

THE CONTRIBUTION OF THEORY AND RESEARCH TO THE TRANSFORMATION OF LIBRARIES

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Regulatory and Legal Support of Librarianship and Operation of Libraries in Ukraine: Current Status, Problematic Issues and Ways to Address Them

Objective. This study aims to assess the alignment of Ukraine's regulatory framework with the current requirements for the development of librarianship, to identify the key challenges hindering the integration of Ukrainian libraries into the global information environment, and to propose possible solutions. **Methods.** The research is based on a set of general and specialized methods of scientific inquiry, including analysis, synthesis, processing of a wide range of information sources, generalization, and the application of the principles of scientific objectivity and systematicity, which together contributed to the achievement of the research objectives. **Results.** The study identifies a number of issues within Ukraine's library sector that require improvements in the regulatory and legal framework. These include: restructuring of the library network, enhancement of governance in the library sphere, modernization of the regulatory basis for collection development, and adoption of state targeted programmes for sectorial development. **Conclusions.** Library legislation establishes the requirements and principles of library operation, providing access to information, support for education and science, preservation of historical and cultural heritage and cultural development of society, aimed at harmonising legal norms with international law. The development of librarianship will be ensured through state support, funding, material and technical resources, staffing, coordination of activities, etc.

Keywords: library business of Ukraine; regulatory and legal framework

Introduction

According to the existing legal regulations, librarianship in Ukraine is defined as a branch of informational, cultural and educational activity of the society aimed at establishment and development of a network of libraries, formation, processing, arrangement and storage of library collections, organisation of library, information and reference bibliographic services for readers, training and professional development of specialists in the field, scientific and methodological support of the development of library activities. As a branch of social activity in each country, librarianship is regulated by legislative acts that define the status of libraries, legal and organisational principles of their activities aimed at realisation of citizens' rights to free access to information, knowledge, and involvement in the values of national and world culture, science, and education preserved in library collections. The laws provide guarantees and conditions for the

THE CONTRIBUTION OF THEORY AND RESEARCH TO THE TRANSFORMATION OF LIBRARIES

functioning of libraries, their social purpose and are aimed at protecting the rights of readers, libraries and librarians.

The regulatory framework of the Ukrainian library sector consists of: The Fundamentals of Ukrainian Legislation on Culture; the Law of Ukraine "On Libraries and Librarianship" as the basic branch law; regulations governing specific areas of the library industry; strategies; state programmes for the development of libraries and librarianship, including regional ones, as well as international treaties ratified by the Verkhovna Rada of Ukraine.

The development of librarianship through state support of financial, cost and investment policy, development and implementation of national programmes in the fields of education, science and culture is guaranteed by the main legislative document - the Constitution of Ukraine (1996). For more than 30 years of Ukraine's independence, the following legal acts have been adopted in relation to libraries and librarianship: Laws of Ukraine "On Information" (1992), "On Libraries and Librarianship" (1995), "On the Mandatory Deposit of Documents" (1999), "On the Fundamental Principles of the Development of the Information Society in Ukraine for 2007–2015" (2007), "On Culture" (2010), "On Access to Public Information" (2011), "On Copyright and Related Rights" (2022); "Concept of the Development of the Digital Economy and Society of Ukraine for 2018–2020" (2018); Decree of the President of Ukraine "On Urgent Measures for the Development of Libraries in Ukraine" (2000); Resolution of the Cabinet of Ministers of Ukraine "On the Approval of the State National and Cultural Program for the Creation of a Unified Information Library System 'Library XXI'" (2011); Resolution of the Cabinet of Ministers of Ukraine "On the Approval of the Program for the Preservation of Library and Archival Collections for 2000–2005" (1999); Order of the Cabinet of Ministers of Ukraine "On the Strategy for the Development of Librarianship until 2025 'Qualitative Changes in Libraries to Ensure the Sustainable Development of Ukraine'" (2016) and many others that regulate various areas of the sector and which include amendments to political, social and economic, technological changes in the society accordingly. A number of norms regulate the preservation of the national historical and cultural heritage, the creation of information resources and participation in informatisation and digital transformation programmes.

The purpose of the study is to analyse the correspondence of the regulatory framework to the current requirements for the development of librarianship in Ukraine in general and the activities of individual libraries, in particular, to outline the issues that complicate the integration of Ukrainian libraries into the global information environment and to identify the ways to address them, in particular, to analyse how the state support for the management and development of the sector is implemented in practice and how the efficiency of these activities is ensured.

