

**DOCUMENT 3: ON THE USE AND MANAGEMENT OF THE LEGATUM
REPOSITORY - SONUS ET IMAGO**
*(BASIC DOCUMENT FOR THE ELABORATION OF POLICIES ON USE AND
MANAGEMENT)*

The Management and Use Policies of the Legatum Repository - Sonus et Imago (from now on, just Legatum Repository or RL-SI) is the document certifying the express acceptance of the terms and conditions for use of the repository. This document is intended to provide information on the responsibilities, rights, duties and obligations that the institutions accept when participating in the Legatum Initiative, specifically with respect to the use of the RL-SI, and under which they will have to comply, under the conditions described below.

Another document will deal with the Preservation Policy of RL-SI and will be elaborated in the cooperative process that characterizes the research within the repository.

The **Legatum Repository** (www.legatum.ufba.br) is a reliable digital repository (RDC) model conceived by the Group of Studies on Culture, Representation and Digital Information (CRIDI) of the Federal University of Bahia (UFBA), within the scope of the Legatum Initiative (www.legatum.ufba.br/web/), whose products are the result of actions from this research group (www.cridi.ufba.br). CRIDI is currently responsible for the technical and administrative coordination of RL-SI. To this end, it has the support of UFBA's Information Technology Superintendence.

Soon the Brazilian Institute of Information in Science and Technology (IBICT), an agency of the Ministry of Science, Technology and Innovation (MCTI), will move from the status of collaborating institution to partner institution. After discussions with the Co-ordination of Teaching and Research, Science and Technology (COEPE/IBICT), and with the Board of Directors of the institution, a draft ACT has been elaborated aiming at having IBICT as the institution in charge of the difficult responsibilities of **hosting** the idea of the Legatum Repository within the IBICT itself, as a whole; to give **visibility** to the Legatum Repository; to be aware of the necessary **policies** for the enterprise; to act in the **systematization of relations** and **promote integration** among the institutions involved.

The Legatum Repository's proposal is to achieve nationwide reach, with an opening to its internationalization. At the moment (July 2018), it brings together a series of Brazilian public institutions, partners and collaborators. Partner institutions are those that have already signed formal Technical Cooperation Agreements (ACTs), and also the Units or other sectors from UFBA, formally engaged in research with the RL-SI. Collaborating institutions are those that still await decisions, procedures or partner formalization proceedings. This is the situation on July 26, 2018:

- Partner institutions (external ones and UFBA sectors):

- Brazilian National Archives;
- VideoHealth Distributer - Institute of Communication and Scientific & Technological Information in Health / Oswaldo Cruz Foundation (VSD-ICICT-Fiocruz);
- TV UFBA - Pro-Rectorcy of Extension (PROEXT-UFBA);
- Audiovisual Laboratory - LabAV / Midiateca / Communication College / UFBA;
- Musical Historical Documentation Collection - ADoHM / UFBA;
- Collaborating institutions (external ones and UFBA sectors):
 - Information Technology Superintendence (STI-UFBA);
 - Brazilian Institute of Information in Science and Technology (IBICT);
 - University Laboratory of Audiovisual Preservation - LUPA / Fluminense Federal University;
 - Laboratory of Speech, Image and Sound Studies - LABEDIS / National Museum / Science and Culture Forum / UFRJ; and
 - Coordination of Archive of the House of Representatives (Câmara dos Deputados);

Two interconnected environments characterize the RL-SI, one for remote access and one for digital preservation. For remote access, it's used the Access to Memory (AtoM) software, and for digital preservation, the Archivematica software, which allows us to comply with Brazilian legislation regarding access and preservation of documents produced by public institutions. In the RL-SI, these softwares will be interconnected, allowing for digital preservation and generating reliable access versions. Both softwares are free and open source and are based on international standards for digital preservation and archival remote access and are recognized by the International Council of Archives (ICA) and the National Council of Archives of Brazil (CONARQ), among other important institutions, in many countries. They are currently adopted, for example, by UNESCO. A list of institutions and organizations adopting AtoM can be found at <https://wiki.accesstomemory.org/Community/Users>; about Archivematica, a list of implementing user groups, in the stages of testing and development and those already in full production phase, can be found at <https://wiki.archivematica.org/Community#Implementations>.

