in Digital Form**

Dear Mr Banerjee,

UNESCO has invited Member States to submit a report on the legislative and administrative provisions and any other measures they have taken to implement the 2015 Recommendation Concerning the Preservation of, and Access to, Documentary Heritage Including in Digital Form.

The National Archives of Estonia has been the organization responsible for the preparation of the report on behalf of the Republic of Estonia. Toivo JULLINEN, Deputy National Archivist of Estonia, Memory of the World national focal point (E-mail: toivo.jullinen@ra.ee; Phone: (+372) 693 8000) is the officially designated contact person for the issues concerning the report. The report is attached.

Yours Sincerely,

Priit Pirsko
National Archivist

**QUESTIONNAIRE FOR THE PREPARATION OF REPORTS BY MEMBER STATES ON
THE APPLICATION OF THE RECOMMENDATION CONCERNING THE PRESERVATION OF,
AND ACCESS TO, DOCUMENTARY HERITAGE INCLUDING IN DIGITAL FORM (2015)**

Preliminary remarks

Member States are invited to consult the Implementation Guidelines that have been prepared to assist Member States with the practical application of the various provisions of the Recommendation. The proposed questionnaire has been established based on the topics set out in the Implementation Guidelines, which can be found on the Memory of the World (MoW) website at:

https://en.unesco.org/sites/default/files/2015_mow_recommendation_implementation_guidelines_en.pdf

Pursuant to Articles 15 and 16.1 of the Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the UNESCO Constitution, the Director-General of UNESCO has invited Member States by the Circular Letter 4155 dated 28 April 2016 to submit the Recommendation to their competent authorities within a period of one year from the close of the session of the General Conference.

Furthermore, under Article VIII of UNESCO's Constitution, Member States are required to submit a report on the legislative and administrative provisions and any other measures they have taken to implement the conventions and recommendations adopted by the Organization.

QUESTIONNAIRE

GENERAL INFORMATION:

Country:

ESTONIA

Organization(s) or entity (s) responsible for the preparation of the report:

The National Archives of Estonia

Officially designated contact person/institution:

Toivo JULLINEN, Deputy National Archivist of Estonia, Memory of the World national focal point
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Name(s) of designated official(s) certifying the report:

Priit PIRSKO, National Archivist of Estonia

Brief description of the consultation process established for the preparation of the report:

Although the responsibility for the implementation of the recommendation is shared with many stakeholders, the main institution in Estonia dealing with the range of matters covered by the recommendation is the National Archives of Estonia. In compiling the report additional information from the other key memory institutions and professional associations has been used as well. Necessary consultations within and outside the concerned ministries (Ministry of Culture and Ministry of Education and Research) have been organised. Estonian National Commission for UNESCO has been consulted extensively for advice and information.

REPORTING ON THE SPECIFIC PROVISIONS OF THE RECOMMENATION:

General support:

1. *Has the Recommendation been promulgated to appropriate ministries and institutions? (Section 1)*

Estonian experts participated in the consultative process of drafting the recommendation. After the unanimous adoption of the recommendation by the 38th session of the General Conference, the information was distributed at the national level.

2. *Has the Recommendation been translated into the national language(s) (if applicable)?*

The recommendation has been translated into Estonian and is accessible from the webpage of the Estonian National Commission for UNESCO.

[http://unesco.ee/public/Recommendation concerning the preservation of and access to documentary heritage including in digital form.pdf](http://unesco.ee/public/Recommendation_concerning_the_preservation_of_and_access_to_documentary_heritage_including_in_digital_form.pdf)

3. *Has your country created a supportive, participatory, enabling and stable environment for all parties? (1.1, 1.2, 3.1, 4.5, 5.1, 5.2)*

The Estonian Parliament has approved the general principles of the cultural policy up to 2020. According to these principles the objective of the cultural policy is to form a society that values creativity by maintaining and improving the national identity of Estonia, researching, storing, and transferring cultural memory, and creating favourable conditions for the development of a vital, open, and versatile cultural space and for participating in culture.

