

## ONCE CONTRIBUTION TO THE CONSULTATION “EUROPEANA - NEXT STEPS” AND DIGITIZATION OF BOOKS IN EUROPE

### 1.- INITIAL COMMENTS

The development of the information society, based on information and communication technologies (ICTs), has gone well beyond all forecast expectations in both its economic value and the breadth and velocity with which it has been introduced. As society evolves towards an “information society”, our dependence in everyday life on technology-based products and services increases.

Faced with changes of this nature, which have an impact on all spheres of peoples' lives, we must address a fundamental question: how are products, services and systems to be designed in such a way as to enable them to be more efficient and used by the greatest possible number of people in the greatest possible number of circumstances? In other words, are ICTS, and therefore the information society we are building, a new cause of exclusion or, on the other hand, an opportunity for normalisation?

If we want persons with visual impairment to enjoy equal opportunities in terms of participating in modern day society, all ICT goods, products and services must be accessible. We refer, among other things, to devices such as computers.

Furthermore, web accessibility has become particularly important because of the exponential growth in online information and interactive services: online banking, shopping, training, government and public services and communicating with distant relatives or friends which, thanks to developments in social networking (Web 2.0), give rise to new and multiple ways to interact with other people.

Nevertheless, low levels of e-accessibility continue to prevent many persons with visual impairment from enjoying the advantages the information society offers. Accessibility has become one of the key challenges society faces, functioning as a clear indicator of social progress and development.

The findings of studies carried out in Spain, the European Union and North America on demographic change and the impact of new technologies and the information society show that the accessibility challenge continues to grow apace. Approximately 15% of the population in Europe has some type of disability, and up to 1 in 5 Europeans of working age has some type of impairments requiring accessible solutions. Overall, three out of every five people stand to benefit from e-accessibility, as it improves general usability.

To bring about an inclusive information society in which persons with disabilities in general, and in particular persons with visual impairment, are able to take part equally and as citizens with full rights, it is necessary to:

- **Improve digital accessibility (e-Accessibility) and the usability of ICT tools and services;**

- **Facilitate the spread of and access to assistive products allowing persons with disabilities to participate in digital environments, products and services (mobile telephony, DTV, on-line services, etc.);**
- **Boost innovation in and deployment of electronic accessibility through standardisation.**

In a wider context, ICTs fall within the scope of application of the proposed equal treatment directive, which refers to access to goods and services that are available to the public and their supply. Member states should also comply with the obligations regarding access to ICT goods and services set out in the United Nations Convention on the Rights of Persons with Disabilities.

Respecting the principle of **universal design** will make everyday activities simpler through the development of products, services and environments which most people will find easier to use with no additional effort. This, combined with developments in products and services standardisation and normalisation which make it easier for the user to adapt as new versions or products evolve and appear, should be an essential principle for achieving full mainstreaming for all in the information society.

The so-called “**online accessibility**” must be met in its broadest sense. It must allow any European citizen, using any ICT tool, to access any available website. Otherwise, persons with disabilities will never be able to benefit from the overall progress meant by Internet in general and the new concept of digital library in particular.

Being Europeana such an ambitious project as it is, ONCE values very positively this consultation, because although accessibility of citizens to its content is mentioned all the time, nothing is said about accessibility of works made available to the public, which is a vital point for persons with visual impairment as without this, they will not be able to access the ambitious Europeana.

Although it is true that work is being done in the field of accessibility of Europeana content, it is also true that there is still room for more improvements.

## **2.- CONTRIBUTIONS TO THE QUESTIONNAIRE**

### ***1 Which orientations would you suggest for the future development of Europeana as a common access point to Europe's cultural heritage in the digital environment?***

The main recommendation that ONCE can make for the development of Europeana is for accessibility of content to become a reality as soon as possible and always with maximum optimization of technical means to achieve it.

