

Expanding Access to Information for Persons with Reading Disabilities

AMONG THE GREATEST BARRIERS to reading for persons who are blind or have other reading disabilities is the lack of publications in accessible formats. This problem is made worse by outdated copyright laws in some countries, and a lack of an international agreement on the cross-border sharing of accessible works.

Even in high-income countries, less than 5 percent of published books are accessible to persons who are blind. Access in low and moderate income countries—where 90 percent of the world's visually impaired people live—is often less than 1 percent. Lack of accessible formats of publications and the information they contain, particularly in the developing world, holds people with reading disabilities back and limits their potential contribution to their communities and society.

Copyright laws in some countries such as the United States provide for exceptions that give people who are blind or have other disabilities the right to access published books in the formats they need. Unfortunately, these kinds of provisions vary considerably from country to country, and are often too restrictive regarding the disabilities that are covered, or the procedures to use such exceptions, and do not permit the cross-border import and export of works made under such exceptions. It doesn't have to be this way.

The Road to Change

New technologies have created opportunities for persons who are blind or have other reading disabilities to have much greater access to publications. Innovations in information technology like the Digital Accessible Information SYstem (DAISY), now make it possible to publish works with highly usable indexes and searching technologies that can be used in audio, refreshable raised Braille, or large type readers.

While technology has made it easier for persons who are blind or have other disabilities to potentially access a vast new number of publications, an antiquated copyright system continues to keep many of these resources beyond their reach.

Publishers have also contributed to the problem. For years they have argued that creating works that are accessible for persons with disabilities should be done only through voluntary licensing agreements. Yet the paucity of accessible materials throughout the world is a powerful confirmation that voluntary acts alone are not enough, and that changes in laws are needed to achieve greater equality of access.

The last 25 years have seen the evolution of a movement dedicated to creating global norms for copyright exceptions for publishing and distribution of works if those works are used only for the needs of persons with reading disabilities. For a diverse coalition of individuals and groups, the movement has now reached a critical moment. In May 2009, the delegations of Brazil, Ecuador and Paraguay presented a draft for a new global treaty on reforming copyright laws to the World Intellectual Property Organization (WIPO). The draft is based on the work of the World Blind Union, the Daisy Consortium, the International Federation of Library Associations and Institutions, Knowledge Ecology International and others.

A Crucial Moment for a Treaty

As a specialized agency of the United Nations, WIPO has the mission to develop a balanced international intellectual property system that rewards creativity, stimulates innovation, and contributes to economic development while safeguarding the public interest.

Since 2002, the World Blind Union, the International Federation of Library Associations, and others have worked to focus the attention of WIPO's Standing Committee on Copyright and Related Rights on the needs of people with disabilities. The standing committee has responded favorably to a program that would include negotiations on limitations and exceptions to the international copyright system and WIPO is now poised to make a decision about the treaty proposal.

The treaty would create a global standard for limitations and exceptions to copyright that would do the following:

- Allow for the production and distribution of copyrighted works in formats that are accessible to persons who are blind or have other reading disabilities.
- Ensure that works published under these limitations and exceptions could be legally exported and imported across borders.
- Provide legal norms to ensure that digital technologies can be used to greatly expand the number of accessible works.
- Ensure rights for non-profit organizations to create and distribute accessible formats without having to obtain permission from copyright owners.
- Provide for-profit companies with opportunities to use an exception, but only when an accessible format is not available in an identical or equivalent format from the copyright owner, and when the for-profit entity provides notice and remuneration to the copyright owner.

"In Latin America, 19 countries share a common language, but copyright laws require each country to produce books for the blind. These countries have few resources and the result is very small numbers of accessible copies per country. An international framework that pools resources and increases available works would make reading a possibility for the region's six million visually impaired people."

—PABLO LECUONA, DIRECTOR AND CO-FUNDER,
TIFLOLIBROS ARGENTINA

"I, like many of the other 314 million visually impaired people in the world, would like to be able to go to a store or library and find the best seller that my friends and family are talking about. The absence of commercially available accessible formats prevents this. Organizations for the visually impaired can fill this gap by getting the right to produce accessible books and making them available to visually impaired readers worldwide."

—CHRISTOPHER FRIEND, CHAIR, WORLD BLIND UNION,
GLOBAL RIGHT TO READ CAMPAIGN

The treaty will benefit all persons who are blind or have other reading disabilities, by vastly expanding access to works from foreign countries. For some developing countries this will create for the first time access to the books that are currently only available in high-income countries. Even in high income countries, the treaty will expand access to works, including in particular works published foreign languages. Overall, the treaty has the potential to be a fundamental document for expanding the opportunities and rights of people with reading disabilities everywhere.

What You Can Do

Your support can play a crucial role in getting this treaty passed. The following are specific things that you can do to move the treaty forward:

1. As an individual you can talk or write to your government's delegation that will be negotiating the treaty.
2. Organizations can apply to WIPO to become accredited observers, and attend meetings where the treaty will be discussed.
3. You can help spread the word and educate others, including journalists, organizations concerned about the rights of persons with disabilities, and members of Congress or Parliaments.
4. You can send this leaflet to everyone who you think will or should care about this treaty and ask them to join this advocacy effort.

For more information on increasing access to knowledge for persons with disabilities, including information about the WIPO Treaty negotiations, please go to www.keionline.org/r2r

For more information about the World Blind Union, please go to: www.worldblindunion.org

For text of the draft treaty, go to www.wipo.int/meetings/en/doc_details.jsp?doc_id=122732