



Rethinking digital copyright law for a culturally diverse, accessible, creative Europe

Grant Agreement No. 870626

Deliverable Title	Guidelines & FAQs (LA) industries – Interim version
Deliverable Lead:	LIBER
Partner(s) involved:	N/A
Related Work Package:	WP5 – Galleries, libraries, archives, museums (GLAM)
Related Task/Subtask:	T5.2.2 Implementation of legal requirements and criteria for Openness by GLAM industries/ Libraries and Archives (LA)
Main Author(s):	Vasso Kalaitzi (LIBER); Athina Papadopoulou (LIBER)
Other Author(s):	N/A
Dissemination Level:	Public
Due Delivery Date:	30.06.2021
Actual Delivery:	29.06.2021
Project ID	870626
Instrument:	H2020-SC6-GOVERNANCE-2019
Start Date of Project:	01.01.2020
Duration:	36 months



This project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 870626

Version history table			
Version	Date	Modification reason	Modifier(s)
v0.1	15.03.2021	First draft	Vasso Kalaitzi (LIBER); Athina Papadopoulou (LIBER)
v0.2	25.05.2021	Second draft, building upon updated resources	Vasso Kalaitzi (LIBER); Athina Papadopoulou (LIBER)
v0.3	31.05.2021	Version sent for peer-review to Quality Experts, PC and QAM	Vasso Kalaitzi (LIBER); Athina Papadopoulou (LIBER)
v0.4	07.06.2021	Peer-review from the QEs, the Coordinator and the QAM.	Giulia Priora (SSSA); Giulia Dore (UNITN); Alma Serica (SSSA), Caterina Sganga (SSSA)
v1.0	25.06.2021	Accommodated suggested actions requested from the QEs, the Coordinator and the QAM; Final version released	Vasso Kalaitzi (LIBER); Athina Papadopoulou (LIBER)

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Abbreviation list

IPRs	Intellectual Property Rights
GLAM	Galleries, Libraries, Archives, Museums
LA	Libraries and Archives industries
EU	European Union
CH	Cultural Heritage
CHI	Cultural Heritage Institution
AI	Artificial Intelligence
OK	Open Knowledge
DSM	Digital Single Market
WP	Work Package
FAQs	Frequently Asked Questions



Executive Summary

The *reCreating Europe* project takes a multi-disciplinary approach in bringing together several stakeholders, in order to contribute to the research on copyright law and around the enhancement of the regulatory framework towards a culturally diverse, accessible creative Europe. The project is structured in a way that tackles the challenges of each stakeholder group by dedicating a work package to related research.

Work Package (WP) 5 focuses on cultural heritage institutions, such as galleries, libraries, archives and museums (GLAM). Following a comparative and cross-national landscape analysis, aiming to map the governance and implementation processes for Intellectual Property Rights (IPRs) in GLAM, and a report on the existing copyright legal framework addressing Libraries and Archives (LA) in the EU, this deliverable sets the interim version of the Guidelines and Frequently Asked Questions (FAQs) for LA industries with regards to their conducts on a) legal compliance and compliance with standards for Openness, b) implementation of technological measures, c) adoption of social norms and common practices, particularly if in conflict with formal legal norms and more aligned to Open Knowledge principles and d) access to content by people with disabilities.

The deliverable builds upon three main resources of different focus, using emerging common patterns and uncovering synergies, for the benefit of the main target stakeholder group that is the LA industries. The current interim version of Guidelines and FAQs for LA industries will serve as material for further consultation with the relevant communities and will be further advanced, taking into account upcoming research in the context of the project. A final version will be delivered towards the end of the project.



1. Methodology

This deliverable builds upon three different materials: a) the preliminary analysis of the *WP5 - Galleries, Libraries, Archives, Museums (GLAM)* survey results on the impact of copyright law and open policies in relation to digitisation in the GLAM sector, b) the deliverable *D5.2 - Report on the existing legal framework for Libraries and Archives (LA) industries in EU* and c) the methodology and information related to the data to be collected in the framework of *WP2 - End users on access to content by people with disabilities*. The materials were selected to serve as the basis of the Guidelines and FAQs already at the stage of the proposal writing of this project, as most relevant and appropriate for further engagement and knowledge enhancement for the specific stakeholder group, i.e. the LA industries, combining three focusses into one holistic view. Furthermore, the LA industries as addressed in the context of WP5 are characterised by default by multidisciplinary, as is the project overall, while they also interact with the main stakeholder group addressed by WP2, that is the end users, the latter being their main stakeholder target, which creates an important synergy to be taken into consideration for the Guidelines and FAQs with regard to accessibility and openness.

