

## Organisations representing library associations, library consortia, and professional librarians in over 150 countries urge WIPO Member States to agree an effective treaty for print disabled people.



We, the undersigned organisations representing over 750,000 professional librarians and serving over one billion registered library users worldwide, urge WIPO Member States to agree an effective treaty for print disabled people.



The library community has a direct interest in negotiations underway for the Diplomatic Conference in Marrakesh because libraries worldwide are one of the key agencies serving print disabled people, in particular in developing countries. As a profession, librarians enjoy a strong position of trust in the disability and rightsholder communities.



We affirm the right of print disabled people to access books, knowledge and cultural life on an equal basis as others, set out in the United Nations Convention on the Rights of Persons with Disabilities (2006). Libraries have long played an essential role in supporting this community by creating and building collections in alternative formats, often filling a gap due to the lack of accessible material.



We know that print disabled people have not benefited fully from new technologies because of copyright restrictions. In 1985 a joint WIPO-UNESCO report recommended a new international instrument which would permit production and distribution of accessible formats. Yet 28 years later, there is no legal instrument, nor effective commercial solutions. The current situation represents both a market failure and an international policy failure. Since it is unrealistic to expect that market gaps will be properly addressed in the near future, it is time for public policymakers to legislate.



The international library community therefore strongly supports the conclusion of an effective treaty for the benefit of print disabled people at the Diplomatic Conference in Marrakesh. By ‘effective’ we mean an international legal framework that print disabled people, and libraries that serve them, are confident will provide practical national legislative solutions. **An effective treaty:**



1. **Ensures efficient cross-border transfer of works:** it should not be hobbled by requirements for authorized entities to check “commercial availability” across borders, or to carry out unworkable “due diligence” procedures. Effective cross-border transfer of works stands to be one of the most important benefits of a treaty.
2. **Upholds the right to read for the world’s print disabled people – regardless of format:** copyright exceptions for print disabled people must be protected against override by technological protection measures. This is crucial in the digital age. The right to

read is fundamental – it should not be restricted by technological protection measures.

3. **Recognises the role of libraries in providing access to accessible format works:** libraries are well qualified to make accessible copies of works for print disabled people in compliance with agreed standards, efficiently, and without added expense and bureaucracy. An effective treaty would make clear in the Agreed Statement to the definition of “Authorised Entities” that serving print disabled readers is one of the primary activities of all libraries. While there are specialist libraries for print disabled people, *all* libraries have a mandate to serve all of their user communities equally, whether they be public, school, academic or workplace libraries.
4. **Promotes the public interest as central to the balance in copyright law** – the three-step test in international law is intended to balance the rights of creators alongside the public interest in access to works. A treaty for print disabled people must not restrict the application of the three-step test, or privilege a particular interpretation of it.

We believe that the request of the World Blind Union and its allies for an effective international treaty is right, fair, just and long overdue. In Marrakesh there is an opportunity to ensure that another generation of visually impaired persons and persons with print disabilities is not deprived of the right to read. We only need the political will to make it succeed.

Representatives from IFLA, EIFL and LCA are at the disposal of distinguished delegates during the Diplomatic Conference in Marrakesh to provide further information on library services to the print disabled community.

*Issued in The Hague, June 11<sup>th</sup> 2013*

## Signatory organisations

The **International Federation of Library Associations and Institutions (IFLA)** is the leading international body representing the interests of library and information services and their users. It is the global voice of the library and information profession.

**Electronic Information for Libraries (EIFL)** is an international not-for-profit organization dedicated to enabling access to knowledge through libraries in more than 60 developing and transition countries in Africa, Asia, Europe, and Latin America.

The **Library Copyright Alliance (LCA)** consists of three major library associations — the American Library Association, the Association of Research Libraries, and the Association of College and Research Libraries. It addresses copyright issues that affect libraries and their patrons.

The **Conference of Directors of National Libraries (CDNL)** is an independent association of chief executives of national libraries, established to facilitate discussion and promote understanding and cooperation on matters of common interest to national libraries worldwide.

The **International Coalition of Library Consortia (ICOLC)** is an informal, self-organized group currently comprising approximately 200 library consortia in North and South America, Europe, Australia, Asia, and Africa.

The **Conference of European National Librarians (CENL)** aims to increase and reinforce the role of national libraries in Europe, in particular in respect of their responsibilities for maintaining the national cultural heritage and ensuring the accessibility of knowledge in that field.

The **Special Libraries Association (SLA)** is a nonprofit global organization for innovative information professionals and their strategic partners. SLA serves about 9,000 members in 75 countries in the information profession, including corporate, academic, and government information specialists.

The **African Library and Information Associations and Institutions (AfLIA)** is an independent, international, non-governmental, not-for-profit organization, which pursues the interests of library and information associations and services, librarians and information workers and the communities they serve in Africa.

The **European Bureau of Library, Information and Documentation Associations (EBLIDA)** is an independent umbrella association of library, information, documentation and archive associations and institutions in Europe.

**Ligue des Bibliothèques Européennes de Recherche - Association of European Research Libraries (LIBER)** is the main network for research libraries in Europe. Its members include more than 400 national, university and other libraries from more than 40 countries.

Europeana is a catalyst for change in the world of cultural heritage. The **Europeana Foundation** and its network create new ways for people to engage with their cultural history, whether it's for work, learning or pleasure.