In the AtoM environment of the Legatum Repository, the metadata schema adopts, among others, the General International Standard Archival Description (ISAD-G, seeking also to comply with NOBRADE, Brazilian Standard for Archival Description), the International Standard for Describing Institutions with Archival Holdings (ISDIAH), the International Standard Archival Authority Record for

Corporate Bodies, Persons and Families (ISAAR) and the International Standard for Describing Functions (ISDF).

In the Archivematica environment of the RL-SI, the original development was carried out based on ISO 14.721: 2012, *Space data and information transfer - Open archival information system (OAIS) – Reference model*, revised and validated on January 9, 2018

The criteria for membership

To join the RL-SI, the institution must express interest by completing the form available on the website of the Legatum Repository. May join, the custodial institutions of digital representatives or born digital archives of audio-visual collections produced or in custody in the public sphere of countries that have Portuguese, Spanish, Catalan, Galician, Romanian, French or Italian as their official language. English is used as the working language.

The forms with the information of each interested institution are analyzed by the Legatum Initiative Team who, as soon as possible, gives its approval or disapproval response, with an explanatory statement, in the latter case.

In order to participate in the development, improvement and use of RL-SI it is necessary that the institution be public (there may be exceptions, resulting from the analysis of the members of the Legatum Repository for the acceptance of individuals and (or) private organizations wishing to collaborate).

Institutions that already have bases / repositories for born-digital files or digital audiovisual representatives, as well as those that, for any reason, may not yet have these digital environments to make them available / preserve them, may participate as partners or collaborators.

After the Statement of Acceptance is approved, the formal partnership is made either through a Technical Cooperation Agreement (ACT), in the case of institutions external to UFBA, or through internal Documents, in the case of sectors from the University itself. With the participation approved, the institutions become partners or collaborators of the development of the Legatum Repository, and in addition they increase their visibility in a remote environment that is being developed cooperatively. The participating institutions must own, maintain and respond to the moral rights related to the files they make available. Copyright legislation should be strictly observed by the institutions.

Descriptions of institutions and of items inserted in the Legatum Repository are the responsibility of each institution, as it reflects the informational representation that best suits each profile and institutional regulations. Only in previous phases of the research, items were inserted and descriptions of institutions made by the members of the CRIDI Group, for the purpose of conducting

tests, but those descriptions have gradually been adjusted by the institutions themselves. The RL-SI gives each institution the power to inform and maintain the data they want and in whatever form they prefer, while exempting the Legatum Initiative from responsibility over the data provided by the institution.

The participating institutions/sectors are given a login and a password to access the metadata environment of the Legatum Repository, and may then begin the basic learning (essentially done by institutional list of communication and debates, basic tutorials and user manuals) that will enable them to manage their content area in the repository and, thus, the admission of its audiovisual/iconographic documents into the environment. In each institution, only one of its representatives, among those registered in the environment, receives these login and password.

Institutions that already use AtoM software based on the ISAD (G) and ISDIAH standards do not need to duplicate the data in the Legatum Repository, having the option to just report the links to the collections and other digital resources available on their web pages.

General conditions of use

The Institution that joins the use of the RL-SI cannot claim, under any circumstance, unfamiliarity with the Legatum Repository Use Policy. The rules established here may be modified at any time, without prior notice, and will always be advertised for extensive knowledge, with proper communication, preferably through UFBA's institutional list, in which all the partners/collaborators are registered. The partner/collaborating institutions will only have access to the environment of insertion of items and their respective metadata, after registration and receiving the login and password. At all times, the participation of the institution in the RL-SI is conditioned to the acceptance of this Policy of Use. The user of the institutional list of UFBA submits to the Terms of Use of the UFBA Lists.

The Information Technology Superintendence (STI-UFBA) is the sector responsible for maintenance and security of storage and data network infrastructure, while the Legatum Initiative is responsible for the development and management of RL-SI, as well as for assignments and monitoring of access permissions.