All three materials were studied and analysed in order to surface emerging patterns and common grounds particularly relevant for LA industries at this stage of the project's research. The information gathered was then used to shape and formulate the first approach for determining the set of Guidelines and FAQs specifically tailored for LA industries. Drawing information from these sources specifically helps combine the empirical data drawn from the WP5 - GLAM survey together with the research conducted on the existing legal framework for LA industries, thus covering the existing EU legal framework and the experiences shared by LA staff who took the WP5 - GLAM survey. Drawing information from the data collected in the framework of WP2 focussing on end users also helps provide important information to LA industries with regard to content accessibility through the suggested Guidelines and FAQs.

The aim of this deliverable is to provide an initial set of Guidelines and FAQs for LA industries. This will be enhanced following further analysis of the WP5 - GLAM survey results and targeted engagement, and building expertise activities with the relevant stakeholders' groups, as well as upcoming results and input of the WP2 research regarding accessibility. This process will result in *D5.6 - Guidelines & FAQs (LA) Final version*. Building mainly on empirical analysis, the current deliverable adopts the same methodology. Following different types of consultation (e.g. webinars, workshops, discussion within structures of the target stakeholder group) the methodology towards the final version of the FAQs and Guidelines will be modified based on the needs of the communities it addresses.

The structure of this document depicts the Guidelines and FAQs in two separate sections. Although the content of these two sections builds upon the same resources and research, the sections differ in terms of purpose and, but also due to the different procedures of validation by the respective stakeholders and communities.

1.1 Definitions

1.1.1 Orphan works

Orphan works are works that are protected by copyright law and whose rights holders are either unknown or very difficult or even impossible to trace. There are millions of orphan works in European libraries, museums, archives and public institutions.



1.1.2 Out of commerce works

Out-of-commerce works are works that have never been in circulation, works no longer in circulation or are not available through ordinary commercial channels. It is important to note that out-of-commerce works are protected by copyright law in the EU, unless copyright on them has expired.

1.1.3 EU legislation

EU legislation is divided into primary legislation (the treaties) and secondary legislation (regulations, directives, decisions, recommendations and opinions). A regulation is a binding legislative act that must be applied in an “as is” way across the EU. A directive is a legislative act that depicts the goal all EU members can achieve. Each EU member can decide to devise national law in order to reach this goal. A decision is a binding legislative act on those to whom it is addressed. A recommendation is not binding and has a suggestive character. An opinion is also not binding and serves as a statement.

1.1.4 EU Directive on Copyright in the Digital Single Market 2019/790 (DSM Directive)

The Directive was published in the Official Journal of the European Union on May 17, 2019, and entered into force on June 7, 2019 and aims at modernizing European Union copyright law by taking into account the increasing digital and cross-border uses of protected content. Member States have until June 7, 2021, to implement this Directive into their own national legislation.

1.1.5 Open Knowledge

Open Knowledge refers to any type of content, information or data that anyone is free to use, re-use and redistribute, without any legal, technological or social restriction.

1.2 Preliminary Survey Analysis - impact of copyright law and open policies in relation to digitisation in the GLAM sector.

In September 2020 *reCreating Europe* launched a survey that has been active until January 2021, and aimed at mapping and determining to what extent the GLAM sector is aware of the implications that copyright law and open policies have on the digitisation practices undertaken by its stakeholders. The survey also aimed at determining to what extent the law functions as a barrier to access, use and reuse of digital content and suggesting the possible countermeasures. The survey was open to the public and it was widely circulated in Europe. The final results of the survey will be thoroughly analysed and used to help recommend best practices and policies that enable digitisation to be carried out effectively within the prescriptions of a rebalanced copyright law.

