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Abstract: The paper positions the importance of copyright literacy and copyright education for information professionals. Based on a review of scientific literature, the meaning of the term “copyright literacy” is clarified and its characteristics are presented to be used in updating the educational content and methodology of teaching in academic education and continuing professional development training programs. Developing high levels of copyright literacy (knowledge, skills and behaviours) and the ability to implement institutional copyright policy is essential for LIS (Library and Information Science) and cultural heritage professionals. The proposed conclusions in the paper are based on: findings from a multinational survey on copyright literacy of specialists from libraries and other cultural institutions (2013-2015); summary of the activities of the International Copyright Literacy Group (ICLG) in the period 2012-2019; and review of the current documents such as *IFLA Statement on Copyright Education and Copyright Literacy* (2018) and *Copyright in the Digital Single Market Directive* (EU) 2019/790 of the European Parliament and of the Council (2019).

Keywords: Copyright in the Digital Single Market Directive (EU); Copyright literacy; Copyright policy; International Copyright Literacy Group.

Resumo: O artigo aborda a importância da literacia e da educação em direitos autorais para os profissionais da informação. Com base numa revisão da literatura científica, o significado do termo “literacia de direitos autorais” é esclarecido e as suas características são apresentadas para serem usadas na atualização dos conteúdos e métodos de ensino em programas de educação contínua no ensino superior. O desenvolvimento de altos níveis de conhecimento sobre direitos autorais (conhecimentos, habilidades e comportamentos) e a capacidade para implementar políticas institucionais de direitos autorais são essenciais para os profissionais de LIS (Library and Information Science) e do património cultural. As conclusões propostas no artigo baseiam-se em: resultados de uma pesquisa multinacional sobre literacia de direitos autorais de especialistas de bibliotecas e outras instituições culturais (2013-2015); resumo das atividades do International Copyright Literacy Group (ICLG) no período de 2012-2019; e revisão de documentos atuais, como a Declaração da IFLA sobre Educação em Direitos Autorais e Literacia em Direitos Autorais (2018) e Direitos Autorais na Diretiva do Mercado Único Digital (UE) 2019/790 do Parlamento Europeu e do Conselho (2019).

Palavras-chave: Copyright in the Digital Single Market Directive (EU); Literacia em direitos autorais; Política de *copyright*; International Copyright Literacy Group.

1. Introduction

Copyright literacy becomes increasingly important for specialists from libraries and information and cultural institutions, since the management of copyright-related challenges has a key role in shaping the future of the profession. Specific manifestations of interaction between creators of digitized information (libraries, universities, museums, archives and other institutions), their role as portals to digitized information, as most democratic institutions providing access to knowledge, information and culture to society, and for overcoming the digital divide, and the need for this to be subject to compliance with copyright and related rights – outline the importance to position the meaning of copyright literacy in the broader framework of the digital and information literacy. The evolution and complexity of the concept of “*information literacy*” as from 2011, supplemented with the

concept of "*media literacy*" (UNESCO and IFLA - Declarations of Media and Information Literacy from the city of Fez, Morocco (15-17 June 2011) and from the city of Moscow (24-28 June 2012), in the global information environment has to be upgraded with "*copyright literacy*" (TODOROVA, 2017). According to Morrison (2018) copyright is now an inescapable aspect of learning and research when using digital technologies, and therefore awareness of it is a fundamental part of digital literacy. Copyright implications arise whenever anyone creates, interacts with or shares content with others. It is therefore woven through all the key aspects of digital literacies and capabilities, with particular relevance for the ethics of sharing (MORRISON, 2018).