The Legatum Repository is dedicated to complex digital audiovisual archives (and also iconographic, textual, photographic, as long as they are related to the accepted audiovisual archive). Thus, born-digital versions or those that result from processes of digital conversion of items from audiovisual collections of an institutional, scientific, academic, cultural and artistic nature, can be made available on this platform.

Regarding the audiovisual file formats for entry into RL-SI, we consider that all formats supported by AtoM and Archivematica software can be used, at the discretion of the institutions that deposit items into the environments. However, we recommend the adoption of reliable formats (containers and codecs), as there are already solid indications in this direction - although in the case of moving image files there are still no consolidated standards. Experiments will be performed with the MXF format, but the MKV format has been a strong container trend, using a FFV1 codec, whose combination seems to be a good preservation matrix option for institutions of any size.

Regarding audio-visual, we highlight the aspects brought by the Digital Preservation Policy of the National Archive of Brazil (2016, p.16),

Audio: Digital sound objects are complex because they contain several types of information, that is, they can encapsulate several bit strings with different functions. It will be considered the preservation of the content, without compression, of the structure and the metadata, listed in the profile of the original file. The following properties will also be preserved: duration, bit depth, sample rate, number of channels, "field" sound arrangement, number assigned to the audio channel and location map of the sound channels.

Audiovisuals: This is a complex document type, composed of a series of images presented in sequence that may be associated with an audio; both image and audio can be registered in one or more channels. Preservation of content (image and sound bit strings), without compression, of the structure (relation between the sound and image channels) and the metadata contained in the original file profile will be considered. The following properties will also be preserved: number of channels (image and sound), duration, frame size (width and height in pixels), resolution (in pixels), colors, color depth, bit rate and rate (sample rate, frequency)

On the responsibilities of the Legatum Initiative

The RL-SI, the product of a research developed under the Legatum Initiative, is committed, hopefully with the support of its partners and collaborators, to the promotion of preservation and access of digital audiovisual documents, inserted into the environment, as well as the metadata associated to them.

The RL-SI does not guarantee that there will be no instabilities in the performance of the system, however, undertaking to make all necessary efforts to its maintenance and to resolve any unavailability in the shortest time possible, with the support of STI- UFBA;

The Legatum Initiative may remove or suspend the disclosure, without prior notice, of any improper or illegal content detected or reported by third parties, even after it is made available online;

The Legatum Initiative reserves the right to communicate to the competent authorities any attempts or actions that may harm the project, canceling or suspending at any time accounts of the institutions involved in these actions, as well as taking other legal measures;

The Legatum Initiative is not responsible for the use made from automated search engines or other external websites on the content made available on its site;

In order to meet the demands from users with sensory impairments (sight and hearing) interested in the items made available in the RL-SI by its partners and collaborators, and with the objective of promoting social inclusion and accessibility for this public, the RL-SI environment intends to offer, when possible, access to free accessibility software, such as screen readers, in addition to audiodescription and Brazilian Language of Signals (LIBRA) features, when we have this possibility of having qualified profiles among members of the CRIDI Group and its partners. In this way, we aim to contribute to the elimination of technological, communicational and cultural barriers, expanding the access to information to all individuals.

On the responsibilities of partner and collaborating institutions

The institution pledges not to use the RL-SI for any illegal activity, being subject to the current Brazilian legislation, in particular: not to provide racist, insulting or vulgar messages; not to disclose personal questions of others, in accordance to Brazilian Federal Law 12.52/2012; not to transmit information with infringing, abusive, defamatory and/or fraudulent content; not to promote or encourage activities prohibited by law; not to include material that violates copyright and intellectual property or any material without the proper authorization of its rightful owners; not to present advertising messages in the contents and proposals of commercial services or products; not to violate the rights of children and adolescents; to not to violate the authenticity, integrity and availability of RL-SI materials, including their metadata.

On the criteria for submission and dissemination of content

The digital documents to be submitted to the RL-SI must: 1) be classified as ostensive (without contractual restrictions on Copyright), and 2) be complete and finalized, preferably.

As for the metadata used for document submission into the RL-SI, they must comply with AtoM standard for access and with Archivematica for digital preservation, since both adopt standards already mentioned here, being recognized by important institutions already highlighted here as well.