The preliminary results of the survey give a first picture of the impact of copyright law and open policies in relation to digitisation practices in the GLAM sector. Overall 74 LA Institutions (57 Libraries and 17 Archives) participated in the survey. The results show that the overwhelming majority of the LA organisations hold digital collections and that they comprise both born-digital and digitised works. Most of the organisations digitise resources both in house and by outsourcing it to another provider. It is of particular interest that most respondents identify the lack of supervising legal experts and of legal training staff as significant obstacles to digitisation. On the other hand, the lack of knowledge about intellectual property laws (including copyright) and lack of awareness about open policies (including open access) is not identified as a significant



obstacle. It is important to highlight that these identified obstacles are linked to the size of the organisation as larger organisations oftentimes have easy access to internal legal advice.

In terms of IPRs awareness, the majority indicates a moderate/high level of copyright awareness, but not as much for patents, industrial design, trademarks, geographical indications and trade secrets. In terms of specific aspects within the realm of copyright legislation the majority of the respondents indicate a moderate/high familiarity with authorship and ownership of the rights involved, copyright duration, licensing and -copyright exceptions. In contrast, respondents indicate a moderate/low level of familiarity with the specific regulation on orphan and out-of-commerce works.

It is worth noting that about half of the respondents are unaware of the EU Directive 2019/790 on copyright and related rights in the Digital Single Market (DSM Directive). While most respondents declare a very high level of familiarisation with regard to copyright laws on a national level familiarisation with the DSM Directive and its specific is indeed very low.

While the majority of respondents indicates that legal advice was available in-house (e.g. general counsel legal office, legal department, etc.) the majority of the organisations doesn't have training initiatives on either copyright or other IPRs. Respondents express that ideally they would like to receive training on authorship and ownership of rights, copyright exceptions and licensing. In terms of agreements between organisations to facilitate cooperation, the majority didn't have any in place. The indicated agreements were mainly outlined to serve inter-organisational loans of digital resources or, in a residual way, to share the costs of digitisation.

The respondents mention that the overwhelming majority of IPRs owned by their organisations related to copyright, with only a small fraction of them mentioning that it related to exploitation rights and trademarks. In addition, most respondents specify that their organisations do not claim IPRs on the public domain works that have been digitised by them.

In terms of licensing, respondents highlight that license agreements are applied to digital resources, but in their majority would be applied occasionally and not systematically to all works and items.

While the vast majority indicates that their organisations provide access to digital collections, access is given only to a part of the collections and not their entirety.

The epochal shift towards digital collections is recognised by most of the respondents as they declared that there has been an increase of accessibility to digital resources for the years 2017-2020. While it is possible to reproduce digital resources, reproduction comes with limitations both in terms of which types of resources can be reproduced and which parts of them.

Lastly, with regards to technological protection and digital preservation the majority of respondents mentions that there is no system in place while some mention that passwords and/or encryptions are used. The majority also indicates that no special technology is used in relation to digital resources, while some of the respondents note that computational analysis and/or artificial intelligence (AI) tools are used. Almost all respondents had a preservation system in place with the most common one identified as based on hard drive storage.



1.3 Report on the existing legal framework for Libraries and Archives (LA) industries in EU

A second significant resource used for the creation of Guidelines and FAQs for LA industries is the *reCreating Europe D5.2 Report on the existing legal framework for Libraries and Archives (LA) industries in EU*. This report was produced based on the research carried out under *reCreating Europe Task 5.1 European Legal Framework for GLAM industries: from closure to Openness/Subtask 5.1.2. Existing legal framework for Libraries and Archives*. The report focuses on a sector-specific analysis of European digital copyright law from the perspective of Libraries and Archives. It is one of the first outputs stemming from a detailed and comprehensive exercise of legal mapping of EU and national provisions related to copyright in the GLAM sector. In turn, such a task, is part of a wider legal mapping and assessment of the EU copyright legal framework that the project is building taking into account all stakeholders' specific needs.

The report on the cross-national legal mapping on copyright, open licensing and public domain provisions relevant to LA industries defines the two main research questions related to Libraries and Archives, which are also the starting point for the current interim version of Guidelines and FAQs for this specific sector:

- The degree of harmonization of national copyright rules related to the access to digitized and digital-born cultural heritage across the EU, and
- The strengths and weaknesses of the European and national legal framework, in addressing the needs and promoting the efforts of the GLAM industry, and, more specifically, of Libraries and Archives.

