IFRRO Statement at WIPO SCCR November 2012

1. IFRRO joins those who congratulate you, Mr. Chairman, on your election.

2. IFRRO is the main network of collective management organisations and creators’ and publishers’ associations in the text and image based works sector, with 138 members in 75 countries on all continents. Collective management organisations in the sector are referred to as RROs – Reproduction Rights Organisations.

3. We note that there is and has for some time been general and broad support for initiatives which can lead to enhanced access to intellectual property for persons with print disabilities.

4. To this end IFRRO supports actively and notes with satisfaction the positive results and success of the WIPO led Stakeholder Platform and its TIGAR project. It has already led to cross-border transfer of files in accessible formats through authorized entities in many countries, and the gradual involvement of developing countries in the authorized entity network. RROs, through the IFRRO global network are ready to assist in authorizing cross-border access to accessible copies as well as the making and sharing of them.

5. The involvement of developing countries entails substantial capacity building efforts to which we hope that many countries will offer their contribution, in addition to the ones being made available by other stakeholders including IFRRO.

6. We also applaud the European initiative on accessible copies, with its Memorandum of Understanding and accompanying ETIN project; This initiative complements well the WIPO activities.

7. These are initiatives on practical level based on true willingness of stakeholders, including authors, publishers and RROs, the collectives in the text and image based sector, to make real efforts to contribute to an improvement in the situation for print disabled to access legally and speedily copyright works.

8. As stated at previous SCCR meetings, IFRRO also accepts the print disabled communities’ request for a WIPO instrument.

9. It is, in our view, indispensible that exceptions in the legal instrument be made subject to the so-called three step test. We fail to see why this should be made a major issue. All the countries involved in the discussions of the legal instrument at WIPO are party to the Berne Convention. Article 9.2 of this convention already makes any exception to the exclusive right of reproduction subject to the three-step test. This should be reiterated in the legal instrument for the print disabled, as it was in the recently adopted Beijing Treaty.
10. We also appreciate the objective expressed by representatives of the print disabled communities to be allowed access to intellectual property on basically equal terms with other reader groups. Exceptions in favour of the print disabled should be made subject to copies not being commercially available. This would also stimulate the publishing industry to consider more actively the print disabled as a potentially attractive consumer group. To this end an enabling technology framework has been developed jointly by the print disabled and rightholder organisations, which allows a more cost efficient production of works for the print disabled. WIPO Member States can support this development further by allowing copies of copyright works to be made under an exception subject to copies not being made available by the rightholders, directly or via their collectives, and also by contributing to the dissemination of the enabling technology framework.

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