The person responsible for the inclusion of content in the RL-SI declares: a) to be the creator and (or) custodian of the original archive of such content, and (or) of the copyrights related the it, assuming exclusive responsibility for said archive, notably, if it is a collective creation, to have from the other co-authors or other rights holders, the transmission of such rights and/or any authorizations that may be required to make the content available in RL-SI; b) to have full powers to include content on the platform of the RL-SI, the way it will be made available, and guarantees there are no restrictions or financial burdens regarding the availability of these contents; c) that the content does not violate any third parties rights; d) authorizes the inclusion of content through the platform of the RL-SI available to the general public, free of charge, and that it may be used for scientific and/or educational and/or cultural purposes or for the their promotion, always respecting the licensing indicated by the author or copyright holder; e) assumes full responsibility for the content made available, including for public disclosure, which will only be made available due to the acceptance of this Policy by the Institution, and therefore, the Legatum Initiative cannot be held liable under any circumstance.

The Legatum Initiative cannot be held liable for any third party rights violations arising from the disclosure of content. The Legatum Initiative may, after becoming aware of any information that violates this document, remove or suspend access to the disclosed content.

The author (s) responsible for the inclusion of content or the legitimate author(s) may request the removal of content that was included in the RL-SI, provided it is communicated with at least 15 days in advance.

On access to documents

Access to documents deposited in RL-SI occurs as follows: 1) *Free Access*: documents are made available without restriction of access, i.e. without the need for a login and password; 2) *Pending access*: documents are provisionally unavailable for access, due to different factors, such as some submission or filing operation whose completion is still pending, and after this period the documents may have their access liberated or restricted; and 3) *Restricted Access*: documents will have limited access to managers and administrators, subject to identification by login and password.

On the use of documents, permissions and restrictions

The use of the documents that have been deposited in the RL-SI will occur as follows:

1. The documents deposited in the RL-SI will be available without charge to institutions and users, for consultation and research purposes, in accordance with the licenses adopted for each document, according to the RL-SI Use Policy;

2. It is forbidden to change the documents deposited in the RL-SI by third parties without the prior authorization of the Legatum Initiative, its administrators and collaborating institutions;

3. Users that use the resources available in the RL-SI should make the proper reference to the RL-SI and author of the item/work that they use;

4. It is forbidden to use the documentation available in RL-SI in violation of current Brazilian Copyright Law;

5. The contents of RL-SI, such as, but not limited to: descriptions, logos, software, scripts, images, photos, sounds, music, videos, interactive features and the like (called "Content") are the property of the licensees to partners and collaborators and are subject to current Brazilian national legislation, especially those related to the Law on Access to Information, copyright and intellectual property, as well as the authorization of use indicated by the author or licensee;

On Copyright

As established in Art.7 of the Copyright Law (No. 9.610/1998), intellectual work is protected. Therefore, if they are not in the public domain or their authors are unknown, it is necessary, according to Paragraph I of Article 29 of the mentioned Law, the prior and express authorization of the author of works inserted into the RL-SI. In case of public domain and (or) unknown author, make this indication(s).

For this, the institution that makes content available in the RL-SI declares that it is the author and (or) holder of rights and (or) has authorization to use the content it deposited into the RL-SI

Acceptance of the Use Policy

The use of the RL-SI establishes that the institution and the user have read, understood and agreed to the conditions set forth in this Use Policy. If there's any disagreement on the conditions set forth in said document, the repository should not be used.

On the final provisions

The Legatum Initiative reserves the right to remove, disable or cancel any content of the RL-SI at any time, without prior notice, informing the reasons later to the institution that made the content available.

This Use Policy applies to all RL-SI users, including participants who also contribute with video content, descriptions, and other materials or services to the repository.

The user, when using the RL-SI, must read carefully this Use Policy, for it implies express agreement to its terms. If the user does not agree to any of these terms, he should not use this site. Any form of improper use of RL-SI content constitutes a violation of this Use Policy.

In case there is no maintenance conditions for the RL-SI on UFBA's part, due to insufficient budget allocation or other administrative-financial-technological difficulty, it is

up to the higher authority to whom it is subject to, to determine who can do so in its place or what other decision can be taken.

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