### ***2 Which features should be given priority in the further development of the site?***

Although the design team is working on website accessibility, focusing on the user and incorporating some functions such as:

- Meaningful page headings to assist in orientation
- Text accompanying pictures to help understanding their meaning
- Minimum use of frames

- Use of scalable sources
- Use of Cascading Style Sheets (CSS) to divide content of the presentation
- Notification to users when a link is open in a new window
- Possible use of (basic) functionalities without JavaScript,

It would be a good idea to take also into account other aspects so that the development of Europeana is geared towards usability by the widest number of persons, with or without visual impairment:

➤ **Concepts which website developers are not always aware of:**

**Accessible:** An environment, a product or a service is said to be accessible if it meets a series of requirements that make it understandable, usable and practicable for everyone.

**Technical aids:** Technical aids (for persons with disabilities) include all products, instruments, equipments or technical systems used by a person with disabilities, made especially or available on the market, in order to prevent, make up for, alleviate or neutralize the deficiency, disability or problem.

**Screen reader:** Technical aid used by persons with some kind of visual impairment that will interpret the computer on-screen information and offer it to the user through voice synthesis or Braille display.

**Screen magnifier:** Screen magnifying software for Windows is used basically by persons with low vision and it increases a portion of the screen to improve its visibility.

➤ **Lists help users who need a screen reader to browse the web**

Users with sight problems may "feel lost" in the lists, especially in the nested lists and in the ones that do not specify the nesting level for each item on the list.

It may happen that there could be content susceptible to be structured as a list within the content of the sites. Marking them, through HTML tags, is usually correct, although sometimes there may be some existing lists that are simulated through vignettes or hyphens that require the existence of tags and semantic marking.

➤ **Links:**

A link does not fulfil its objective if the text it contains, read out of context, does not allow understanding the type of content, that is, if the purpose or objective of the link is not unmistakably clear.

In the upper part of web pages, there is normally a "Help" link. Very often, this link repeats itself, although it is not visible on the screen. The Screen Reader detects it and assigns it the name appearing on the page code (URI). It is important that the page should be clean of unusable codes, as this could cause confusion to a blind user.

Sometimes links in the upper part of the page contain a vertical space bar. Space commands should not be included in link texts as the screen reader reads them when it is placed on the link, which is neither comfortable nor operative.

➤ **Colour:**

It must be taken into account that combinations of background and text colours must have sufficient contrast to be perceived by persons with visual impairment for colour perception or on black and white screens [Priority 2 for images and Priority 3 for texts].

***3 Has Europeana struck the right balance between making Europe's digitised cultural Heritage searchable through a common entry point and at the same time giving visibility to the institutions that contribute the material, or should the material accessible through Europeana be presented in a more unified way?***

We assume that when the question mentions **accessible material** it actually refers to **AVAILABLE material**.

Based on this assumption, we believe that, in any case, the material available through Europeana has to be presented in a more unified manner.

***5 Should there be minimum requirements for the content brought into Europeana by the contributing organisations (e.g. minimum viewing or use options)? If so, who should be responsible for defining and imposing these minimum requirements?***

Undoubtedly. ONCE considers absolutely fundamental that the Europeana Web as well as the content that it distributes and the use options should be accessible.

To do this, we consider that the Europeana Web administrator should be responsible for the establishment of minimum accessibility requirements as far as contents provided are concerned, that they are already acknowledged in 1.0 and 2.0 WCAG guidelines.

We are conscious that with current tools available there is a lot of material difficult to be made accessible to persons with visual impairment in particular and to the public in general, nonetheless, this should not be an obstacle or a restriction to do it whenever it is possible.

Very often, the accessibility of software applications is overlooked. With the growing use of Web based applications, it is important to promote software accessibility and to inform developers on new rules coming up (ARIA).

***6 Which categories of content are so important for the users that Member States and their cultural institutions should be encouraged to make them available through Europeana? What measures can be taken to ensure the availability of these works through Europeana?***

For ONCE, one of the fundamental and priority measures that guarantees availability of any work through Europeana is that any person with or without visual impairment in particular may be able to access it, without the need of any special device.

***7 What is the best way to encourage cultural institutions and rightholders to take into account cross-border access - including through Europeana - in their agreements on digitisation and dissemination of in-copyright material? Which legal or practical barriers to this cross-border access need to be addressed?***

Devices for production of formats such as Braille, large print or digital audio are still rather limited and they often depend on charitable funds or social assistance. Therefore, the production of modified material is normally rather expensive and, as a result, there is an enormous shortage of works in accessible formats in the European Union. When they eventually become available, they always come out later than the original publication.