Methods

The research methodology is based on the application of a complex of general and special methods of scientific knowledge - analysis, synthesis, processing of a large number of documents, information sources, information and analytical materials, generalisation, application of the principles of scientific objectivity and systematicity, which contributed to the achievement of the objectives of the work and the corresponding results. The information-analytical method made it possible to identify and substantiate areas of improvement and ways of further development of the regulatory and legal maintenance of librarianship.

Analysis of Recent Research. The issues of regulatory and legal maintenance of Ukrainian libraries have always been in the focus of leading scholars and library professionals in the field. They participated in the drafting of all legislative documents, strategies, development programmes

THE CONTRIBUTION OF THEORY AND RESEARCH TO THE TRANSFORMATION OF LIBRARIES

and its individual components that regulate the work of libraries, worked in councils, committees, specialised NGOs in this area, constantly provided expert opinions, analytical materials at the request of deputies of the Verkhovna Rada of Ukraine, public authorities and management bodies, and participated in public disputes on draft projects of certain instruments. For instance, the Vernadsky National Library of Ukraine (hereinafter referred to as the VNLU), on behalf of higher authorities or on its own initiative, is defined by its Charter as the main activity in the development of scientific and analytical materials, expert opinions, proposals, recommendations on topical issues of information support for the development of the state and society, as well as coordination of efforts of Ukrainian libraries in the implementation of the state policy in the field of librarianship.

The works of Ukrainian library scholars on certain aspects of scientific and legal support of the library industry contain a thorough analysis of current legislative and regulatory documents of Ukraine and foreign countries, highlight their contents, identify issues, and offer suggestions for their solution. The chronological boundaries of the publications studied cover the last ten years. In particular, various aspects of legal regulation of libraries were studied by: O. Demianiuk, L. Dubrovina, O. Klymenko, N. Kovalchuk, N. Konon, L. Lytvynova, O. Onyshchenko, L. Prokopenko, H. Salata, O. Sira, O. Sokur, O. Fihel and others.

In the collective monograph "Vernadsky National Library of Ukraine in the First Decade of Ukraine's Independence (1991–2002)" (Antoniuk et al., 2019), the VNLU scholars examined the legal framework and public initiatives for the development of librarianship in the 90s of the twentieth century – early twenty-first century in the context of socio-political changes in society. The authors have determined that the processes of transformation of librarianship in independent Ukraine are characterised by the creation of new library legislation, improvement of the library system, development of a new infrastructure of library institutions, expansion of professional periodicals, informatisation of librarianship, formation of electronic resources and electronic libraries in Ukraine. The new regulations laid the foundation for the legal framework for organising library activities in the new environment, regulated and defined new aspects of the scope of library activities, and created conditions for transforming the functions of libraries.

The authors O. Klymenko and O. Sokur analysed the current legal framework for the development of the National Digital Library of Ukraine (Klymenko & Sokur, 2023). N. Kovalchuk examines the state of the legislative and regulatory framework governing the documentation of the activities of a modern library (Kovalchuk, 2019). Studying the state of regulatory and legal provisions of Ukraine's cultural policy in the library sector, Prokopenko L. and Sira O. conclude that the current legislative and regulatory acts cannot comprehensively and optimally regulate the problems that have arisen in the field of culture in Ukraine. One of the priority measures to address this problem could be the development and approval of a unified Code of Laws on Libraries and Librarianship, which would optimise the filling of the gaps in sectoral legislation in accordance with the requirements of a highly developed democratic society (Prokopenko & Sira, 2015). The peculiarities of application of the provisions of copyright law in the activities of Ukrainian libraries are the subject of a study by L. Lytvynova (2017). Strategies for the development of librarianship in Ukraine are considered in the work of H. Salata. Among the strategic directions for the development of Ukrainian libraries are improving the regulatory framework and creating a system of guaranteed budgetary financing for basic library services, as well as reforming the mechanism for obtaining and using revenues from other sources of funding (Salata, 2022). The article by O. Demianiuk and N. Konon examines certain provisions of the legal documents regulating partnerships, in particular between libraries and government agencies, public and charitable organisations, as well as benefactors (Demianiuk & Konon, 2024). The author O. Fihel examines

THE CONTRIBUTION OF THEORY AND RESEARCH TO THE TRANSFORMATION OF LIBRARIES

the issue of regulatory and legal support for the activities of libraries of higher education institutions of Ukraine within the framework of library reform and concludes that the features of such book collections are not reflected in Ukrainian legislation (Fihel, 2021).