The general principles of the cultural policy are based on the conviction that culture is one of the key factors in achieving many goals both on a local and national level. According to the Estonian constitution, all issues related to local life are decided by local governments who operate independently based on the applicable legislation. The general principles lay down the principles and activity directions for shaping and realising the cultural policy for the central government institutions, at the same time considering that local governments have an important role to fill in organising local cultural life, sustaining cultural establishments, and supporting cultural activities.

Strategy document "Culture 2020" is the basis on making governmental decisions in the field of culture and heritage up to year 2020. Legislation (Archives Act, Museum Act, Public Libraries Act, Legal Deposit Copy Act etc) gives guidelines for collecting heritage, forming collections and providing access.

Most of the documentary heritage in Estonia (more than ¾ of it) is being preserved by the public archives – the National Archives and city archives in Tallinn and Narva. Significant and valuable collections of documentary heritage are also kept by the major libraries of Estonia, especially by the National Library of Estonia and the university libraries in Tartu and Tallinn. Collections of documentary heritage could be preserved also by museums (especially the Estonian History Museum and the Estonian Literary Museum). The activities of these institutions are mostly covered by special laws (the Archives Act, the National Library of Estonia Act to be mentioned first). Within the regulations set by the laws all these institutions are independent and autonomous to perform their activities.

4. *How, if at all, has your country applied international standards and curatorial best practice (2.4, 2.7, 2.8, 2.9, 4.2, 5.1, 5.2, 5.5)?*

Estonia has applied ISAD(G), ISAAR(CPF) in defining the composition of description elements of the documentary heritage; MoReq in drawing up requirements for electronic document management systems, list of metadata and defining work processes for preservation of digitally born documents in institutions and archives as well as transferring documents to the archive. OAIS model in building a digital archive is in use.

Estonia has adopted several ISO and CEN standards as national standards regulating the field (preservation and conservation of written heritage). The ideas and requirements of ISO are also reflected in archival rules (government regulation) and in guidelines.

5. What consultation mechanisms does the government maintain with stakeholders in the documentary heritage sector (national and private memory institutions, professional associations, relevant NGOs)? (1.2)

The shaping and realising of the government policy in the sector is open and transparent, involving partner organisations of the public sector as well as those representing communities and the third sector. The objectives are formulated as cooperation between the partners and the state, based on strategies that are updated on a regular basis. When drafting legislation in the field of culture including the documentary heritage sector the state takes into account the development directions of the legal policy in order to avoid over-regulation of the field.

To increase cooperation between institutions and to facilitate multilateral ties and influence with various stakeholders and to involve interested parties several advisory and governing bodies have been established by the law. For example Archives Board and Council of Science Libraries are operating at the Ministry of Education and Research; Museums Board at the Ministry of Culture; the National Library of Estonia has its own board. Professional associations, private institutions, relevant businesses and other NGOs are represented on these boards.

Chaired by Ministry of Economic Affairs and Communications, the Records Management Council is meeting regularly to discuss records management related issues and activities, including transferring documents to the archive etc. The Society of Document Managers and the Society of Archivists are organising regularly cross sectoral conferences on related matters.

6. What actions has your country taken in order to support memory institutions in establishing policies and standards by research and consultation, guided by internationally established norms? (1.1, 1.2, 2.2, 2.3, 3.2)

Estonian Centre for Standardisation organises the translation of standards into Estonian and validating as national standards. By the Standardisation centre a mirror committee to ISO committee Information and Documentation is registered and meets on a regular basis.

Legal regulations for the archival descriptions are based on the international standards ISAD(G): General International Standard Archival Description and ISAAR(CPF): International Standard Archival Authority Record for Corporate Bodies, Persons and Families endorsed by the International Council on Archives.

7. What major capacity-building measures and policies have taken place within the sector? Is research and training for documentary heritage professionals organized in your country? How often? (2.4, 2.7, 2.8, 2.9, 5.1, 5.2)

Estonia has developed national curriculums on vocational and university level training for historians, museum workers, preservation specialists, conservators. Vocational practise is carried out in memory institutions. The training is permanent and regular. Higher education (degree studies) are available for free. Digitising cultural heritage (for the purposes of access and preservation) is a priority and therefore the government is financing mass digitization projects involving also considerable amount of EU funding. In recent years Estonia has built several new buildings for memory institutions and actively renovates the existing ones.

