Copyright in the Digital Age: Access to Information and Knowledge

The Marrakesh Treaty: 18 months on
Strategies for success & national experiences

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1.

Bishkek, Kyrgyz Republic
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Facts & figures: when, where, why

Entry into force: conditions, current status

Ratification: strategies for success

Ratification in Central Asia: Kyrgyz Republic

2.
**When?** Adopted by WIPO member states in June 2013

**Where?** Diplomatic conference in Marrakesh, Morocco

**Why?** To solve the ‘book famine’: only 1%-7% published works worldwide available in accessible formats, no cross-border exchange, market failure + copyright restrictions

**How?** Creates mandatory exceptions for making accessible format copies, and for sending & receiving copies across borders

3.
“The miracle of Marrakesh”

**Tough negotiations:** 3 hard weeks in Marrakesh + 5 years in Geneva

**Reflected in the text:** detailed definitions, four versions of 3-step test, 13 Agreed Statements

**Reflected in the title:** ‘Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled’
A great result

Joy & jubilation in Marrakesh: member states, negotiators, NGOs

Historic treaty: first international treaty to benefit users

Human rights issue: right to read

Record breaking:
• most number of countries to sign a WIPO treaty upon adoption (51)
• led 2015 ratifications for WIPO-administered treaties (8)
Entry into force: when ratified by 20 WIPO member states (Art 18)

January 2016: 13 ratifications – 7 more needed

India first to ratify in June 2014

Brazil most recent in December 2015
Ratifications: Argentina Australia Brazil El Salvador India Mali Mexico Mongolia Paraguay Korea Singapore UAE Uruguay
Signature

- Signing means political support
- Open for signature for one year (28 June 2014)
- 80 countries signed

Not signed? No problem!
Common ingredients

**Political support**: commitment by government to ratify

**Strong civil society partnerships**: blind & disability groups, libraries, human rights, NGOs → Right to Read campaign

**Knowledge & evidence**: who needs the treaty and why, obligations & rights granted, process for ratification

**Champions & media**: government (India), parliament (Thailand), blind activist (Argentina), librarian (Mongolia), author or musician (Senegal); newspapers and TV 9.
Background

c. 16,500 blind and visually impaired people

- Access to learning and information is extremely limited
- Most are unemployed and live in poverty
- 2011 survey by the Mongolian National Federation of the Blind (MNFB): only 16% of members had completed primary or secondary education, just 1% had graduated from university

Baljid Dashdeleg, EIFL Copyright Librarian, Mongolia
The problem

- 2010: DAISY Talking Books Service launched by Ulaanbaatar Public Library (UPL) and Mongolian National Federation of the Blind (MNFB).
- 2012: blind people got the legal right to be issued with a free DAISY talking book player.
- But digitizing textbooks for blind children is a big problem, no permission from publishers.
- So blind children have no modern books in DAISY format, only very old Braille books in Russian.
NATIONAL EXPERIENCE: MONGOLIA

The solution: remove legal barriers

23 September 2015: Mongolia became 10th country to ratify the Marrakesh Treaty

- Mongolia Libraries Consortium (MLC) partnered with Mongolian National Federation of the Blind (MNFB), in a project supported by EIFL
- Consultations with policy makers - Intellectual Property Office, Ministry of Foreign Affairs, Ministry of Culture, Sport & Tourism
- Translated Treaty into Mongolian, approved by MFA
- Organized national media campaign, TV programme
- Next steps: implementation into national law
Learn more about national experiences (Asia-Pacific)

Our right to knowledge
UNDP / World Blind Union (2015)

Case studies:
• India
• Mongolia
• Thailand
• Cambodia
• China
• Fiji
• Indonesia
• Nepal
• Vietnam

13.
Ratification of Marrakesh Treaty in the Kyrgyz Republic

- First country in the region to ratify AND could help bring treaty into force

- Supports implementation of Convention on the Rights of Persons with Disabilities, signed by Kyrgyz Republic in 2011

- Strong civil society partners: Society of Blind & Deaf People, Republic Library for Blind & Deaf People, Kyrgyz Libraries Information Consortium (KLIC)

- Champions: Mr. Bekeshev MP, Sania Battalova, KLIC, invited as regional expert by WIPO (Georgia) and WBU (Tajikistan)

- Share a common language in the region: benefit from cross-border exchange of Russian language material and/or provide Kyrgyz language for Kyrgyz people in the region, US, etc.
It’s a great thing to help blind and visually impaired people in your country to improve their lives.

Let’s put some colour on the map!
Thank you.
Спасибо.

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