Thus, the analysis of research and studies demonstrates the relevance of the chosen topic and the attention of both theorists and practitioners of the national library industry to the development of its legal and regulatory framework with due regard for the leading foreign practices. The issues of improving the legal regulation of librarianship have been repeatedly raised at the legislative level and discussed by a wide range of scholars and specialists.

Results and Discussion

The regulation of libraries in Ukraine covers a wide range of issues, including legal, organisational and financial aspects. Legislation sets clear requirements and principles for the operation of libraries, providing access to information, support for education and science, preservation of historical and cultural heritage and cultural development of society. Compliance with these requirements should facilitate the efficient functioning of libraries and meet the informational needs of readers.

At the same time, the use of regulatory legal acts in practice has a number of challenges, in particular, the provisions of these documents are mostly declarative in nature, as there are no mechanisms for their implementation, coordination and cooperation developed at the state level, and, most importantly, they lack financial, logistical and personnel support. For example, this fully applies to the basic laws "On Libraries and Librarianship" (1995, as amended), "On the Mandatory Deposit of Documents" (1999, as amended), "Program for the Preservation of Library and Archival Collections for 2000–2005" (due to underfunding, the State Register "Book Monuments of Ukraine" as a component of the State Register of National Cultural Heritage was not established), the State National and Cultural Program for the Creation of a Unified Information Library System "Library XXI" (was not funded), "State Program for the Development of the V. I. Vernadskyi National Library of Ukraine for 2005–2010" (partially funded, only for one year).

Therefore, there is a situation in the sector where libraries have a powerful information potential for consolidating society, directing it towards integration into the European community, for free access to information, knowledge and cultural heritage, and at the same time there are a number of serious key issues that significantly hinder the processes of transformation and further intensive development of librarianship in Ukraine. The issues, the solution of which at the state level can profoundly affect the development of the country's library sector, are identified in the Strategy for the Development of Library Services for the period up to 2025 "Quality Changes in Libraries for Sustainable Development of Ukraine" (*Stratehiia Rozvytku*, 2016). Among many others, these include: the inconsistency of the regulatory framework and standards with modern requirements for the development of librarianship, which complicates the integration of Ukrainian libraries into the global information environment; lack of a stable system of financing libraries and material-technical support in amounts sufficient for effective operation and development; unsatisfactory state of formation of library collections, in particular, lack of full acquisition of new periodicals and non-periodicals, electronic resources; insufficient progress and lagging implementation of information technologies in libraries, lack of state projects and programmes, development of the sector; ineffective coordination of actions and cooperation between libraries of different institutions, between institutions that manage libraries, between libraries and other cultural and scientific institutions (museums, archives, etc.). It should be noted that the Strategy

THE CONTRIBUTION OF THEORY AND RESEARCH TO THE TRANSFORMATION OF LIBRARIES

as a framework document, in addition to the key issues, identified priorities, directions, tasks, expected results and deadlines for their project execution.

The full-scale invasion of Russia on 24 February 2022 changed the life of the country and society, and affected all spheres of human activity, including the library industry. The primary focus was to preserve library collections, their historical and cultural component, library infrastructure and human resources. In fact, the implementation of programmes and projects that required state funding was suspended, including the Programme for the Strategic Development of the Library Sector until 2025, the vast majority of which has not been and is not being implemented for a number of reasons, including lack of funding and coordination.

Today, it is crucial for the state to understand the critical state of the industry and libraries, because even the most active work of libraries and library personnel, without proper funding, state policy and support from the authorities, remains an attempt to preserve the existing library system and only partially improve its activities, which were mainly formed in Soviet times.

In this context, the main challenges of the library industry are outlined, which can only be solved by central authorities. In particular, the analytical note prepared at the request of the Commissioner for Social and Economic Rights of the Verkhovna Rada of Ukraine (2025) by the authors of this article contains proposals on possible ways to solve key issues. Let us proceed to consider the main ones.

