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Computer & Communications Industry Association

**Intervention of CCIA on the Issue of Access to Works by the Visually Impaired
Delivered at the 20th Session of the Standing Committee of Copyright and Related
Rights of the World Intellectual Property Organisation**

23rd June 2010

CCIA offers its congratulations to you on your re-election, Mr. Chairman, and the election of the vice-chairs and thanks you for the opportunity to be heard today.

The Computer and Communications Industry Association's members represent a broad cross-section of the information and communications technology (ICT) industries; our members collectively generate more than \$200 billion in annual revenues. They thus have a substantial stake in the effective operation of the international system of copyright and related rights as they are substantial IP owners and innovators.

We are pleased to see that there is wide agreement that effective action must be taken to deal with the problems of access to printed material by the visually impaired, and that the SCCR is at a stage where the discussion is about how to solve the problem, rather than whether to do so.

We submit that a fundamental element of action at this SCCR should include adoption of a work plan with timelines and milestones that leads to a binding Instrument effectively addressing the problems of access to printed material afflicting the visually impaired. Further elements of that work plan could include other, non-binding outcomes, but in our view only if they do not prejudice or delay progress on an effective binding Instrument.

Voluntary stakeholder agreements, while critical to the success of the task, cannot realistically be expected to solve all problems – after all, they clearly have failed to do so, or we would not be discussing taking action in the SCCR to deal with the problem.

Since 1983, WIPO has periodically published model laws regarding copyright exceptions for persons who are blind or have other disabilities. Just as WIPO's models laws complement the 1996 Internet Treaties, so too could voluntary arrangements complement a WIPO instrument designed to increase access for people with visual impairments. Moreover, the global nature of problems relating to cross-border export and import of works demonstrate a need for international harmonization of minimum levels of access.

In addition, Mr. Chairman, if the international community fails to comprehensively and effectively solve a problem so widely recognized as real, pressing, and valid it would raise further questions as to whether the international community is capable of solving any copyright

issue through a multilateral process. As supporters of multilateral action and of WIPO, we believe this is an additional and compelling reason to act on the VI issue.

We do note that many member-states are interested in discussing access to works for various other uses and communities. In our view work on these issues should be taken up after a successful result on VI issues not because they are less important, but because tackling several different complex issues of access all at the same time seems likely to lead to delay and may prejudice anything being done for anyone. We feel sure that member-states could adopt a work plan that gives confidence to all that discussions on broader access questions will not 'fall by the wayside.'

Finally, Mr. Chairman, with respect to broadcasting: we have participated in the discussions on this subject for years and we are struck by the fact that we cannot recall a single example of piracy that has referred to the signal – every example has in fact referred to the programme being transmitted, and not the signal which is what is proposed as the object of protection. As a result, it is difficult not to see a treaty on broadcasting as a treaty in search of a problem, rather than a treaty that solves a problem.

We stand ready to assist the SCCR's work in this area, Mr Chairman, and thank you for your attention.