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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 19<sup>th</sup> Session of the Standing Committee of Copyright and Related  
Rights of the World Intellectual Property Organisation, 15<sup>th</sup> December 2009**

CCIA offers its congratulations to you on your re-election, Mr. Chairman, and the election of the vice-chairs. We also welcome Ambassador Clarke to his post and are sure his leadership will prove to be widely admired.

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.

Today, there is work to be done to make the legacy of the Berne Convention more effective, and more relevant, and to foster greater appreciation for its value. In that vein, Mr. Chairman, we believe that the time has come for this committee to formally consider the promotion of international norms to effectively address the copyright concerns articulated by advocates for people with visual impairments, and where necessary other populations who are impaired in their ability to access copyrighted works.

Voluntary stakeholder agreements, while critical to the success of the task, cannot realistically be expected to solve all problems. The fact that such a tiny proportion of all publications available are accessible to people with visual impairments suggests strongly that exclusive rights are not presently promoting access to communities in need.

Since 1983, WIPO has periodically published model laws regarding copyright exceptions for persons who are blind or have other disabilities. While we appreciate the concern that proposed treaty negotiations would take place while voluntary measures are being discussed, voluntary agreements or model laws must be viewed as a complement to, and not a substitute for, binding international norms. Just as WIPO's models laws complement the 1996 Internet Treaties, so too could model laws 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, for example, demonstrate a need for international harmonization of minimum levels of access.

Aside from the compelling case for action that advocates have made on grounds both moral and practical, Mr. Chairman, we believe the failure of the international community to solve a problem so widely recognized as real, pressing, and valid may well cause some

to question whether the international community is capable of solving any copyright problem through a multilateral process. Prompt action – in whatever form it may take – will send a strong, positive signal that the copyright system can function productively in response to international problems that limit access to knowledge. A positive result will build confidence in multilateral processes in this field of policy, and restore faith in the credibility of the intellectual property system as an engine of progress.

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