Optimising the country's library system. First and foremost, it is necessary to legally establish the status of national libraries, of which there are eight in Ukraine, each with different departmental affiliations, namely: Vernadsky National Library of Ukraine (National Academy of Sciences of Ukraine), Yaroslav the Wise National Library of Ukraine (Ministry of Culture and Information Policy of Ukraine), National Scientific Medical Library of Ukraine (National Academy of Medical Sciences), Lviv National Scientific Library of Ukraine named after V. Stefanyk (National Academy of Sciences of Ukraine), National Historical Library of Ukraine (Ministry of Culture and Strategic Communications of Ukraine), National Library of Ukraine for Children (Ministry of Education and Science of Ukraine), Odesa National Scientific Library (Ministry of Culture and Strategic Communications of Ukraine), National Scientific Agricultural Library of Ukraine (National Academy of Agro Sciences of Ukraine). In this regard, there is a parallelism in the work and a lack of coordinated action between national libraries, most of which are only formally designated as national. Today, the most powerful library in the country and the very first one, which was created as the National Library of the Ukrainian State (1918) and, in accordance with the current legislation, restored this status in 1996, is the Vernadsky National Library of Ukraine, which forms a huge unique library and the largest electronic resource in Ukraine, which accumulates, processes, stores, provides open access, and is among the ten largest national European libraries in terms of the volume of its collection. And only two of Ukraine's national libraries (subordinated to the Ministry of Culture and Strategic Communications) are funded as national institutions. The world has a track record of several national libraries functioning in a country (they have their own status as “paranational”), but their functions are clearly separated, coordinated and provided with equal funding at the state level. Without addressing this key issue in Ukraine, any legislative initiatives will only be preventive and will hinder the innovative development of librarianship.

Enhancing the management of the library sector. According to the current legislation, this is the responsibility of an exclusively authorised central executive body in the field of culture, but in fact this structure has not been formulating and implementing state policy in the field of librarianship for decades, nor has it been coordinating and interacting with libraries of different systems and agencies to perform numerous functions that are essential for the development of the

THE CONTRIBUTION OF THEORY AND RESEARCH TO THE TRANSFORMATION OF LIBRARIES

library sector, nor has it been monitoring the implementation of decisions. Hence, Ukrainian libraries do not actually have a single effective management body, and national libraries, given their departmental fragmentation, are unable to ensure coordination and interaction in the context of the development of library services in Ukraine. The result of such management of the sector is the absence of a national digital library, a consolidated catalogue of libraries in the country and a system of national authority files, corporate cataloguing, and the critical national and implemented international standards by which libraries should work.

The issue of coordinating library-related activities could potentially be addressed by the Interagency Coordination Council on Library and Librarianship Matters, established under the Ministry of Culture and Information Policy of Ukraine (approved by Order of the Ministry of Culture of Ukraine No. 313 dated May 20, 2014, which adopted the "Regulations on the Interagency Coordination Council on the Development of Libraries and Librarianship" and its membership). Another possible mechanism is the Interagency Coordination Council on Scientific Activities in the Library and Information Sector, which could operate under the V. I. Vernadskyi National Library of Ukraine (provided it is granted the authority to serve as the scientific and methodological center for the national network of research libraries). Additionally, the Coordination Center of the Library Corporate Cataloguing System, established on the basis of the State Scientific Institution "Ivan Fedorov Book Chamber of Ukraine," which receives the mandatory deposit of printed works and carries out the state registration of printed products in Ukraine, may also play a role. This is a significant and large-scale coordination and organizational effort, which requires a unified approach, as well as the development of proper scientific and methodological support and a robust regulatory and legal framework.

Updating the regulatory framework for the formation of the fund. Amendments to the Law of Ukraine "On Mandatory Copies of Documents" on the provision of mandatory free copies of printed and electronic texts, aimed primarily at replenishing Ukraine's largest collection of periodicals (magazines and newspapers), universal in terms of subject matter and types of documents, of the Vernadsky National Library of Ukraine. For example, according to IFLA standards, libraries must replenish their collections by about 10% annually, otherwise they will be transformed into archives or museums.

Adoption of State Targeted Programmes. Among them:

- Preservation of the archival records of Ukraine's historical and cultural heritage (digitisation, financing, logistical support, including premises and equipment). The Vernadsky National Library of Ukraine should be the core organisation of the programme, which holds most of the unique collections of libraries in Ukraine, and since 2023 has been launching the Centre for Preservation and Digitisation of Collections. It is the Vernadsky National Library that is the leading institution in creating the State Register of Book Monuments of Ukraine as part of the State Register of National Cultural Heritage;
- Creation of the National Electronic Library by combining the efforts of all libraries and establishing a Coordination Centre.
- Implementation of unified software and technology for library networks.
- Formation of a system of national authoritative files.
- Integration of national cultural and scientific heritage into European and global digital resources.