The report describes research methodology and preliminary outcomes of the analysis of two types of legal resources, i.e. European legal sources and national legal sources, relevant to Libraries and Archives. Against this backdrop, it proposes the following classification of the most impactful aspects of copyright legislation:

- Reproduction by LA entities Private study and private research
- Public lending
- Uses of orphan works
- Text and Data Mining
- Preservation of cultural heritage
- Uses of out-of-commerce works
- Other uses by LA entities

Three main preliminary results can be outlined based on the research conducted. Firstly, the systematized EU copyright legal framework demonstrates growing attention and focus on LA industries and CHIs and carries a significant body of sector-specific mandatory copyright exceptions as well as limitations. Secondly, it was observed that copyright regulations on a national level turned out to be harmonized in their majority despite the optional nature of the provisions at an EU level. And lastly, the surfaced patterns of convergence and divergence between legislative approaches of EU Member States related to specific provisions within copyright law dictate the need for copyright modernization.



1.4 Access to content by people with disabilities

reCreating Europe has a dedicated work package (WP2) for end users and access to culture, which focuses on accessibility issues of this key stakeholder category when it comes to cultural and creative goods. It targets the general

public and end-users in general, associations of consumers as well as specific categories of underrepresented users, such as people with disabilities, cultural and linguistic minorities, etc. In this context, WP2 is conducting interviews and surveys in order to better understand the issues that hinder or block access to digital cultural content for people with disabilities. One of the core values and driving force of LA industries is ensuring the accessibility to knowledge and collections. An integral part of this mission is to also ensure that access is not restricted for people with disabilities and that the necessary systems are in place for equal access to all. It is therefore of particular interest to include a separate section addressing how LA industries can be better prepared to promote equitable access for all their users.

As of today, WP2 has planned 48 interviews in 12 European countries overall, while more than 30 interviews have been already conducted. These interviews target representative organisations of vulnerable people, who identify themselves as people with disabilities, indigenous people, people belonging to an ethnic minority group, people belonging to a linguistic minority group, people belonging to a religious minority group, migrants or refugees.

At the same time, a survey was carried out in the context of *Task 2.2 - Assessing legal, economic and technological barriers to access for vulnerable groups*. The survey targeted vulnerable people directly and closed on May 28th and the results are under analysis. A second survey is about to follow in the context of *Task 2.5 - empirical case studies on the effectiveness of regulatory measures to increase digital access to academics and people with visual impairments*.

The results deriving from the interviews and surveys will be used in the upcoming consultations with representatives of the LA industries, towards the enhancement of the current FAQs and Guidelines for LA industries, to take into account barriers to access to digital cultural content by people with disabilities.

2. Frequently Asked Questions (FAQs)

2.1 Legal compliance and compliance with standards for Openness

2.1.1 How can LA entities ensure their digitisation procedures adhere to legal requirements and standards for Openness?

While familiarisation with IPRs (including copyright) and open policies is rated quite high within the LA industry, lack of legal supervision and legal training is identified as a significant obstacle. LA entities should combat this by outsourcing expert legal supervision and provide legal training for their staff.

2.1.2 What kind of legal training could be provided to LA entity staff members?

The lack of specific skills by LA industry staff pose an obstacle in digitisation. The training that should be provided to staff should not only be related to general legal and technical training, as this is indeed where the majority of respondents have knowledge of, when it comes to digitisation practices, policies, regulations,



but more focused training can be equally important, such as training on intellectual property law (incl. copyright), as well as training on open policies (incl. Open Access). It is important to note that resources, both financial and human, need to be dedicated for this purpose.

2.1.3 Which areas of copyright law and IPRs are still low in terms of familiarization, hence more awareness raising, legal training and legal supervision are needed?

LA industries have identified that they are most familiar with copyright, while there is a significant lack of familiarisation when it comes to industrial design, trade secrets, geographical indications, patents and trademarks. More specifically to copyright law, they indicate having a stronger knowledge of authorship and ownership of rights, copyright duration and licensing, while their knowledge level is lower regarding copyright exceptions, orphan works and out-of-commerce works which are more specific. When it comes to licensing schemes, there is a better level of knowledge related to Creative Commons licenses, than other open licenses and rights statements.

