

**STATEMENT OF THE CENTRE FOR INTERNET & SOCIETY (CIS),
BANGALORE, ON THE MATTER OF THE TREATY FOR THE BLIND,
VISUALLY IMPAIRED AND OTHER READING DISABLED, PROPOSED BY
BRAZIL, ECUADOR AND PARAGUAY, 16 DECEMBER 2009.**

Mr. Chairman, distinguished delegates of member states and friends, at the outset I would like to thank the WIPO Secretariat for processing our accreditation to the WIPO as an observer at an early juncture of the SCCR, thereby affording us an opportunity to present brief remarks on the issues being discussed here, which are of great importance to us. My organisation, the Centre for Internet & Society (CIS), is a non-profit organisation based in Bangalore, India and looks into, amongst other things, issues of copyrights and related developments and traditional knowledge as far as they affect consumer interests, especially in developing countries, in the field of Internet and society. CIS is actively engaged in policy reform at a national level including conducting research and advocacy through national campaigns and trainings. CIS strives to work closely with the Government and other organisations in its goal towards creating an inclusive and barrier free world for persons with disabilities. In fact, it has submitted a detailed paper on the legality and need for exceptions and limitations for the blind and other print impaired persons to the Government of India to aid it in its decision making. CIS is also engaged in a nationwide Right to Read campaign and is trying to bring together stakeholders at various levels to try and work out solutions for meeting the needs of persons with print impairments with regard to availability of reading materials.

Mr. Chairman, you may be aware that the visually impaired community of India presented a paper to the Director General in November this year setting out its needs and concerns on the issue and stated in no uncertain terms its unequivocal support for the Treaty. The same is available on <http://vision.ip.org>. Today, I would like to reiterate this support by putting forward a few considerations, which I feel would be applicable to several of the developing countries around the world:

- India has approximately 70-100 million persons with physical, sensory and cognitive impairments who cannot access printed materials. There are hardly any books available in accessible formats for these people.
- The few accessible books which are available are being converted and distributed by non profit organisations serving the blind around the country. These organisations have very few financial, infrastructural and human resources to carry out this work and hence, are able to convert only the bare minimum of study materials such as school textbooks for children.
- Persons with disabilities are hence, unable to participate as creative and productive individuals of society and are excluded from important activities of life such as education and employment. In the few cases where they are employed, the average income of a person with disability in India would not exceed 50-100 dollars per month. Hence, they are hardly in any position to buy accessible books at market rates from other countries.

- India's Copyright Act provisions do not permit conversion and sharing of books for print disabled persons. Hence, we are neither able to create our own books nor able to borrow from libraries abroad like Bookshare, which have a lot of resources that would be useful to us. Consequently, we spend a lot of time in duplicating efforts undertaken in other countries and channelling scarce resources into work which has already been done globally.

Mr. Chairman, for us the Treaty will be most beneficial for the following reasons:

- It will help to create an enabling international legal framework for cross-border sharing of accessible works. Developing countries will be able to concentrate their efforts on creating new and indigenous content, which will be beneficial to print impaired persons around the world.
- The Treaty recognises the needs of persons with different kinds of print disabilities and by facilitating access to published works, will enable millions of persons to participate in social life and contribute to society.
- The Treaty recognises the disparities of income of persons with disabilities in developing countries.
- The Treaty will oblige countries to give operational effect to the provisions under the UNCRPD.
- The Treaty recognises that there is a big market for accessible books in developing countries.

Finally, Mr. Chairman, I would like to also highlight that this Treaty seeks to preserve a balance between the rights of users and the copyright holders. By opening up the markets for accessible books and facilitating cross-border exchange, the Treaty would help reduce the burden on non-profit organisations and reduce instances of piracy.

Hence, Mr. Chairman, CIS would once again strongly urge member states to recognise the merit and need for this Treaty and proceed with setting in place this international framework as soon as possible.