Legislation and mandates:

- 8. What legislation does your country have in place to:*
- *define the authority, mandate, independence and governance structure of your national memory institutions? (3.1, 4.5)*
 - *guarantee the ability of memory institutions to take unhindered preservation action on documents in their collections? (3.5 to 3.7)*

- *promote and facilitate maximum inclusive access by empowering memory institutions? (3.2)*
- *support memory institutions providing access to material whose copyright status cannot be clarified? (3.5 to 3.7)*
- *ensure statutory deposit of documents in memory institutions? (4.6)*

The Estonian legislation for the cultural sector is generally in line with the recommendation. The most relevant piece of Estonian legislation in the field of documentary heritage is the Archives Act. This act provides legal requirements for the appraisal of records, acquisition and preservation of archival records, grant of access to the records, organisation of use of the records and the bases for the activities of The National Archives and local government archives.

According to the Archives Act the National Archives is a government authority (agency) within the domain of the Ministry of Education and Research whose main function is to appraise records created or received in the course of performance of public duties by agencies or persons, acquire and preserve archival records, grant access to archival records and organise the use of the documentary heritage. On the other hand, the National Archives guarantees the protection of citizens' basic rights and duties as well as the transparency of the democratic government through the keeping of archival records. The National Archives is acting on the basis of the Archives Act and Archival rules (government regulation).

The National Archives shall also acquire private records of cultural or historical value by agreement with the owner, if possible and public interest exists for that. The National Archives shall, if possible and public interest therein exists, assist the owners of private records of cultural and historical value in arranging, describing and preserving the records.

As described in the law, the National Archives shall identify agencies and persons performing public duties whose activities may result in records of archival value, based on the importance of the agency or person to society and the content of the public duties (i.e. macro-level appraisal). Then the National Archives shall identify records of archival value upon appraisal of the records of agencies and persons which have been selected in the first stage of the appraisal process taking into account the need to exercise public authority, the need to certify the rights and transactions of persons and the cultural and historical value of the information. These are the main criteria for appraisal described by the Archives Act. Agencies and persons must keep their records and shall not destroy their records before the identification of the possible archival value of records by the public archive.

Appraisal and acquisition activities are defined by the acquisition policy of the National Archives of Estonia. It specifies what is acquired by the National Archives and how does the National Archives acquire records. Specific details of acquisition of moving images (films and video recordings), photographs and sound recordings are described in collection policy of the film archive of the National Archives. Other major memory institutions (libraries, museums) keeping the documentary heritage have developed their own acquisition and collection policies which cover also the documentary heritage issues.

Agencies and persons performing public duties shall transfer their records of archival value to the National Archives if such records are no longer necessary for the performance of their duties, but not later than ten years after the creation or receipt of the records, unless otherwise provided by law. The transferor shall bear the expenses related to the transfer of records created or received in the course of performance of public duties to the National Archives, including expenses incurred in the arrangement, description and transport of the records according to the requirements.

Access to the documentary heritage preserved in the National Archives is unrestricted, unless restrictions are established by the Public Information Act, the Personal Data Protection Act, the State Secrets and Classified Information of Foreign States Act or another Act. According to the Archives Act the conditions for access to private records which have been transferred to the National Archives shall be provided by a contract. Restrictions on access provided by such a contract shall not be applied for more than 50 years as of the transfer of the records to the archive.

The archival descriptions of the collections of the National Archives (also Tallinn City Archives and partly the collections of documentary heritage of the major museums) can be found on-line, free of

charge via the Archival Information System AIS using the names and titles of the archives (collections), record series and records. AIS is run, maintained and developed by the National Archives.

The National Archives has reading rooms in Tallinn, Tartu, Rakvere and Valga. Instructions for ordering materials can be found in digital on-line self-service environment. The self-service environment is open for the users around the clock. It is possible to consult the content of the collections, order items to the reading room browse archival descriptions and digitised records, order and buy digital and paper copies and consult archive staff. There is a reading room at the Tallinn City Archives as well.