2.1.4 Which EU laws and policy documents are the most relevant to digitisation at the moment?

The most recent and most relevant EU legislation and policy documentation relevant to digitisation in LA industries include: the Directive (EU) 2019/790 on copyright and related rights in the Digital Single Market; Regulation 2017/1563 on the cross-border exchange between the Union and third countries of accessible format copies of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled [2017] OJ L242/1; Directive 2017/1564 on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society [2017] OJ L242/6; the Directive (EU) 2001/29 on the harmonisation of certain aspects of copyright and related rights in the information society; the Directive (EU) 2013/37 on the re-use of public sector information; the Directive (EU) 2019/1024 on open data and the re-use of public sector information and the Recommendation 2011/711 on the digitisation and online accessibility of cultural material and digital preservation.

2.2 Implementation of technological measures

2.2.1. What kind of protection measures can LA entities enforce to ensure the protection of digital resources?

LA entities should ensure the protection of their digital resources by making use of safety technological measures such as encryptions and the use of passwords. While this is not yet a standard practice for all LA entities it would be strongly recommended that any kind of safety technological measures be enforced for the protection of the digital resources and the digital collection. Further dialogue needs to be fostered with regards to public lending and digital lending.

2.2.2. What kind of technologies could be used in relation to the digital resources of the LA entities?

LA entities could make use of computational analysis and use of the emerging AI technologies for the management, analysis and preservation of their digital resources and digital collections. For this purpose



special units with the LA entities could be organised with a focus on researching and applying AI technologies and performing computational analysis.

2.2.3 How can LA entities ensure the preservation of their digital resources?

In order to ensure the preservation and access to their digital resources LA entities need to have preservation technology in place. The most common technology used by LA entities is a hard drive followed by a Flash memory (e.g. SSD, SD microSD). Further dialogue needs to be fostered regarding other types of technologies that can be used and how to optimize their use.

2.3 Adoption of social norms and common practices, particularly if in conflict with formal legal norms and more aligned to Open Knowledge principles

2.3.1. How can LA entities combat conflict with formal legislation in order to become more aligned with Open Knowledge principles?

LA entities are encouraged to join associations/organizations that promote Open Knowledge and Open Science and that, at the same time, provide and foster legal literacy and compliance with applicable legislation. Especially in the European context, where significant divergences can be observed with formal legal norms across the EU Member States, it is very important for LA entities to actively join organizations/associations that work towards the adoption of social norms and advocate for best common practices.

Initiatives like the Zero Embargo Campaign, a LIBER initiative which proposes a new model law that aims to ensure a zero embargo period for exploring self-archiving on open, public, non-for-profit repositories and can provide a strong foundation for Open Access while exploring lawful ways to enable researchers to freely disseminate their research and maximize its impact.

2.3.2 What kind of collaborations can be established between LA entities?

While it is not a very common practice, there are some LA entities that choose to collaborate with fellow Libraries and Archives to facilitate cooperation. The two main ways that cooperation is established are either by sharing the costs of the digitisation process or by allowing the inter-organisational loan of digital resources. LA entities share the pressure of providing access to an ever-growing pool of content and ensuring ease of access for their users. By choosing to share their staff, technological infrastructure and data, LA entities can work together and reach higher productivity levels while tending to their end-users' needs.

2.3.3 Is there room for copyright flexibilities within LA entities?

Based on the *D5.2 deliverable- Report on the existing legal framework for Libraries and Archives (LA) industries in EU*, copyright flexibilities play not only a key role in the practices and activities of LA industries, but they also present a particularly advanced degree of harmonisation across Europe. When it comes to analysed national legislation, the difference between libraries and archives is not very significant and, despite the optional nature of some of the copyright exceptions, convergences among national copyright systems on provisions addressing LA entities can be observed. It can therefore be argued that the room for copyright flexibilities within LA entities is promising and can be further fostered by national legislators.



2.3.4 How can LA entities facilitate openness of their collections?

While most LA entities embrace at least some policies that ensure and facilitate openness of their collections, as it was revealed in the GLAM Survey most LA entities have little or no knowledge of specific EU policies on the openness of cultural resources. Libraries and archives should invest in training and legal counsel to ensure the facilitation and the sustainability of their collections.