2. Terminology

The term "*copyright literacy*" is established as a part of a broad understanding that there is a need for increasing range of knowledge, skills and experience required from people when using a content protected by copyright in a digital environment (TODOROVA *et al.*, 2014). According to Frederiksen (2016) copyright literacy can be defined as the ability to identify copyright-protected materials; to be familiar with exceptions and limitations provided for by national copyright legislation; to obtain permission or to negotiate the use of works when necessary; to recognize the risks of infringement of copyright law and to promote the ethical use of copyright-protected works. A person, who is literate in terms of copyright, knows how to find, use and recommend alternative freely accessible information resources (FREDERIKSEN, 2016). Kortelainen underlined also the importance to recognize respective information needs (KORTELAJNEN, 2015). Morrison and Secker (2016:5) define it as the "Acquiring and demonstrating the appropriate knowledge, skills and behaviours to enable the ethical creation and use of copyright material". Arguably, a copyright-literate person also understands the wider policy debate around copyright, and whilst not necessarily engaging directly in copyright advocacy is able to relate their own approach to the history and development of copyright laws. This involves an awareness of the inherent tensions between the various stakeholders (SECKER and MORRISON, 2016). The proposed definition by Morrison and Secker was used in the *IFLA Statement on Copyright Education and Copyright Literacy* (2018).

3. International Copyright Literacy Group

Libraries and other cultural institutions play an important role in providing a balance between two major aspects related to copyright equation: respecting the rights of information creators and owners alongside those wishing to use their content. Developing high levels of copyright literacy (knowledge, skills and behaviours) and the ability to implement institutional copyright policy is therefore essential for LIS and cultural heritage professionals.

Convinced that the theme of copyright literacy for information professionals was significant and promising, an International Copyright Literacy Group (ICLG) was established and has flourished since 2012 to the present day.

3.1. Multinational survey of ‘Copyright Literacy Competencies of LIS professionals’

The beginning of the cooperation of ICLG was the creation of a multinational survey of *Copyright Literacy Competencies of LIS professionals and those who work in the cultural heritage sector (archives and museums)*, conducted in thirteen countries, namely Bulgaria (BG), Croatia (CR), Finland (FI), France (FR), Hungary (HU), Lithuania (LT), Mexico (MX), Norway (NO), Portugal (PT), Romania (RO), Turkey (TR), United Kingdom (UK) and United States of America (USA). The comparative multinational study was a part of research project with international participation, entitled "Copyright Policies of libraries and other cultural institutions" (2012-2014), financed by National Science Fund of the Bulgarian Ministry of Education, Youth and Science and headed by T. Todorova from University of Library Science and Information Technologies in Bulgaria. The survey was implemented in two stages: the survey was first conducted in Bulgaria, Croatia, France and Turkey during July 2013 – March 2014 and then the same survey 15 was replicated in the other countries from June 2014 – March 2015. An online survey instrument was developed in order to collect data from professionals regarding their familiarity with, knowledge and awareness of, and opinions on copyright-related issues. The survey garnered 1926 fully complete responses. It is important to note that the initial goal to collect professional contributions in the area of archives and museum services was not accomplished, because the large portion of the sample were librarians. The multinational copyright literacy survey examined:

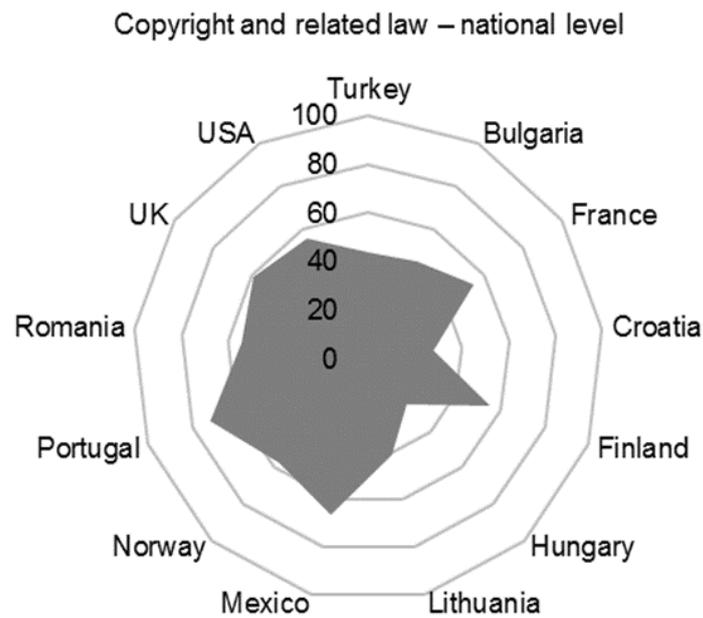
- the levels of knowledge and skills of librarians and other professionals about copyright matters;
- it also explored copyright education, calling for the greater inclusion of IP/copyright learning content in the academic programs and in the continuing professional training programs of professionals;
- and enhancing their role in providing education and support for their communities.

