

Copyright in the Digital Age: Access to Information and Knowledge

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

Teresa Hackett

Copyright and Libraries Programme Manager

1.

Bishkek, Kyrgyz Republic

2 February 2016

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’

4.

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)

5.



Entry into force: when ratified by 20 WIPO member states
(Art 18)

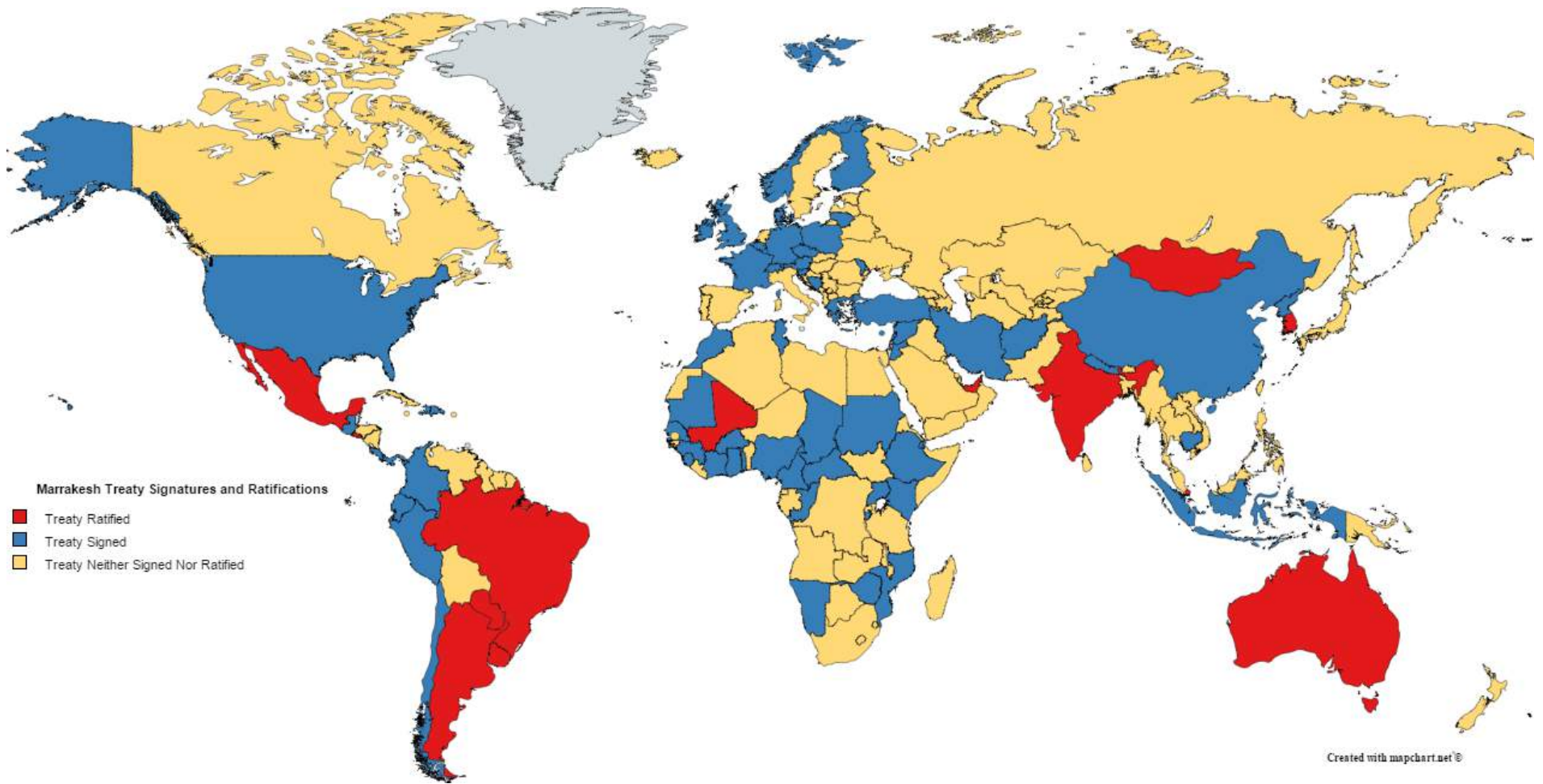
January 2016: 13 ratifications – 7 more needed

