

Greens/EFA
European Parliament

April, 20th, 2011

Subject:

WIPO Treaty for Improved Access for Blind, Visually Impaired and other Reading Disabled Persons. Question to the government.

Dear colleagues,

Blind, visually impaired and other reading disabled people faced what is called a "book famine": only some 5% of books are published in formats accessible to them. In many countries outside the EU even less than 1% of the books are published in such formats. For many years now organizations of blind people have asked for a solution allowing them to access to books.

A treaty for visually impaired and other print-disabled persons is presently being considered by the World Intellectual Property Organization (WIPO). The World Blind Union, the European Blind Union and many national organisations call for this treaty as a means of defending the "right to read" of blind and other disabled persons as guaranteed by the UN Convention on the rights of the persons with disabilities.

At present reading material formatted for the visually impaired cannot cross borders due to the national nature of copyright laws. While limitations and exceptions to copyright do exist for the visually impaired in many EU countries, there is no international legal norm in this respect that facilitates overcoming this barrier for the access to reading material.

The Greens/EFA group strongly supports the demands of the organizations of blind people and the adoption of the legally binding Treaty for the visually impaired and other print-disabled persons at WIPO. Key meetings will soon take place at the EU Council and at the WIPO in May and June 2011.

To our knowledge many governments of EU Member States so far have opposed the treaty within the discussions being held by the EU Council on this issue to coordinate a common EU position before a decision be taken at WIPO in June. We believe it is essential to standby the organizations of blind people and to bring a legally binding solution to this problem without wasting any more time. This is why we would like to ask you if you could put an urgent question to the government regarding this issue.

Please find below elements that you may find useful in order to table this question.

With our best regards,

WIPO Treaty for Improved Access for Blind, Visually Impaired and other Reading Disabled Persons.

Question to the government.

Blind, partially sighted, dyslexic and other disabled people who need books in “accessible formats” such as large print, braille or audio formats are faced with a “book famine” in which only some 5% of books are published in these formats. In many countries outside the EU even less than 1% of books published are available.

These books are mainly converted into accessible formats by small voluntary organisations. Such organisations want to use modern technology to share book files from which accessible formats can be made. That sharing would save them money and time, and allow more books to be translated and produced.

However, these aspirations are currently thwarted. Although national copyright law exceptions permit these organisations to make accessible books in some countries, such as the European countries, about a third of the WIPO Member States, and notably less common in developing countries, include such exceptions. Moreover, the national nature of laws and exceptions prevents their being sent across international borders.

In 2009, on behalf of the World Blind Union, the governments of Brazil, Ecuador Paraguay proposed a treaty at the World Intellectual Property Organisation.

http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=122732

The European Union Member States and Commission have been opposed to this treaty proposal, saying that voluntary and non-binding solutions would be “more effective” and “speedier”. At the end of 2009, the Commission launched a voluntary “stakeholder dialogue” aiming at the adoption of licensing agreements with publisher organisations to allow the transfer of books. At WIPO the EU has promoted a non-binding soft law solution. The organizations of visually impaired people joined both dialogues. On February 26, 2011, the World Blind Union announced that it was suspending participation to the WIPO Stakeholders Platform and to the EU stakeholder dialogue. The lack of progress of this path reinforced their determination to obtain a legally binding treaty

The EU Council will meet in working group discussions in May and June 2011 and will have a crucial voice in the key June 2011 WIPO Copyright Committee meeting (SCCR22).

If agreed the WIPO treaty for Improved Access for Blind, Visually Impaired and other Reading Disabled Persons would allow cross-border transfer of accessible books to take place legally and in a framework that respects intellectual property rights.

We, Members of the Green Party in the Parliament, strongly urge the government to support a legally binding treaty for print disabled people along the lines of the one proposed by Brazil, Ecuador and Paraguay. Only a binding treaty and not a weak “recommendation” can bring essential improvements to the life of millions of visually

impaired people across the world. That is why we would like to know the position that the government intends to take at the next working group discussions at the EU Council in May 2011 and during the WIPO Copyright Committee meeting (SCCR22) in June 2011.