

# Targeted consultation on the availability of works other than printed works in formats accessible for persons with disabilities within the internal market

Fields marked with \* are mandatory.

## Introduction

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### Summary

In 2017, the European Union adopted a [Directive \(hereafter, the 'Marrakesh Directive'\) and a Regulation](#) to implement the [Marrakesh Treaty](#) in EU law. The Marrakesh Treaty was adopted by members of the World Intellectual Property Organisation to facilitate the production and international transfer of specially-adapted books for people with blindness or visual impairments. It did this by establishing a set of limitations and exceptions to copyright law.

The '**Marrakesh Directive**' provides for a mandatory exception to copyright for "**print disabled**" persons as regards their access to printed works (e.g. books, newspapers, magazines, etc.) in accessible formats (e.g. Braille, large print, adapted e-books, etc.). **Article 9 of the Directive** requires the Commission to assess the availability of works and disabilities not covered by the 'Marrakesh Directive' and the potential need to expand the Directive's scope. In its report, the Commission should also take account of developments concerning relevant technology in this field.

With this targeted consultation, the Commission aims at gathering information on the availability of certain copyright protected works, in particular works other than printed works (e.g. films, photos, music, computer programs, video games), to persons with disabilities. The input gathered through this consultation will contribute to the preparation of the Commission report foreseen by Article 9.

### Scope of the consultation

This consultation focuses on the availability of accessible format copies of:

- **works other than printed works for persons with print disabilities**
  - e.g. content such as films, photos or music
- **all types of works (printed works and other content such as films, photos or music) for persons with disabilities other than print disabilities**
  - e.g. hearing, physical and cognitive disabilities

For the purposes of this consultation,

- “Printed works” are books, newspapers, magazines, sheet music, and related illustrations and any other kind of written works. These works are covered by the Marrakesh Directive regardless of the media in which they are made available: digital or analogue, online and offline. Therefore, ebooks and audio forms are also included in this definition.
- “Print disabilities” refer to visual, perceptual, reading and physical impairments, which make it impossible or very difficult for a person to read printed works, compared to a person without such impairment. Such disabilities include visual impairments (including blindness and low vision), cognitive disabilities (including dyslexia) and other disabilities leading to functional limitations, such as making it impossible to hold or manipulate a book.
- “Accessible formats” refer to ways of presenting printed, visual or any other material that persons with disabilities can access (e.g. Braille in the case of blind persons, closed captioning in the case of hearing impairment or cognitive disabilities). Accessible formats can be “born accessible” or “accessible format copies”.
- “Born accessible” means that an original work has been created in a way to allow persons with disabilities to access it.
- “Accessible format copy” means a copy of an original work, including works other than printed works, in an alternative manner that gives persons with disabilities access to that work as feasibly and comfortably as a person without impairment or disability.

Article 2 and Recital 7 of the Directive develop these definitions.

## Targeted stakeholders

The questions in this targeted consultation are **addressed to all actors in the EU** involved in the creation, making available, use, exchange and any other relevant activity related to accessible formats of copyright protected works, in particular works other than printed works. This includes persons with disabilities, organisations acting on behalf of persons with disabilities, holders of copyright, technological companies, content producers, distributors, service providers and broadcasters.

## Part 1: General information concerning the respondent

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\* 1. I am responding as:

- An individual acting in a private capacity
- Holder of copyright (e.g. authors) and / or related rights (e.g. record or film producers, publishers, performers)
- A representative of an organisation acting on behalf of / representing the interests of persons with disabilities (including but not limited to an authorised entity within the meaning of Article 2 of the Marrakesh Directive)
- A representative of a commercial entity providing accessible format features and/or services (e.g. subtitles, closed captions, audio description, image and photo descriptions, etc.) or technical solutions (e.g. software and hardware producers) for the benefit of persons with disabilities or a representative organisation serving their needs

- A representative of an audiovisual content producer, distributor or sales agent or their representative organisation
- A representative of a provider of audiovisual content (e.g. broadcaster, video-on-demand platform, online platform) or their representative organisation
- A representative of a cultural heritage and an educational institution (e.g. schools, libraries)
- A representative of a public authority
- Any other beneficiary of accessible formats
- Other (please specify)

\* 2. First name and Surname:

Camille Francoise

\* 3. Email (this won't be published):

camille.francoise@ifla.org

\* 4. Organisation name:

International Federation of Library Associations and Institutions

5. Please indicate the specific field(s), which you would like to cover in your reply:

This is important for us to register and interpret your answers to the subsequent questions correctly.