India first to ratify in June 2014

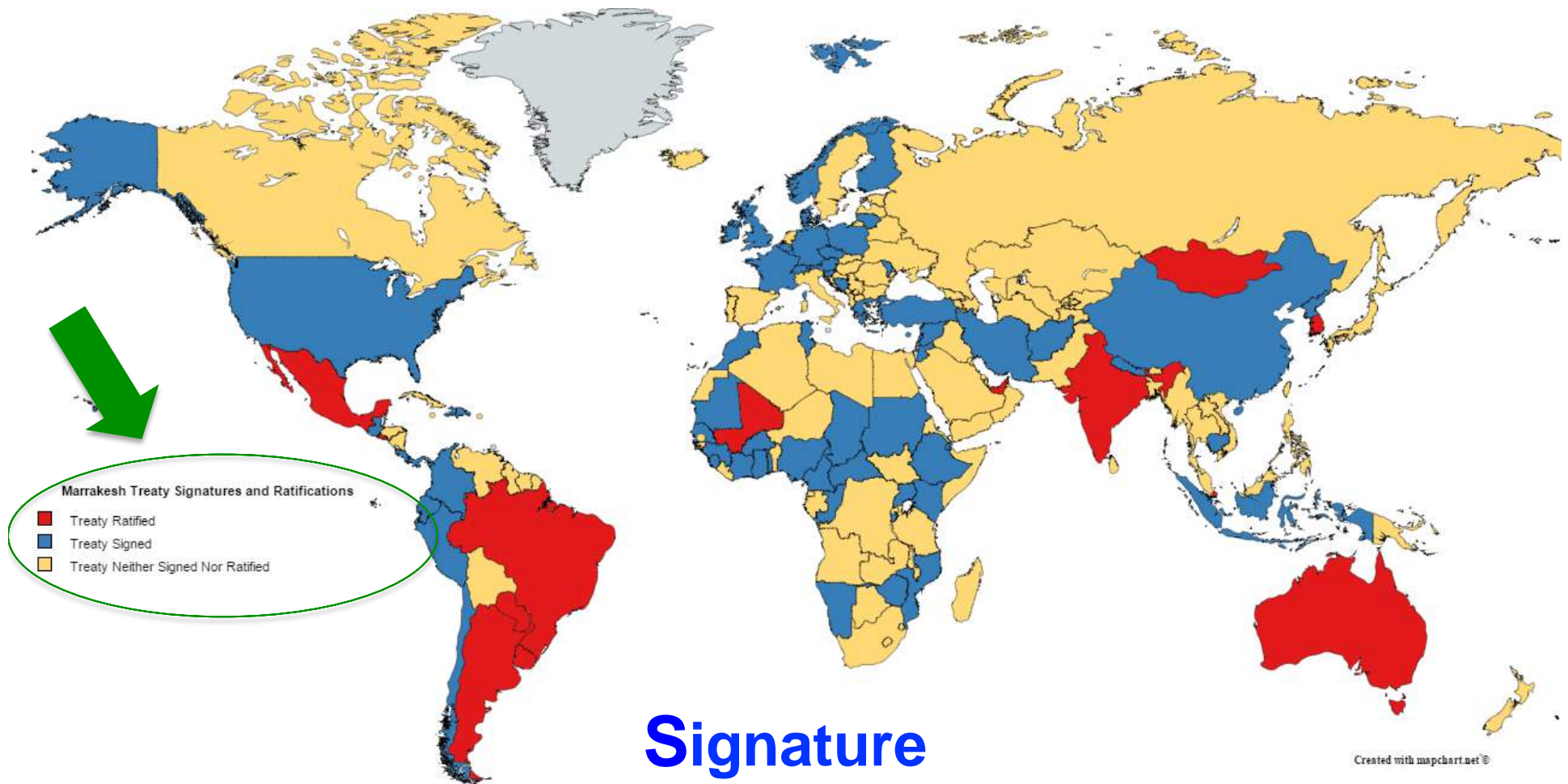


Brazil most recent in
December 2015

6.



Ratifications: Argentina Australia Brazil
 El Salvador India Mali Mexico Mongolia
 Paraguay Korea Singapore UAE Uruguay



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

8. **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

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.



DAISY Centre, Ulaanbaatar Public Library

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

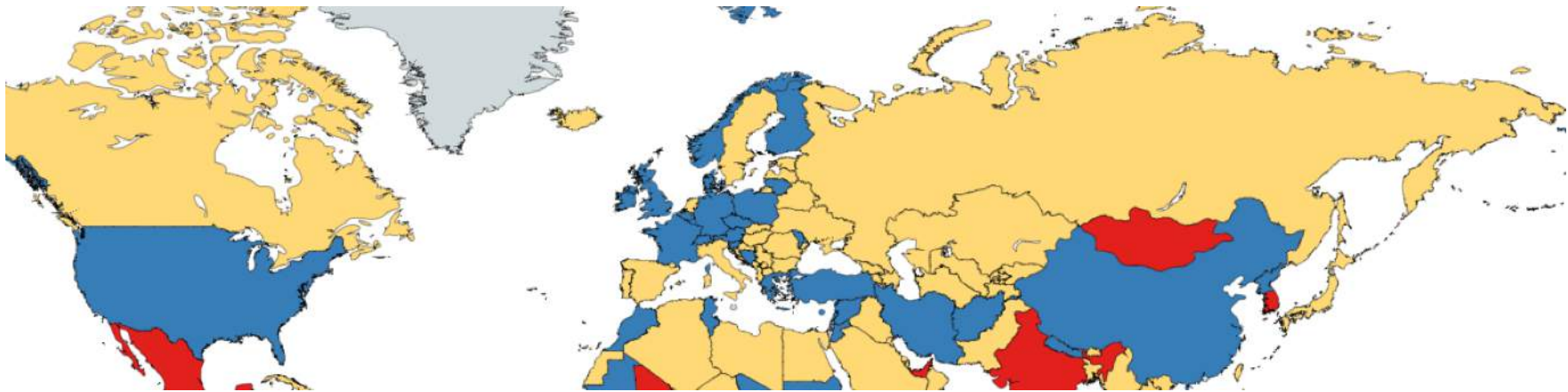
13.



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.

Teresa Hackett
Copyright and Libraries Programme Manager
<teresa.hackett@eifl.net>

www.eifl.net