The main findings of this multinational survey can be summarized as follows: **the level of knowledge and the awareness of respondents (managers and specialists responsible for information services in cultural institutions – libraries, archives and museums) regarding copyright issues is far from satisfactory** (TODOROVA *et al.*, 2014; TODOROVA *et al.*, 2017). There are significant differences in the awareness and knowledge level of specialists in the area of copyright literacy across the surveyed countries. The countries with the highest rates of knowledge are the UK, USA, France, Finland, Norway and Portugal, while the lowest rates are from Bulgaria, Croatia, Lithuania, Romania and Mexico. The UK and the USA could stand as leaders, where there are good examples of institutional copyright policies and training programs in academic and continuing education.

3.1.1. Highlights from the findings about general knowledge and awareness regarding copyright issues

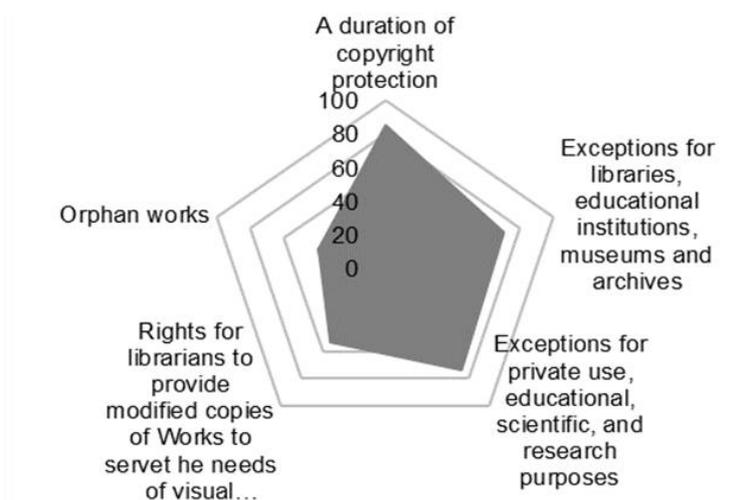
For the whole surveyed sample, the familiarity is highest for national-level copyright related laws and institutions (around 50 percent familiarity rate) (Fig. 1), and for the knowledge of limitations and exceptions in national copyright laws (Fig. 2).

Fig. 1 – Copyright and related law – national level



Source: prepared by Todorova et al (2017)

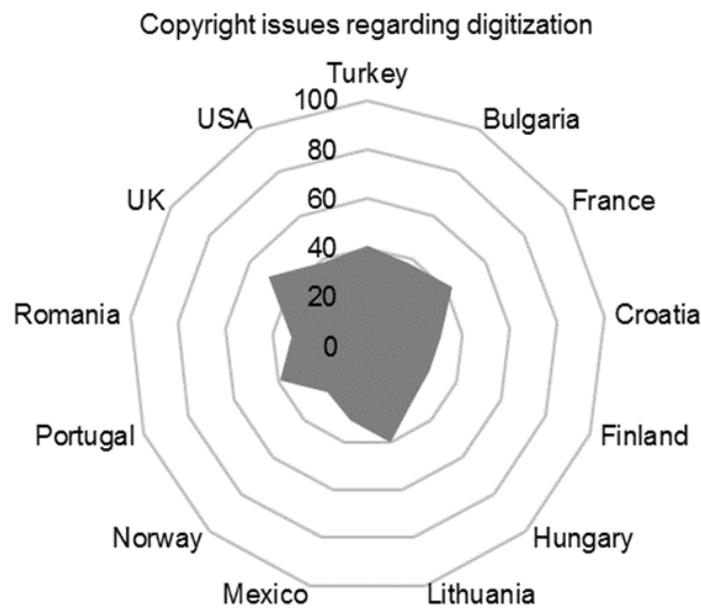
Fig. 2 – Knowledge of limitations and exceptions in national copyright laws



Source: prepared by Todorova et al (2017)

Issues which indicate the lowest awareness level, such as knowledge of the international copyright institutions, clearing rights and concepts of copyleft and fair use / fair dealing, solutions about digitization of orphan and out-of-print works, and virtual services with e-learning practices should be addressed in the LIS learning content. The finding that familiarity with copyright issues regarding digitization is below 50 percent demands particular attention (Fig.3).