It is possible to select several categories.

- Print disability (as explained in the introduction)
- Auditory disability (deafness / hearing impairments)
- Cognitive, intellectual or specific learning disability (e.g. dyslexia)
- Physical disability
- Multiple disabilities (e.g. deafblind, disabilities resulting from cerebral palsy)
- No specific field(s)
- Other (please specify)

6. Please indicate your preference for the publication of your response on the Commission's website:

- Under the organisation name given:** Your contribution will be published under the organisation name given together with all information contained in your contribution. You declare that none of it is subject to copyright restrictions that prevent publication.
- Anonymously:** Your contribution will be published anonymously (your personal details will not be published) and all information contained in your contribution will be published. You declare that none of it is subject to copyright restrictions that prevent publication.
- Please keep my contribution confidential:** Your contribution will not be published, but will be used internally within the Commission in its analysis of the collected information and data on the availability of copyright protected works other than printed works).

7. Please indicate your country of residence or principal establishment:

- AT - Austria
- BE - Belgium
- BG - Bulgaria

- HR - Croatia
- CY - Cyprus
- CZ - Czechia
- DK - Denmark
- EE - Estonia
- FI - Finland
- FR - France
- DE - Germany
- EL - Greece
- HU - Hungary
- IE - Ireland
- IT - Italy
- LV - Latvia
- LT - Lithuania
- LU - Luxembourg
- MT - Malta
- NL - Netherlands
- PL - Poland
- PT - Portugal
- RO - Romania
- SK - Slovak Republic
- SI - Slovenia
- ES - Spain
- SE - Sweden

8. Is your organisation registered in the Transparency Register of the European Commission and the European Parliament?

- Yes
- No

Please indicate your organisation's registration number in the Transparency Register:

661655418600-59

I agree with the Privacy Statement

[Privacy statement targeted consultation Targeted consultation on the availability of works other than pdf](#)

**Part 2: What types of works and accessible formats are made available to persons with disabilities and how? Are there needs of persons with disabilities to access works, not currently addressed?**

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The objective of Part 2 is to understand what material is currently made available for persons with disabilities to facilitate their access to copyright protected works and under what conditions. The objective is also to understand whether persons with disabilities would require additional material, not currently made available, to be able to access copyright protected works.

1. Please select the type(s) of copyright protected content that your contribution will refer to:

*This report focuses on the availability of copyright protected works other than printed works for visually impaired persons (e.g. films and other audiovisual content, images, photos, music, video games and computer programmes) and of all types of works for persons with all types of disabilities (auditory, cognitive /intellectual, physical, multiple, other). Please note that printed works are listed here only in relation to types of disabilities other than print disabilities, which are already covered by the Marrakesh Directive. Therefore any reference to audiobooks in the questions should be understood as relating to disabilities other than print disabilities, as the access to audiobooks of persons with print disabilities falls under the scope of the Marrakesh Directive.*

*It is possible to select several categories of works.*

- Audiobooks (for persons with disabilities other than print disabilities)
- Printed works, including ebooks, (for persons with disabilities other than print disabilities)
- Records and other sound recordings (phonograms)
- Audiovisual works and motion pictures (e.g. films, TV series, television programmes)
- Images (pictorial and graphical works, photographs)
- Sculptural and architectural works
- Videogames
- Software
- Other (please specify)

Please specify:

## Section 1 – Accessible formats currently available within the EU

The aim of this section is to understand to what extent accessible formats of works are currently available throughout the EU. We would like to inquire as to whether and how persons with any type of disability can access works, in particular those other than printed works (e.g. films and other audiovisual content, images, photos, or music). Finally, we would like to know in what modality of accessible format and under which conditions works are made available, including whether they are born accessible or accessible format copies.