2.4 Access to content by people with disabilities

2.4.1 What are the disabilities that entities under the LA industry need to take into account in terms of connectivity provision and what are the important aspects to consider?

It is important to consider the following disabilities: intellectual disability, physical disability, psychosocial disability, hearing impairment/loss, visual impairment/loss, deafblindness. These disabilities need to be considered both in terms of access to premises, as well as access to devices with relevant settings, software/hardware and internet access.

2.4.2 What are the factors we need to investigate further, to make our digital content more accessible?

Factors that need to be taken into account are the frequency of people with disabilities accessing your digital cultural content through your website, app or other platform, as well as the average time they spent and the type of content they are accessing. It is important that you have a clear view and regular monitoring of the representation of people with disabilities accessing your digital cultural content.

2.4.3 How can we ensure that people with disabilities are represented in the content made available by our LA entity?

Democratization and access to digital cultural content should take into account inclusion measures for people with disabilities. A way to ensure this could be partnering with representative organisations of people with disabilities in the creation/distribution of digital cultural content, regular consultations, as well as feedback mechanisms focussing on inclusivity and accessibility.

2.4.4 What are the most usual barriers people with visual disabilities face when it comes to accessing digital cultural content?

Some of the most usual barriers people with visual disabilities face related to accessing digital cultural content are related to lack of alternatives to CAPTCHA, inability to maximize font, lack of image description, not enough contrast between background and letters, use of colour as only means of conveying information and lack or low supply of accessible copies.

2.4.5 What are the most usual barriers people with hearing disabilities face when it comes to accessing digital cultural content?

Some of the most usual barriers people with hearing disabilities face related to accessing digital cultural content are related to no audio description, no availability of captions/subtitles and no availability of sign-language interpreters.



2.4.6 How can our LA entity make sure people with disabilities have access to digital cultural content, while taking into account copyright law?

There are several ways your LA entity can consider to facilitate access to digital cultural content for people with disabilities, including providing accessible copies to relevant organisations, raising awareness about open policies and Open Access to cultural resources, as well as providing accessible information about intellectual property/copyright/creators' rights, especially when it comes to digitising content.

3. Guidelines

3.1 About the Guidelines

The following Guidelines derive from *reCreating Europe's* relevant research and FAQs formulated in Section 2 of this document. They aim to assist the LA industry in reviewing and updating their conducts with regards to legal compliance, implementation of technological measures, adoption of social norms and common practices, and access to content by people with disabilities. This document offers an interim version of the Guidelines, which will be submitted for consultation with representatives of the LA industry and relevant communities. It will be further enhanced following their input and the results of relevant research on behalf of the project, a process that will lead to the final Guidelines for the LA industry, to be published on the project's website and be widely disseminated.

3.2 Legal compliance and compliance with standards for Openness

By identifying the key strengths and weaknesses of their staff, LA entities can better prepare, so that their collections adhere to European and national legislation and to standards for Openness.

LA staff have indicated high familiarity with Copyright and Open Policies, but there are certain areas of IPRs that they either have little or no experience in (like industrial design, trade secrets, geographical indications, patents and trademarks). Even within Copyright there is a divergence between areas where LA staff are very well versed in, like authorship and ownership of rights, copyright duration and licensing, and areas where they recognise their weaknesses in, like copyright exceptions, orphan works and out-of-commerce works.

LA entities should ensure two things in this sense. First, that they have a clear view of the legal resources and landscape pertaining to their work and the level of knowledge their staff need to maintain with regards to those resources. Second, they need to ensure the provision of necessary training, resources and time for their staff -hence the human resources need to be adequate, to allow time for training- in order for them to be able to carry through their tasks. This training can be specific, when the needs are being regularly assessed, and periodical, to take into account updates in both the EU and national legislation. This is especially true for LA staff working in digitisation projects. Familiarisation with EU legislation and the Copyright directives is also of utmost importance to ensure the legality and success of the process. LA entities staff can benefit from different types of training, such as in person group training or one-to-one training, but also online training (e.g. webinars, open educational resources, etc). The level and amount of legal training also depends on whether LA entities have access to in-house legal advice or external legal consultancy.