Fig. 3 – Copyright issues regarding digitization



Source: prepared by Todorova et al (2017)

The comparative results indicate a need for improvement in copyright literacy. Measures should be taken to increase both awareness and the knowledge level of information professionals regarding copyright issues and for further understanding of copyright in a wider framework of digital and information literacy.

3.1.2. Highlights from the findings about knowledge and opinions on institutional copyright policy

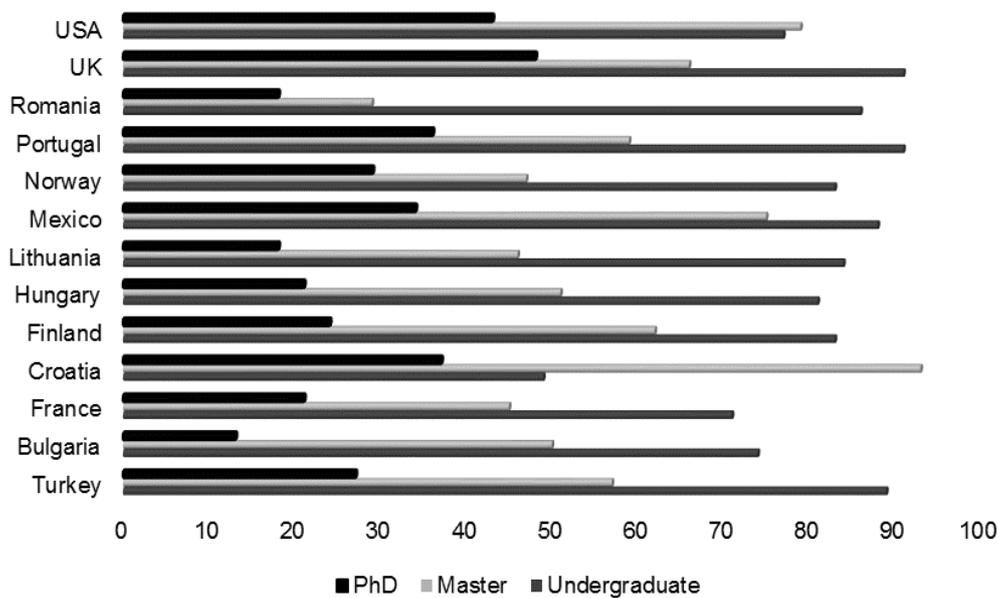
It is common for cultural institutions to possess resources protected by copyright and related rights and the majority of respondents think an institutional copyright policy is necessary for libraries and other cultural institutions. The majority of respondents (80.3 percent, n=1547) declared the need for an institutional copyright policy for libraries, archives and other cultural institutions. But, it is not common yet for institutions to employ a person in charge of dealing with copyright issues in particular, and perhaps that lack of expertise within the staff helps to explain this larger lack of awareness. It is important to find out the actual reason for the low number of employees in charge of copyright issues despite its increasing importance. If it is because of the lack of knowledge and expertise, an active collaboration with LIS schools and professional associations for training could be suggested. However, if it is because institutions believe it is unnecessary, this could be an

important indicator for the lack of awareness of the importance and impact of copyright regulations at the institutional level (TODOROVA *et al.*, 2014). Findings of this study highlight the recommendation that copyright policies must be implemented in cultural institutions as a tool to provide clarity on copyright issues, and that a copyright librarian/copyright advisor position must be established. In competence leading countries - UK and USA -, it is more likely to have librarian with copyright specialization, especially in the academic libraries.