**1. According to your experience or to your knowledge, are the categories of works that you selected currently available to persons with disabilities in accessible formats?**

	Yes	No	Yes, but with limitations	I don't know / no opinion

<b>Audiobooks</b> (for persons with disabilities other than print disabilities)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>Printed works, including ebooks</b> (for persons with disabilities other than print disabilities)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>Records and other sound recordings</b> (phonograms)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>Audiovisual works and motion pictures</b> (e.g. films, TV series, television programmes)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>Images</b> (pictorial and graphical works, photographs)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Sculptural and architectural works</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Videogames</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Software</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain further, if you wish

Please specify in particular the details of any limitations you have encountered

IFLA's answers here are based on a survey of libraries across Europe. As such, IFLA's submissions on this and other questions reflect the 'majority view' among the responses received

Responding from an international perspective, IFLA finds that none of the types of works are easily accessible in a consistent way across the member countries to people with disabilities.

While films with audio descriptions and records and sound recordings can be considered as common practice in some countries, other EU countries do not implement the same practices.

Access to certain types of works such as video games, 3D models, images, architectural works is almost non-existent.

**2. According to your experience or to your knowledge, please specify in what accessible formats are these works available to persons with disabilities:**

	<b>Subtitling / closed captioning</b> (i.e. text versions of the spoken part of a television, movie, or computer presentation; and description of background noises, speaker differentiation, phones ringing and other relevant information)	<b>(Movie) audio description</b> (i.e. voice description to provide information surrounding key visual elements in a media works, e.g. film, television programme, theatrical performance)	<b>Image and photo descriptions</b> (i.e. descriptions for visually impaired people providing information on e.g. pictures, diagrams, maps, charts, icons – including for the use of software)	<b>Tactile paintings, pictures, maps</b> (i.e. tactile formats use raised surfaces so that visually impaired persons can have a perception of them)	<b>Voice navigation techniques</b>	<b>Easy-to-read text</b> (for persons with disabilities not covered by the Marrakesh Directives)	<b>Other</b>
<b>Audiobooks</b> (for persons with disabilities other than print disabilities)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Printed works, including ebooks</b> (for persons with disabilities other than print disabilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Records and other sound recordings</b> (phonograms)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
<b>Audiovisual works and motion pictures</b> (e. g. films, TV series, television programmes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Images</b> (pictorial and graphical works, photographs)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Sculptural and architectural works</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Videogames</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Software</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please specify the other accessible formats:

As mentioned above, the availability of works in one country in the European Union does not guarantee their availability elsewhere.

Some of the types of works are available in accessible formats for people with disabilities. However, the majority of works are not accessible in accessible formats for people with disabilities on a consistent basis across the European Union.

**3. According to your experience or to your knowledge, how easy or difficult is it to obtain works in the accessible formats that you selected for persons with disabilities?**

	Very easy to obtain	Easy to obtain	Difficult to obtain	Very difficult to obtain	I don't know / no opinion	N/A (not applicable)
<b>Subtitling / closed captioning</b> (i.e. text versions of the spoken part of a television, movie, or computer presentation; and description of background noises, speaker differentiation, phones ringing and other relevant information)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>(Movie) audio description</b> (i.e. voice description to provide information surrounding key visual elements in a media works, e.g. film, television programme, theatrical performance)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Image and photo descriptions</b> (i.e. descriptions for visually impaired people providing information on e.g. pictures, diagrams, maps, charts, icons – including for the use of software)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Tactile paintings, pictures, maps</b> (i.e. tactile formats use raised surfaces so that visually impaired persons can feel them)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Voice navigation techniques</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>Easy-to-read text</b> (for persons with disabilities not covered by the Marrakesh Directives)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Other</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain further or differentiate, if you wish:

**4. According to your experience or to your knowledge, what has been the impact of the COVID-19 pandemic on the availability of the accessible formats that you selected?**

	It has a positive impact	It has no impact	It has a negative impact	Other	I don't know / no opinion	N/A (not applicable)
<b>Subtitling / closed captioning</b> (i.e. text versions of the spoken part of a television, movie, or computer presentation; and description of background noises, speaker differentiation, phones ringing and other relevant information)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Movie) <b>audio description</b> (i.e. voice description to provide information surrounding key visual elements in a media works, e.g. film, television programme, theatrical performance)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Image and photo descriptions</b> (i.e. descriptions for visually impaired people providing information on e.g. pictures, diagrams, maps, charts, icons – including for the use of software)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Tactile paintings, pictures, maps</b> (i.e. tactile formats use raised surfaces so that visually impaired persons can feel them)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Voice navigation techniques</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>Easy-to-read text</b> (for persons with disabilities not covered by the Marrakesh Directives)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Other</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain further or differentiate, if you wish:

During the COVID 19 pandemic, many libraries were closed by governments, at least as concerns their physical buildings. Access to works has therefore decreased among populations including people with disabilities, who are often in more precarious situations, and so whose financial capacities were therefore limited.

Libraries, many of which are reliant on public funding, are also concerned that in future, the economic crisis might lead to freezes or even cuts in spending, which may hurt their ability to provide services.

**5. Are those accessible formats that you selected commercially available (and being born accessible) for disabled persons or are they provided to them by organisations acting on behalf of persons with disabilities (accessible format copies)?**

	Born accessible	Accessible format copies	Both	None	I don't know /no opinion	N/A (not applicable)
<b>Subtitling / closed captioning</b> (i.e. text versions of the spoken part of a television, movie, or computer presentation; and description of background noises, speaker differentiation, phones ringing and other relevant information)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Movie) <b>audio description</b> (i.e. voice description to provide information surrounding key visual elements in a media works, e.g. film, television programme, theatrical performance)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Image and photo descriptions</b> (i.e. descriptions for visually impaired people providing information on e.g. pictures, diagrams, maps, charts, icons – including for the use of software)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Tactile paintings, pictures, maps</b> (i.e. tactile formats use raised surfaces so that visually impaired persons can feel them)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Voice navigation techniques</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

<b>Easy-to-read text</b> (for persons with disabilities not covered by the Marrakesh Directives)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Other</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain further or differentiate, if you wish:

In the survey we conducted, we note that only films with audio description, audiovisual works with subtitles, easy-to-read texts and audiobooks for people with disabilities are identified as accessible both through libraries, disability organisations and the commercial offer. However, only 10 % of all works published are available, counting both born-accessible works and those with adapted formats.

For the rest, we note the absence of a commercial offer and possibilities to provide adapted format concerning sound recordings with transcriptions, images descriptions, tactile images and other 3D objects, and video games. For these types of works, only libraries and organisations representing the beneficiaries are able to provide access to adapted and accessible formats.

**6. From the available accessible formats that you selected, what is the proportion between “born accessible” and “accessible format copies”?**

	Mostly "born accessible"	Mostly "accessible format copy"	More or less the same proportion	I don't know /no opinion	N/A (not applicable)
<b>Subtitling / closed captioning</b> (i.e. text versions of the spoken part of a television, movie, or computer presentation; and description of background noises, speaker differentiation, phones ringing and other relevant information)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Movie) <b>audio description</b> (i.e. voice description to provide information surrounding key visual elements in a media works, e.g. film, television programme, theatrical performance)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Image and photo descriptions</b> (i.e. descriptions for visually impaired people providing information on e.g. pictures, diagrams, maps, charts, icons – including for the use of software)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<b>Tactile paintings, pictures, maps</b> (i.e. tactile formats use raised surfaces so that visually impaired persons can feel them)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Voice navigation techniques</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>Easy-to-read text</b> (for persons with disabilities not covered by the Marrakesh Directives)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Other</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain further or differentiate, if you wish:

As highlighted in the data, accessible format copies continue to be more common than born-accessible works, at least as concerns subtitling/closed-captioning, (movie) audio description, image and photo descriptions, tactile paintings, pictures and maps, and easy-to-read text.