Granting a special status of a state enterprise to the Vernadsky National Library of Ukraine as the leading national scientific library and information complex of the state and the methodological centre of the library network (by a separate law or a separate article in the basic legal act). It is essential for the further development of the country's library system to establish the

THE CONTRIBUTION OF THEORY AND RESEARCH TO THE TRANSFORMATION OF LIBRARIES

special status of the Vernadsky National Library of Ukraine (VNLU) and ensure its funding in conformity with the legislation on the national institution.

According to its Charter, the VNLU is a state-funded non-profit research institution subordinated to the National Academy of Sciences of Ukraine. By the volume and value of its collections (17 million copies of documents on physical hardware, including 6.5 million of unique historical and cultural heritage; an electronic library of more than 4 million documents), the library is one of the largest libraries in the world and ranks sixth among European national book collections. The Vernadsky National Library of Ukraine's unique universal collection, the "Fund of Manuscripts, Old Prints, Rare Books, Historical Collections, Archival Fund and Depository of the Vernadsky National Library of Ukraine", was included in the State Register of Scientific Objects of National Heritage by the Cabinet of Ministers of Ukraine on 19 December 2001, No. 1709. It is also included in the State Register of Scientific Institutions Receiving State Support. The Library is the only specialised research institution in Ukraine that is centred upon systematic research on book studies, library science, bibliographic studies, codicology and codicography; archival and document studies; biography; as well as scientometrics; information and communication technologies; preservation, conservation and restoration of documents.

The library is the largest scientific and data-driven centre in Ukraine, which solves a range of relevant tasks in the main areas of library and information activities in Ukraine, development of library collections and information resources, analytical and synthetic processing of documents, introduction of information and communication technologies, data and analytical support of state authorities and local self-government bodies, implementation of international standards in librarianship in Ukraine.

Conclusions

The national legal framework in force regulates the functioning of the library sector, but it requires improvement and harmonisation with international law. Since integration into the European economic, political and legal landscape is a strategic direction of Ukraine's development, it is of great importance to create a legislative environment aligned with international requirements. In this context, it is particularly necessary to address the issue of legislative regulation of the library sector in the context of the European vector of Ukraine's development.

Summing up the aforementioned, we note that it is possible to create an ideal modern regulatory framework for the library industry that will govern all areas of activity and be consistent with international law. But without proper state support, stable funding, logistical and personnel support, coordination, cooperation, and control by authorities and management at all levels, everything will be declaratory in nature and will hinder the integration of the still powerful information potential of Ukrainian libraries into the global information space, and thus the development of the country.

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THE CONTRIBUTION OF THEORY AND RESEARCH TO THE TRANSFORMATION OF LIBRARIES

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THE CONTRIBUTION OF THEORY AND RESEARCH TO THE TRANSFORMATION OF LIBRARIES

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Нормативно-правове забезпечення бібліотечної справи і діяльності бібліотек України: сучасний стан, проблемні питання та шляхи їх вирішення

Мета. Дослідження спрямоване на вивчення відповідності нормативно-правової бази сучасним вимогам розвитку бібліотечної справи України, визначення проблем, що ускладнюють інтеграцію українських бібліотек у глобальне інформаційне середовище, і шляхів їх вирішення. **Методика.** Дослідження ґрунтується на використанні комплексу загальних та спеціальних методів наукового пізнання: аналізу, синтезу, опрацювання значної кількості джерел інформації, узагальнення, застосування принципів наукової об'єктивності та системності, що сприяло досягненню поставленої мети. **Результати.** Виявлено низку проблем у діяльності бібліотечної галузі України, які потребують удосконалення нормативно-правового забезпечення їх вирішення. Серед них: упорядкування бібліотечної мережі, удосконалення управління бібліотечною галуззю, актуалізація нормативно-правового забезпечення формування бібліотечного фонду; прийняття державних цільових програм розвитку галузі. **Висновки.** Бібліотечне законодавство встановлює вимоги та принципи діяльності бібліотек, спрямовані на узгодження правових норм з міжнародним законодавством, забезпечуючи доступ до інформації, підтримку освіти та науки, збереження історико-культурної спадщини та культурний розвиток суспільства. Розвиток бібліотечної справи буде забезпечено за допомогою державної підтримки, фінансування, матеріально-технічних ресурсів, кадрового забезпечення, координації діяльності тощо.

Ключові слова: бібліотечна справа України; нормативно-правове забезпечення

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