



IFRRO Statement at WIPO Assemblies of Member States 2011, 29 September 2011
Made on IFRRO's behalf by Olav Stokkmo, IFRRO CEO

Firstly, I would like to congratulate you again on your election as chair of this session.

1. IFRRO with its 131 members in some 70 countries worldwide is the main network of collective management organisations and associations representing authors and publishers of text and image based works.
2. IFRRO acknowledges the efforts to reach a consensus solution regarding a WIPO instrument to enable effective access to copyright works by persons with print disabilities. As we have stated in previous statements at WIPO meetings IFRRO can support an international legal instrument which includes clearly an exception or limitation in favour of people with print disabilities. In this respect we are more concerned with the content than the form of the instrument and would like to reiterate the four main concerns that we ask to be observed when drafting it:
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 - a) works to be made available under an exception in national legislation should apply only to works which are not made accessible by publishers or authors or their legitimate representatives
 - b) cross-border exchange of files should only be made with the express authorisation or under a licence with the publisher, author or their legitimate representative
 - c) the text should clearly link the instrument to the Berne Convention and in particular to its Article 9.2 and the 3 steps test, which needs to be maintained as the general basis for the establishment of an exception in national legislation
 - d) cross-border of transfer of files, in addition to being made subject to some form of approval mechanism by rightholders or their legitimate representatives, must be limited to works lawfully published in the country where the entity performing the transfer is based; further re-exportation of files cannot be allowed since it would conflict with the normal exploitation of the works and unreasonably prejudice the legitimate interest of the rightholders.
3. Also, we are convinced that any enabling legal framework will have to be complemented by advancing concrete practical solutions to boost the number of works in formats accessible to people with reading impairment and their exchange across borders. The system that the stakeholders agree to put in place based on Trusted

Intermediaries combined with the joint stakeholder efforts in relation to enabling technologies offers real opportunities to improve substantially access to Intellectual Property by persons with print disabilities. This requires that all who wish to see the goal of bettering the offer of accessible format works to reading impaired contribute actively in the ways which are within their potentials to putting the system into place. In this we appreciate and wish also to acknowledge the indispensable efforts of WIPO and the stakeholder platform to develop a network of Trusted Intermediaries. IFRRO looks forward to lending our further assistance to this important work.

Many thanks for giving IFRRO the floor, Mr. President.

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