**7. According to your experience or to your knowledge, are works in the accessible formats that you selected provided to end users at a different price than an original work?**

	No, they are provided for free	No, they are provided at no additional price (no difference in cost for the creation of original works and for those that are “born accessible”/ “accessible format copies”)	Yes, they are provided at an additional price, to incorporate the costs incurred during the production of the accessible format	Yes, they are provided at an additional price, going beyond the costs incurred during the production of the accessible format	Yes, they are provided at a reduced price	I don't know/ no opinion	N/A (not applicable)
<b>Subtitling / closed captioning</b> (i.e. text versions of the spoken part of a television, movie, or computer presentation; and description of background noises, speaker differentiation, phones ringing and other relevant information)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Movie) <b>audio description</b> (i.e. voice description to provide information surrounding key visual elements in a media works, e.g. film, television programme, theatrical performance)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Image and photo descriptions</b> (i.e. descriptions for visually impaired people providing information on e.g. pictures, diagrams, maps, charts, icons – including for the use of software)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<b>Tactile paintings, pictures, maps</b> (i.e. tactile formats use raised surfaces so that visually impaired persons can feel them)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>				
<b>Voice navigation techniques</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>Easy-to-read text</b> (for persons with disabilities not covered by the Marrakesh Directives)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>				
<b>Other</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain further or differentiate, if you wish:

When looking at the costs to end-users, IFLA notes that beyond subtitles and audio descriptions, which are the most widely (although not universally) used of the various accessible formats, the biggest challenge remains the underdevelopment of other formats which prevent access to works in accessible formats for people with disabilities.

## **Section 2 – Availability of accessible formats within the EU**

The aim of this section is to understand how easily accessible formats of works, in both specific modalities of “born accessible” and “accessible format copies”, are currently available throughout the EU and how they circulate.

### **Subsection 1: Questions on “born accessible” content**

1. What proportion of the works that you produce are born accessible?

	Not applicable (no production of this work)	0%	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%	I don't know / no opinion
<b>Audiobooks</b> (for persons with disabilities other than print disabilities)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>									
<b>Printed works, including ebooks</b> (for persons with disabilities other than print disabilities)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>									
<b>Records and other sound recordings</b> (phonograms)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>									
<b>Audiovisual works and motion pictures</b> (e.g. films, TV series, television programmes)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>									
<b>Images</b> (pictorial and graphical works, photographs)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>									
<b>Sculptural and architectural works</b>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>									
<b>Videogames</b>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>									
<b>Software</b>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>									
<b>Other</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**2. Do you incur additional costs for the production of those born accessible works?**

- Yes
- No
- I don't know / no opinion

Please explain further, if you wish:

Libraries can have additional costs. For example producing an inaccessible e-book means there are no alternative texts for images, whereas for an accessible e-book alternative texts for images are needed and it can take several working hours to produce image descriptions. The same applies for producing captions or audio descriptions.

**3. According to your experience or to your knowledge, do the born accessible works that you produce circulate to other Member States?**

- Yes
- No
- I don't know / no opinion

Please explain further, if you wish:

IFLA notes that there is no significant circulation of tactile images or other accessible works, except accessible books that are covered by the Marrakesh Treaty.

**4. According to your experience or to your knowledge, is the production of born accessible works more or less costly than the production of accessible format copies?**

- Producing born accessible works is more expensive
- Producing accessible format copies is more expensive
- I don't know / no opinion

**5. According to your experience or to your knowledge, what has been the impact of the COVID-19 pandemic on the production of born accessible works?**

- It has a positive impact
- It has a negative impact
- It has no impact
- I don't know / no opinion
- Other

Please explain further, if you wish:

For many libraries serving persons with print disabilities, lockdowns made it impossible to produce talking books or print Braille books. This situation is extended to other accessible works.