Therefore, promoting the easy transfer of modified material between jurisdictions serves the interest of blind and partially sighted persons as far as works not available through Europeana are concerned. This way, duplication of efforts and scarce available resources are reduced most efficiently. The World Intellectual Property Organization (WIPO) recognizes this situation and is studying a recommendation for this kind of exceptions to be allowed to include authorization to import from other jurisdictions where there are also adequate exceptions.

ONCE would thus appreciate incentives, guidelines or license models for contractual agreements covering cross-border circulation of accessible material, as in the case of Europeana. We would also like to see a revision of European copyright legislation to request Member States to add clauses related to the importation of rights to their copyright exceptions and we urge the Commission to examine the scope of this modification. We also support requests for a WIPO Treaty on access of persons with visual impairment and difficulties to read printed documents, that would help to harmonise distribution of accessible material in all jurisdictions, especially with a project so incipient but with so much projection as it is the case for Europeana.

***9 What policies should be adopted to avoid that the process of digitisation itself creates new types of sui generis copyright that, in turn, could create barriers to the dissemination of digitised public domain material?***

At this point in time, it would be frustrating to have to explain that digitizing in accessible format any cultural work does NOT imply any modification of its content; especially for blind or partially sighted persons, as it is the only way they have to access culture.

Blind and partially sighted persons read electronic material by modifying its presentation, without any alteration to the content. They can do this through magnification, synthetic audio conversion or the use of a temporary or "refreshable" Braille display. In some cases, the software used to make these changes is included in conventional packages, but the more flexible and adaptable solutions are reached through a specific "screen reader" software – this is what we call 'support technology'.

Digital Rights Management plans (DRM) or the technological protection measures (TPM) they contain can react sometimes in the presence of support technology, as it is an unlawful operation. Therefore, DRM systems applied to e-Books and e-Documents can prevent people who had acquired them legally to access them as they are using support technology to read on the screen or to control the computer. In those cases, the blind user is unable to obtain the same access level as a sighted person, or he/she may not have any possibility of access.



## ABOUT ONCE

The Spanish National Organization of the Blind (ONCE) is a public corporation of a social nature. All blind and severely partially sighted people in Spain may join ONCE. Its activities cover the entire Spanish territory and, at present, it has approximately 70,000 members.

ONCE carries out actions favouring social inclusion, equal opportunities, non discrimination and achieving full rights as citizens for the people it represents. ONCE has become a well-organised and specialised organisation addressing social issues, co-operating with and complementing the work of state public authorities in developing social protection policies for a sector of the population which runs the risk of being excluded due to severe disability, as is the case with people who are blind or severely partially sighted.

ONCE's social nature incorporates the principles and values of solidarity, general interest and non-profit making in the purpose and aims of the organisation, while allowing economic, commercial and business activities to be developed in order to ensure funding for its social goals and overall financial stability.

ONCE's financial resources come mainly from marketing several gaming products (the most popular of which is the "Cupón", or "Coupon"), in addition to profits from its business activities which, at the same time, enable both people with a visual impairment and persons with other disabilities to integrate in the labour market.

At the same time, ONCE is committed to solidarity with the wider disability sector. To this end, it is engaged in carrying out activities in the fields of training, employment and universal accessibility by and for persons with disabilities, in other words approximately four million Spanish citizens.

ONCE's activities can also be seen at the international level, where it works to improve the quality of life for blind people in other parts of the world, mainly in Latin America, Portugal, Eastern Europe and North Africa.

ONCE is present and active in many representative European platforms in the social field, among others and most notably the European Disability Forum (EDF), the European Blind Union (EBU) and the European Social Economy (SEE).

For any additional information, please contact:

**ONCE International Relations Department**  
**C/Almansa, 66**  
**28039 Madrid (Spain)**  
**Tel: 00 34 91 436 53 00**  
[otae@once.es](mailto:otae@once.es)

Madrid, 13 November 2009