Museums can use the functionalities of the MuIS - a museum information system, web-based environment to manage museum collections and keep track of the artefacts (documentary heritage included). It also helps to make the information kept in the museums accessible to the public. Museums provide on-site research rooms for consulting the documentary heritage.

The National Library of Estonia, the university libraries and their customers benefit from using ESTER which is a common shared electronic catalogue of all Estonian libraries. They also provide on-site research possibilities.

The Estonian e-repository (E-varamu) has been created to enable search through information systems of the memory institutions. It is an integrated e-environment created for digitized resources of the Estonian memory institutions: libraries, archives and museums. The e-repository enables to link national heritage collections with the Pan-European library Europeana and also Archives Portal of Europe.

Government protects intellectual property by adjusting the legislation according to the development of technological solutions. The obligation of the state is to create an efficient legal framework to protect intellectual property in order to ensure the proprietary rights of authors and the protection of any rights arising from them in relation to the use of intellectual property. Government also facilitates in the proactive presentation and use of works in case of which the proprietary copyright belongs to the state.

The Estonian Copyright Act authorises public archives, museums and libraries to use a work included in their collections for the purposes of an exhibition or the promotion of the collection to the extent justified by the purpose. It is also allowed to make available works in its collections on the spot through special equipment or to lend works in its collections for individuals on the spot use. All this could be done without the authorisation of the author and without payment of remuneration. Preservation activities (including digitising a collection for the purposes of preservation) are covered by the same legal exception.

9. Has government net funding of national memory institutions (in recent years) increased or decreased? By how much? (4.1)

Estonia is a full member of the European Economic and Monetary Union (EMU) since 1 January 2011. Estonia's fiscal policy remains in line with the Stability and Growth Pact - a set of rules designed to ensure that countries in the European Union pursue sound public finances and coordinate their fiscal policies. The fiscal policy of Estonia has maintained its conservative nature. This kind of policy will help to ensure the long-term sustainability of public finances and that the services and support provided by the state will be guaranteed at all times.

Recent years have been favourable for the Estonian economy and the yearly increase in the central government expenditure budget has been approximately 4-7% per annum. This has affected the government funded cultural sector expenditures (salaries and investments included) and in particular the memory institutions in the positive way.

10. What long term investment in analogue and digital documentary preservation has been made? (4.1)

National memory institutions (The National Archives of Estonia, the Estonian National Museum) have recently opened to the public their new main buildings with purpose-built repositories and laboratories for preservation, conservation and digitisation. Facilities of the university libraries in Tallinn and Tartu have gone through extensive renovations. Government has launched a

programme to renovate the building of the National Library of Estonia in the coming years including up-to-date repositories and digital infrastructure for documentary heritage shared by the National Archives of Estonia.

Funding from the government has facilitated the National Archives of Estonia to develop and implement the digital archives to its full functionality. The technical capabilities of the digital archives at the National Archives are opened for use to other public archives as well. MuIS - a museum information system, web-based environment to manage museum collections and DIGAR - the National Library of Estonia digital archives have also benefited from additional public funding.

11. What encouragement has been given in the development of open source software and access to proprietary codes by memory institutions? (4.7, 4.8)

These issues are among others addressed by the Public Information Act in connection with the re-use of public information to which access (public use) is not restricted. If this is possible and appropriate, the holder of such information shall grant access to data in a file format which is structured so that software applications can easily identify, recognize and extract specific data, including individual statements of fact, and their internal structure (in machine-readable format), and in a format that is platform-independent and made available to the public without any restriction that impedes the re-use of documents (in open format). If conversion of data into digital format, machine-readable format or open format is impossible or would involve disproportionately great effort, the holder of information shall grant access to open data in their original format or in any other format.

Government has created also Open Data Portal of Estonia which is intended to serve as a platform for the dissemination of data by public bodies and for searching and retrieving such datasets by open data users. The archival descriptions (metadata) of the collections of the National Archives of Estonia are published on the portal in two XML formats: RDF and apeEAD (Archives Portal of Europe data format). Through that portal access is enabled also to the data of the National Library of Estonia digital archives (DIGAR) using the EDM (Europeana Data Model) format and to the open data of the MuIS (Museum Information System).