3.3 Implementation of technological measures

LA entities need to invest time and resources to build robust procedures and infrastructure that can support both the protection and the sustainability of their digital resources and collections. Emerging technologies like the use of AI and the systematised use of computational data can support the digital transformation of the collections in a significant way.

Bringing in expertise is necessary to ensure the success of applying technological measures successfully. Out of this necessity the rise of data librarianship and the data librarian/data steward/data curator has been established in the last few years. This is an emerging field of librarianship and it arose from the need for technical expertise within the library and archive world. There is diversity around Europe on the model used, as in some countries these roles are under an overall job position, while in other countries they signify a separate job position in the LA entity.

To guarantee the protection of the digital resources and the overall implementation of technological protection measures, LA entities must closely collaborate with the IT departments of their institutions/organisations and make sure that sufficient measures are in place, to assure the protection of the digital collections. The IT departments will also be a key stakeholder group also in relation to the preservation and sustainability of the digital resources and digital collections. LA staff would need to be in close contact with them to assure there are concrete and feasible measures in place both for the protection and preservation of the digital collections.

3.4 Adoption of social norms and common practices, particularly if in conflict with formal legal norms and more aligned to Open Knowledge principles

Joining forces with other LA entities and organisations/associations that support Open Knowledge principles and Open Science is crucial in order to share best practices and jointly carve the way towards social norms and practices that are more aligned with Open Knowledge principles than national legislation.

By joining the efforts of European organisations/associations LA entities can better advocate for Libraries and Archives and establish them as key stakeholders and influence groups when it comes to EU and national legislation.

As advocated by the *report on the existing legal framework for Libraries and Archives (LA) industries in EU* a high degree of harmonisation can be observed with regard to the application of copyright law despite the optional nature of some of its articles. It would be highly beneficial to explore the room for copyright flexibilities within LA entities in order to establish best practices at a national level. Special task forces within Libraries and Archives could be organised to work further on this matter, with a plan for interaction and alignment with relevant initiatives and working groups.

To become more aligned with Open Knowledge principles, LA entities should invest in familiarising with Open policies both at a national and a European level. It is important to invest time and resources so that LA staff is aware of policies and standards in place.

3.5 Access to content by people with disabilities

Democratizing and ensuring access to digital cultural content, while at the same time being compliant with EU and national regulations is important for the inclusivity of people with disabilities.



A consultation stage can be the first step towards making digital cultural content accessible. At this stage, LA entities can make sure that they understand the accessibility issues people with disabilities are facing. Consultations can take place either as physical meetings, or in the form of online interviews and surveys targeting organisations representing and/or supporting people with disabilities, but also people affected directly, in order to record the challenges and gather requirements, while also reviewing relevant documentation. The disabilities considered by *reCreating Europe* to this respect are intellectual disability, physical disability, psychosocial disability, hearing impairment/loss, visual impairment/loss, deafblindness.

At the preparation stage, LA entities can identify solutions and potentially even propose partnerships with representing organisations for the implementation of the solutions. The LA entity can adopt a policy, or adapt existing policies, to ensure access to digital cultural content by people with disabilities, including the specific measures taken.

Monitoring accessibility trends and offering feedback mechanisms are required in order to ensure sustainability of the measures put in place.



4. Conclusions

The findings of the research and review of related documentation stemming from *reCreating Europe's* activities and research so far show that there is a lot of room for improvement, alignment and adaptations of LA entities with regards to a) legal compliance with EU and national legislation, and compliance with standards for Openness, b) implementation of technological measures, c) adoption of social norms and common practices, particularly if in conflict with formal legal norms and more aligned to Open Knowledge principles, and d) access to digital cultural content by people with disabilities.

A set of interim FAQs and Guidelines are provided in this document. These aim to serve as preliminary information for supporting compliance, alignment, implementation and improvement of LA entity operations pertaining to digital cultural content. They will be used as the basis for further consultation with representatives of the LA industry and will be enriched by further research and analysis of the *reCreating Europe* project to deliver the final FAQs and Guidelines. These will be complemented by a parallel set of FAQs and Guidelines directed to Galleries and Museums in an effort to cover the needs of the GLAM sector overall. The FAQs and Guidelines will be uploaded in the dedicated sections of the *reCreating Europe* website.



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