3.1.3. Highlights from the findings about opinions on inclusion of copyright as a subject in LIS education

A high majority of respondents (93 percent) agree that intellectual property and copyright subjects should be included in the curriculum of Library and Information Science and Cultural Heritage Science Education as well as in continuing education programs. As is shown in Fig. 4, more than 71% of respondents across countries indicated that the undergraduate level is the most appropriate place for LIS and Cultural Heritage Science copyright education.

Fig. 4 – Appropriate levels for introducing Intellectual Property issues within LIS and Cultural Heritage Science education



Source: prepared by Todorova et al (2017)

Both the LIS curricula and continuing education programs should be revised to include intellectual property learning content that provides in-depth information along with case studies.

3.1.4. Conclusions from a multinational survey

Analyses of the existing level of information and copyright literacy of professionals that have been made show unsatisfactory results and reveal a serious problem that is neglected. Conclusions and achievements from research activities underlined the need of targeted training and continuing qualification of specialists in respect of these matters, in order to achieve the required copyright literacy for professional conduct in the conditions of global information environment (TODOROVA *et al.*, 2014; TODOROVA *et al.*, 2017). Complex solutions must be applied by means of partnership between academic education on LIS, archival studies and cultural heritage science, professional associations and the collegium of library professionals.

An ongoing discussion is who should be teaching the copyright content and how it should be addressed for successful preparation of graduates to assist people in the process of translating copyright literacy to a life skill and to a career as a copyright librarian.

In the period 2015-2019, the survey instrument was extended to Spain, India (in public libraries system), South Africa and Czech Republic.

3.2. ICLG publications: the beginning of the cooperation

The body of literature on copyright-related issues within the LIS and cultural sector is now substantial. Over the past few years, in an international context in the scientific literature, it has been observed the establishment of the **term copyright literacy**, used together with other derivative or related terms and phrases such as: *copyright for librarians*, *copyright law for librarians*, *copyright library policy*, *copyright librarianship*, *copyright librarian*, *copyright advisor*, *copyright officer*, *copyright equity* between the rights of authors and users of works in a library environment, etc. The publication activities of the ICLG contribute to this field. An extensive literature review was carried out during the first phase of "Copyright Policies of libraries and other cultural institutions" project. From that review, a thematic bibliography of about 3.200 records, entitled as *Copyright Publications* (2003-2013), was published (VASILEVA, 2013). Also, four books in the period 2009-2017 about copyright and libraries were published from the researchers in Croatia, Bulgaria and United Kingdom (HORVAT and ZIVKOVIĆ, 2009; SECKER, J. and MORRISSON, C., 2016; TODOROVA, 2010; 2017). Comparative results for the four countries (BG, CR, FR, TR) that participated in the first stage have been published in 2014 (TODOROVA *et al.*, 2014) and a paper with comparative results from thirteen countries was published in August 2017 in a special issue of the *Library Management Journal* dedicated to the 'Future Roles of Librarians' (TODOROVA *et al.*, 2017). The national survey results for Bulgaria, Finland, France, Hungary, India, Lithuania, Portugal (TERRA, 2016), Romania, Spain, UK and USA were also published and visible at: <https://copyrightliteracy.org/about-2/international-copyright-literacy/>.

3.3. ICLG website and other activities

Jane Secker and Chris Morrison from the UK joined the ICLG in 2014 following the presentation of the results of the CL survey at the European Conference on Information Literacy (ECIL) in Dubrovnik. Together Secker and Morrison created the *copyrightliteracy.org Website* and established the CL Group in UK. Since 2016, together with Tania Todorova, they developed the *International Copyright Literacy* sub-page:

<https://copyrightliteracy.org/about-2/international-copyright-literacy/>, making visible and accessible the results of the international research collaboration (Fig. 5).