Identification and preservation status of documentary heritage:

12. Do all national memory institutions have published collection development, preservation and access policies? Are there in your country established policies, mechanisms and criteria for selecting, acquiring and de-selecting documentary heritage? What policies have been developed recently? (1.1)

Yes, all national memory institutions have established the collection policies. The National Archives renewed the acquiring principles in 2017, leaving them flexible. The renewing is done according to the needs. The National Library has established the principles for web archiving, which are reviewed annually and renewed according to the actual need.

13. What documentary heritage has been identified as at potential or imminent risk (if any)? What action has been taken? Was it brought to the attention of competent bodies? (1.3, 2.7, 5.5)

Specific parts of the collections of the memory institutions have been identified as at potential risk indeed, namely records based on nitrate film from the National Archives of Estonia own collections – regular inspection of the preservation condition has been done, records infected by vinegar syndrome have been digitized and isolated. Some church records kept in local congregations need special attention as well – consultations and practical aid have been constantly provided by the archives to improve the situation.

14. What arrangements are in place to protect the documentary heritage from danger? (5.4)

Memory institutions have an obligation to perform their risk analysis and compile a risk and disaster management plans. They also have to set the rules for using originals in reading rooms

and exhibitions. The state has been supporting renovation of existing buildings and construction of modern, cost-effective and sustainable repositories for the heritage sector institutions.

15. What practical support has been given to private, local and individual collections of documentary heritage? Are they visible in national directories? (1.3, 4.3)

The National Archives' duty is to consult and collect public archives, but in some cases also private and individual archives are collected. Consultation is given for all archives regardless of their affiliation. After acquisition of the original records, their descriptions will be transferred to the Archival Information System AIS and all collections are made visible in the archives' directories (incl web-based).

Ministry of Culture and Ministry of Education and Research have created the Compatriots' programme activities (including practical assistance, consulting and financial funding) to preserve the Estonian documentary heritage abroad and to collect, preserve and make publicly available the expatriate cultural heritage (incl private and local collections).

The National Archives has launched an information campaign and acquisition project „Estonian Enterprises 100+“ to draw attention to the need of preservation of business records created by the local enterprises. For this purpose guidelines and practical recommendations on the subject of why and how to manage digital documents has been published and distributed.

Regular support (incl conservation and digitisation of genealogical records and financial aid) has been given by the National Archives to the church authorities and local congregations to improve the condition and access possibilities of the church archives.

Capacity-building:

16. What specific steps have been taken to encourage consistency of best practice, coordination and sharing of tasks among memory institutions? (2.1, 2.7)

For this purpose several Estonian ministries, under whose authority all memory institutions operate, together organize 2-day meetings/seminars to discuss topical issues at least twice a year (summer, winter).

There are several working groups (committees, councils etc) that bring together the representatives of memory institutions to plan national activities in certain areas (digitisation, conservation, preservation, access, legislation, training programs, crowdsourcing etc). For instance, there is Estonian Digital Cultural Heritage Council at the Ministry of Culture to bring together relevant experts, representatives of professional associations and agencies.

17. What training schemes have been developed? (1.5)

In recent years a distance learning course on document management and records preservation issues has been provided by the University of Tartu.

Several professional qualification standards related to the heritage management and preservation professions (e.g. archivists, conservators, librarians, document managers, museum specialists etc) have been compiled and practical training sessions organized by the independent or accrediting bodies before the accreditation (which takes place at least once a year).

18. What is the level of involvement of national memory institutions in international professional associations and networks? (2.8, 2.9)

Representatives of the Estonian memory institutions participate in the work of the following international professional associations and networks (the list is not exhaustive):

ICA,
DLM-Forum,
OPF,

ICOM,
IFLA,
IADA,
EHC (Network of the European heads of archival preservation),
BaltHerNet,
Archives Portal Europe.