**Subsection 2: Questions on "accessible format copies"**

6. According to your experience or to your knowledge, who makes the “accessible format copies” that you selected?

	Users	Organisations representing disabled persons	Producers of “accessible format copies”	Subcontractors of producers	Other (please specify)	I don't know / no opinion
<b>Subtitling / closed captioning</b> (i.e. text versions of the spoken part of a television, movie, or computer presentation; and description of background noises, speaker differentiation, phones ringing and other relevant information)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Movie) <b>audio description</b> (i.e. voice description to provide information surrounding key visual elements in a media works, e.g. film, television programme, theatrical performance)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Image and photo descriptions</b> (i.e. descriptions for visually impaired people providing information on e.g. pictures, diagrams, maps, charts, icons – including for the use of software)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Tactile paintings, pictures, maps</b> (i.e. tactile formats use raised surfaces so that visually impaired persons can have a perception of them)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Voice navigation techniques</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Easy-to-read text</b> (for persons with disabilities not covered by the Marrakesh Directives)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please specify the other persons or organisations that makes the "accessible format copies" available that you selected:

Organisations serving persons with disabilities and libraries.

**7. Do you produce “accessible format copies” of works other than printed works?**

- Yes
- No

Please explain further, if you wish:

Libraries assist when they are allowed to adapt works to make them accessible for people with disabilities. Sometimes they are also allowed to remove technological protection measures themselves.

**8. What is your preferred practice in order to provide access to copyright protected works for disabled persons?**

- producing “accessible format copies”
- acquiring already commercially available accessible formats

**9. According to your experience or to your knowledge, what percentage of the original works are subsequently made accessible to disabled persons through “accessible format copies”?**

- 0%
- 10%
- 20%
- 30%
- 40%
- 50%
- 60%
- 70%
- 80%
- 90%
- 100%
- I don't know / no opinion

**10. According to your experience or to your knowledge, what is the cost of making an accessible format copy of a work?**

	The cost is high	The cost is reasonable	There is no additional cost (no difference in cost for the creation of original works and for those that are “accessible format copies”)	I don't know / no opinion
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<b>Subtitling / closed captioning</b> (i.e. text versions of the spoken part of a television, movie, or computer presentation; and description of background noises, speaker differentiation, phones ringing and other relevant information)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(Movie) <b>audio description</b> (i.e. voice description to provide information surrounding key visual elements in a media works, e.g. film, television programme, theatrical performance)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Image and photo descriptions</b> (i.e. descriptions for visually impaired people providing information on e.g. pictures, diagrams, maps, charts, icons – including for the use of software)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Tactile paintings, pictures, maps</b> (i.e. tactile formats use raised surfaces so that visually impaired persons can have a perception of them)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Voice navigation techniques</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<b>Easy-to-read text</b> (for persons with disabilities not covered by the Marrakesh Directives)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Other</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain further, if you wish:

As mentioned above, the costs can be significant. For individual works, the cost may seem reasonable, but for libraries that manage collections of content and works, these costs become very important, whether they are human, infrastructure, equipment or technical costs.

**11. According to your experience or to your knowledge, who finances the production of “accessible format copies”?**

- Users
- Organisations representing disabled persons
- Producers of “accessible format copies”
- National authorities
- Other (please specify)
- I don't know/ no opinion

**12. According to your experience or to your knowledge, do “accessible format copies” of works that you have access to/provide access to in your country of residence originate from another Member State?**

- Yes
- No

I don't know / no opinion

Please explain further, if you wish:

**13. Do you exchange “accessible format copies” of works with persons with disabilities or organisations acting on their behalf in other Member States?**

- Yes
- No
- I don't know / no opinion

Please explain further, if you wish:

Apart from exchanges of accessible copies for the benefit of persons with print disabilities, IFLA is aware of some agreements but this is not systematic.