Fig. 5 – International copyright literacy sub-page: <https://copyrightliteracy.org/about-2/international-copyright-literacy/>



Source: <https://copyrightliteracy.org/about-2/international-copyright-literacy/> (2019)

Some of the current activities of the ICLG are the following:

- collaboration on Copyright Literacy Survey of LIS (Library and Information Science) Students (CoLIS);
- organization of an opening panel at IFLA Congress 2017, Offsite Session “Models for Copyright Education in Information Literacy Programs” (23rd August 2017);
- an international symposium “Copyright Literacy and the role of librarians as educators” at European Conference on Information Literacy (ECIL) (18th September 2017);
- “Copyright and Libraries” Roundtable Discussion, organized by EBLIDA, Bulgarian Library and Information Association (BLIA), the University of Library Studies and Information Technologies and Global Libraries – Bulgaria Foundation with participation of T. Todorova, T. Trencheva (ULSIT) and Jane Secker and Chris Morrison (with video-message) (26th February 2018, House of Europe in Sofia);
- Copyright Literacy in a Cross-Border Environment: a workshop to build Copyright Literacy in European libraries by Chris Morrison and Jane Secker (31 May 2018, EBLIDA-NAPLE Conference, Strasbourg, France);

- International Copyright-Literacy Event with Playful Opportunities for Practitioners and Scholars by Chris Morrison and Jane Secker (Icepops, 3rd April 2018, LILAC Conference, UK and Icepops, 26th June 2019, University of Edinburgh, UK);
- and others.

4. IFLA Statement on Copyright Education and Copyright Literacy (2018)

In August 2018, IFLA recognized the fruitful collaboration of the International Copyright Literacy Group, the results of a multinational survey of *Copyright Literacy Competencies of LIS professionals*; and the publishing activity related to the popularization of the findings. Jane Secker and Chris Morrison collaborated with Stephen Wyber and other experts in preparation of IFLA's *Copyright Education and Copyright Literacy Statement*: <https://www.ifla.org/publications/node/67342> . It was disseminated widely from August 27th following its release at the IFLA Congress in Kuala Lumpur.

In the Statement, IFLA makes recommendations to governments, libraries, library associations and library educators. The IFLA experts calling that libraries should:

- Comply with the law as it stands, and whilst respecting the legitimate interests of rightsholders, maximise access to information and preservation of their collections.
- Recognise and value the development and updating of copyright literacy among staff.
- Engage in and use any opportunities to ensure that institutional policies and practices relevant to copyright facilitate access to information, within the limits of the law.

In line with the IFLA Code of Ethics for Librarians and Other Information Workers, advocate for stronger exceptions and limitations in order to maximise access to information.

- Offer workshops and training for staff and users on copyright and related issues, especially when laws are amended.
- Ensure that all professional library staff have a basic knowledge of copyright law, and consider designating a specialist copyright librarian, for example regarding questions of copyright in other jurisdictions.

In December 2018, the International Copyright Literacy Group initiates the voluntary translation on different languages of the *IFLA Statement On Copyright Education and Copyright Literacy* (licensed under CC-BY), which we hope will stimulate the discussion and activities of this direction widely throughout the world. In 2019, the translations in Bulgarian and Portuguese were published.

5. Further developments

The new Copyright in the Digital Single Market Directive was published in the EU Official Journal of 17th May 2019 and comes into force on 7th June 2019 (Directive, 2019). EU/EEA Member States must transpose it into their national laws by 7th June 2021. Much of this Directive has major consequences for Library and Information sectors and activities, being concerned with matters such as:

- commercial and non-commercial text and data mining;
- using copyright works for distance learning, online teaching etc.;
- digital preservation and preservation networks;
- protection of certain exceptions from contract override;
- amelioration of the rules for complaints about TPMs;
- mass digitisation and making available of out-of-commerce works;
- facsimile images of public domain works of art;
- using small snippets of text (including headlines) from newspaper websites;
- potential platform liability for user-uploaded copyright infringing materials.

Stratton (2019) concludes that Directive's impact depends very much on the legislative detail and procedural decisions for its transposition that will be made in each Member State, since there is nearly always some scope for interpretation in how a Directive's provisions may be applied. This Directive contains a number of cross-border provisions, so it is important that national implementations are compatible. European library copyright coalition (EBLIDA and its coalition partners, EUA, IFLA, LIBER, SPARC Europe, COAR, EIFL and Science Europe) stands ready to offer support and advice to anyone involved in their national transpositions of the Directive (STRATTON, 2019).

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