19. Are there partnerships, including public-private ones, established allowing sharing of costs, facilities and services? (2.2, 3.4, 4.2)

Some examples of such partnerships in Estonia are provided below:

- Digitisation on demand: archives and local governments, archives and NGOs (Genealogical Society of Utah, Ancestry, Yad Vashem), archives and churches (Estonian Evangelical Lutheran Church, Estonian Apostolic Orthodox Church).
- Crowdsourcing – Memory institutions' joint campaign Digitalgud has been aimed to describe photos. The goal of the crowdsourcing platform Ajapaik is to pin old photos of places (and paintings, graphics) to the map and re-photograph the places for comparison.

The National Archives of Estonia has completed two projects up to now:

- Estonians in the 1st World War. The goal was to find and index the Estonian soldiers who participated in I WW.
 - Tartu 1867. The aim was to map former citizens and buildings of Tartu by comparing the 1867 census data with the current map of Tartu.
- Shared use of archival information system – database developed by the National Archives of Estonia involves descriptions and digital images of several collections of documents (e.g. maps, paper manuscripts, parchments) belonging to the museums.
 - Topotheques – a co-creation platform that provides access to the digitized historical sources of communities (village, municipality, society, etc.). Topotheques created in Estonia up to now by the general public contain photos and paper records initially belonging to the archives collection.
 - Estonian e-repository (E-varamu) - the E-varamu portal is part of the Estonian Research Infrastructure Roadmap what is co-funded by European Regional Development Fund. The e-repository is an integrated e-environment created for digitized resources of the Estonian memory institutions: libraries, archives and museums. The e-repository enables to link national heritage collections with the Pan-European library Europeana.

Memory of the World programme:

20. Is there in your country a national Memory of the World committee? If not, what plans exist to establish one? (4.10, 5.6)

Estonia has not established a separate national Memory of the World Committee and has no plans at the moment to do so. There are other existing advisory bodies that contribute to the identification and preservation of as well as access to documentary heritage and promote cooperation between national memory institutions. For instance, the Archives Board operating at the Ministry of Education and Research brings together experts, representatives of professional associations and agencies performing public duties to review the main directions in the archival development and make proposals for further development.

Estonia has opted for designating a Memory of the World national focal point who serves also as a member of the Advisory Board of the Estonian National Commission for UNESCO. Currently this position is held by Mr Toivo Jullinen, Deputy National Archivist at the Estonian National Archives.

21. What recent nominations have been made to Memory of the World registers (international, regional, national)? (1.4)

There is no national MoW register in Estonia and no regional MoW register in Europe.

Concerning the international register, Estonia submitted together with Latvia and Lithuania documentary heritage concerning the The Baltic Way - Human Chain Linking Three States in Their Drive for Freedom that was included in the Memory of the World Register in 2009.

In 2016, Estonia, Latvia and Lithuania presented another joint nomination to the Memory of the World Register entitled "The Baltic Collection of Letters Written on Birch Bark in Siberia, 1941-1965". This nomination was not recommended for inscription by the International Advisory Committee.

There are preparations underway to present joint nomination of the Northern and Central European countries (Germany, Denmark, Poland, Latvia, and Estonia) concerning the merchant and trade records of the medieval Hanseatic League.

22. Are there any Memory of the World outreach and visibility activities organized in your country enhancing accessibility of documentary heritage? Please give examples. (3.7)

The outreach and visibility activities have been organized in connection with preparing nominations to the International Register. For instance, during the preparation of the last nomination in 2016 special temporary exhibitions devoted to the letters written on birch bark in Siberia were organized in all three countries. These exhibitions also provided an opportunity to introduce the Memory of the World Register. In addition, the nominating institutions organized various other activities, including educational programmes in the museums that were the owners/custodians of the nominated documentary heritage.

The nomination process itself provided an opportunity to enhance cooperation among the nominating memory institutions, National Commissions for UNESCO, National Memory of the World Committees/Focal Point and academic institutions. The collaborative process of the nomination established many good cooperative practices among memory institutions, such as collection management, promotion and awareness raising strategies about documentary heritage that benefit the Memory of the World programme.

Tallinn, November 19th 2018.