**14. According to your experience or to your knowledge, what has been the impact of the COVID-19 pandemic on the production and availability of “accessible format copies”?**

- It has a positive impact
- It has a negative impact
- It has no impact
- I don't know / no opinion
- Other

Please explain further, if you wish:

See above

## **Section 3 – Accessible formats needed and not currently available within the EU**

The aim of this section is to understand whether the persons with disabilities require access to copyright protected works which might currently not catered for within the EU. We would also like to know what technological developments may have a positive impact on the availability of more and different types of accessible formats and what are the producers’ plans to increase the availability of adapted works.

**1. According to your experience or to your knowledge, is there a need to have additional accessible formats available for persons with disabilities, that are currently not available?**

- Yes
- No
- I don't know / no opinion

Please explain further, if you wish:

As shared above, people with disabilities face a lack of content and work in accessible formats. On the one hand, there is a lack of production of works in accessible formats. The production of such content is not particularly remunerative and therefore economical incentives are limited. The works that are adapted to be accessible are also limited since this relies on the work of institutions whose means are limited.

## 2. Which types of accessible formats do/would persons with disabilities need in addition to those that are already available?

- Subtitling / closed captioning** (i.e. text versions of the spoken part of a television, movie, or computer presentation; and description of background noises, speaker differentiation, phones ringing and other relevant information)
- (Movie) **audio description** (i.e. voice description to provide information surrounding key visual elements in a media works, e.g. film, television programme, theatrical performance)
- Image and photo descriptions** (i.e. descriptions for visually impaired people providing information on e.g. pictures, diagrams, maps, charts, icons – including for the use of software)
- Tactile paintings, pictures, maps** (i.e. tactile formats use raised surfaces so that visually impaired persons can feel them)
- Easy-to-read text** (for persons with disabilities not covered by the Marrakesh Directives)
- Other** (please specify)

Please explain further, if you wish:

## 3. Are there any obstacles that make it difficult for you to have access to accessible formats?

- Yes
- No
- I don't know / no opinion

Please explain further, if you wish:

Libraries need a legal framework such as exceptions and limitations, which allow them to continue their missions for people with disabilities beyond those with visual impairments. This includes the need to include people with dyslexia, physical disabilities, memory or mental disorders, hearing or deafness, cognitive disabilities.

## 4. What are the main obstacles that make it difficult for you to have access to accessible formats?

- Cost
- Availability in Member State
- Lack of information
- Lack of responsiveness by producers
- Other (please specify)
- Not applicable
- I don't know / no opinion

Please explain further, if you wish:

**5. Are there any obstacles that make it difficult for you to provide access to accessible formats?**

- Yes
- No
- I don't know / no opinion

Please explain further, if you wish:

Some barriers relate to the legal framework surrounding technological protection measures and the possibility for libraries to remove them in order to adapt content to the needs of their disabled audiences. It would also be important to ensure that the possibility to adapt works for the benefit of people with disabilities cannot be overridden by the terms of contracts.

**6. What are the main obstacles that make it difficult for you to provide access to accessible formats?**

- Costs of making accessible format copies
- Costs or difficulties related to the clearance of rights
- Lack of demand
- Lack of information
- Lack of appropriate distribution channels
- Lack of funding or government incentives
- Copyright-related issues
- Language issues
- Interoperability issues
- Absent or ambiguous legal framework (e.g. unclear legislation on exceptions and limitations to copyright, no contractual agreements between rightholders and/or collective management organisations and organisations acting on behalf of persons with disabilities, etc.)
- Other (please specify)
- I don't know/ no opinion

Please explain further, if you wish:

**7. Are you planning to invest in developing additional or/and better accessible formats?**

- Yes
- No
- I don't know/ no opinion

## **Part 3: Possibility to provide final comments and to upload a document**

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**1. Please provide any other information that you find useful regarding the availability of works in accessible formats for persons with disabilities.**

**2. You can upload a document, if you wish:**

**Thank you for your participation to this consultation.**

## **Contact**

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