

# Supporting Ukrainian Refugees with Print Disabilities

## Information for EU Libraries Providing Accessible Reading Materials

### International legal framework

The Marrakesh Treaty for persons with print disabilities provides an excellent international legal framework that allows the making and distribution of accessible format copies for people with print disabilities, and the sharing of accessible books across national borders.

Ukraine joined the Marrakesh Treaty on June 8, 2023 and the treaty entered into force in Ukraine on September 8, 2023. In addition, the necessary amendments implementing the treaty into national copyright law were adopted in March 2023.<sup>1</sup> Therefore authorized entities in Ukraine, such as libraries, can use the Marrakesh Treaty to make accessible format copies, and to distribute them for the benefit of people with print disabilities in Ukraine. They can also send and receive accessible materials to and from other Marrakesh countries around the world.

### Legal framework: Ukraine and the EU

The European Union implemented the Marrakesh Treaty in 2018. Implementation is regulated in two ways: a Directive that allows for the creation and circulation of accessible format copies within the EU, and a Regulation on cross-border exchange of accessible format copies from EU member states to non-EU countries that have joined Marrakesh, such as Ukraine.<sup>2</sup>

Thus a library or other authorized entity in an EU member state can receive (import) an accessible format copy from Ukraine, and then do with that copy whatever its law allows. For example, it may provide a copy to a beneficiary person within the country, or to a library in another EU member state. It can also obtain accessible copies from libraries in other EU countries.

### Example: EU member state - Lithuania

As noted above, Ukraine implemented the

Marrakesh Treaty in 2023. Article 23(3) of the Ukrainian copyright law allows an accessible format copy to be exported, for example, by a library or disability organization to an authorized entity in another country, such as Lithuania, an EU member state.

Lithuania amended its copyright act in 2018 to implement the Marrakesh Treaty, as per EU legislation. In accordance with the EU Directive, Article 25(2) permits a library or other authorized entity to share a lawfully acquired accessible copy with libraries in all 27 EU member states, as well as directly with print disabled persons in these countries. In accordance with the EU Regulation, Article 25(6) allows accessible copies to be sent to non-EU countries that have joined the treaty. Thus a library or other authorized entity in Lithuania could forward copies of an accessible format copy it received from Ukraine to authorized entities and Ukrainians with print disabilities in Marrakesh countries throughout the world.

### Case study: How the Lithuanian Audiosensory Library is supporting Ukrainian refugees

Lithuania is currently home to over 70,000 people who have fled Ukraine since the start of the Russian invasion. Through cooperation with the Lviv Regional Branch of the Union of Disabled Persons of Ukraine, the Lithuanian Audiosensory Library (formerly Lithuanian Library for the Blind (LAB)) has obtained books in Ukrainian for children and teenagers (currently about 270 audio books, and 100 Braille books in print and electronic braille format). The books are available to beneficiaries through the online library, known as ELVIS (<https://elvislab.lt/>).

Librarians at LAB created catalogue records for the books, including metadata and other descriptors to enable integration of the titles into other online catalogues and to increase discoverability and use of the materials. They are also working to ensure interoperability with reading apps in other EU countries, including Finland, Belgium and Germany. In this way, libraries throughout the EU can more easily support Ukrainians with print disabilities during the refugee crisis.

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## Background

Since the start of the war in Ukraine in February 2022, over six million people have crossed the Ukrainian border seeking safety, protection and assistance in more than 40 countries.<sup>3</sup> The majority are women and children. Teachers all over Europe have been working to integrate Ukrainian children into local schools with language, learning and curriculum supports.

About 10% of Ukrainians who have made their way into the European Union (EU) have a disability, and they face additional obstacles.<sup>4</sup> For those who are blind and visually impaired, reading material in accessible formats is critical in areas such as health care, housing and social welfare, and education.

Accessible materials in the Ukrainian language play a crucial role in supporting displaced children and young people with reading disabilities caused, for example, by blindness, low vision, dyslexia. Libraries in the EU are seeking to quickly provide children's books and other materials in accessible formats to cater for this emergency need.

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## Information on the Marrakesh Treaty

"The Marrakesh Treaty has a clear humanitarian and social development dimension and its main goal is to create a set of mandatory limitations and exceptions for the benefit of the blind, visually impaired, and otherwise print disabled (VIPs)."

Learn more: <https://www.wipo.int/treaties/en/ip/marrakesh/>

For an up-to-date list of countries that have joined the Marrakesh Treaty: <https://bit.ly/MarrakeshTreatyCountryList>

For information on national implementations of the Marrakesh Treaty, see ARL compilation of legal provisions that implement the treaty's requirements in Marrakesh countries, <https://www.arl.org/national-implementations-marrakesh/>

For information on specific library rights as implemented under the treaty in each country, see IFLA Marrakesh Monitoring Report (January 2022), <https://repository.ifla.org/handle/123456789/1861>

<sup>1</sup> [Law on Copyright and Related Rights Article 23](#) {With changes introduced in accordance with the Laws No. 2849-IX dated 13.12.2022 No. 2974-IX dated 03.20.2023}

<sup>2</sup> [Directive \(EU\) 2017/1564](#) on permitted uses of certain works protected by copyright for the benefit of persons who are blind, visually impaired or otherwise print-disabled; [Regulation \(EU\) 2017/1563](#) on the cross-border exchange between EU and non-EU countries of accessible format copies of certain works for the benefit of persons who are blind, visually impaired or otherwise print-disabled

<sup>3</sup> <https://data.unhcr.org/en/situations/ukraine>

<sup>4</sup> [https://www.europarl.europa.eu/doceo/document/E-9-2022-001648\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2022-001648_EN.html)