



Statement on the Right to Read Campaign for Visually Impaired Persons in Africa

During the Conference on Creativity and Access to Knowledge: A Social and Economic Impetus for Africa

**organized by the
World Intellectual Property Organization (WIPO)**

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**PRESENTED BY GUZU BEATRICE Executive
Secretary, National Council for Disability,
P.O. Box 26080, Plot 1422, Block 216, Buyee road, Off
Kisasi Road, Tel: +256-414-372339; Mobile: +256-772-
643084; Email: beatriceguzu@gmail.com**

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1. Introduction

Hon. Members of Parliament;

Other invited guests;

Ladies and Gentlemen;

All protocol observed.

I would like to take this opportunity to thank the organisers of this Conference for allowing me to present a Statement on the Right to Read Campaign for Visually Impaired Persons in Africa. My presentation is divided in five sections which include: Background to the Right to Read Campaign for Visually Impaired Persons in Africa; Brief Description on the Marrakesh Treaty; Outline of the Right to Read Campaign Activities; and Personal Experience on the Challenges of Accessing Print Materials and Conclusion.

The details are below:

2. Background to the right to read campaign:

Following the period of 200 years ago when a Frenchman, Louis Braille, first invented Braille as a system of reading and writing which sought to help blind persons to access information, the United Nations (UN) systems through UNESCO and World Intellectual Property Organization (WIPO) commissioned a report that dealt with the needs of blind persons pertaining to access to information. This report inter alia, identified the need for an international treaty to enable the production and distribution of accessible formats.

In connection with this, a Workshop was held in Washington and was attended by many participants including government representatives, academic copyright experts, sectors dealing with the blind across the world, to draft a treaty which wanted exceptions in national law and international cross boarder permission to distribute information in accessible format. This was duly drafted.

Before the treaty, one could not access information from other countries in a format suitable for blind persons. This situation resulted in reproducing what was already available at extra cost just because sharing such material

is blocked by the copyright jurisdiction. The treaty therefore acknowledged the legitimate commercial interest of the publishers who have that as a living and argued that by this sharing; no one is injuring the publishers because they are not publishing it in accessible formats for blind persons. In other words their target population excludes the blind which would by no means reduce their profits if the Treaty holds.

The Governments of Ecuador, Brazil and Paraguay presented this Treaty on behalf of World Blind Union (WBU) in May 2009 at a meeting of WIPO. Later in June 2013, it was approved at Marrakesh in Morocco as a Treaty during a Diplomatic Conference, hence, the **Marrakesh Treaty**.

Before the Treaty, **less than** 5% of all books published were made accessible to the blind in the world. It was difficult to have current books in accessible formats including Braille, audio or large prints.

Accordingly, the WBU has called for ratification in all member countries. This would ensure that published material in accessible format can be exchange across the borders of those countries that have ratified the Treaty.

As a response to the call of WBU, Organizations of Blind and Visually Impaired Persons in Africa who are members of WBU including Uganda National Association of the Blind (UNAB) launched a campaign to advocate for the ratification of the Marrakesh Treaty and promote the right to read by visually impaired persons and print disabilities in the continent.

In Uganda, UNAB is conducting this campaign in collaboration with the National Council for Disability which is a public institution established by an Act of Parliament Cap 114 (National Council for Disability Act 2003) to monitor implementation of programs in favour of persons with disabilities and promote the rights and equal opportunities for persons with disabilities in the country.

This statement is intended for sharing information about the Treaty of Marrakesh (formal name: “The Marrakesh Treaty” whose focus is to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities.

3. Description of the Marrakesh Treaty:

The Marrakesh Treaty was adopted by many countries including some countries in Africa in June 2013 during the Diplomatic Conference in Marrakesh, Morocco. It is the first legislative norm that has been developed to support the United Nations Convention on the Rights and of Persons with disabilities (UNCRPD) which many African countries have ratified and so, it is a direct contribution to the said Convention.

The goal of the Treaty is to help to end the 'book famine' faced by people who are blind, visually impaired or otherwise, print disabled who cannot access most of the published works. Currently only 1.7% of the world's published books ever make it into accessible formats. Accessible formats in this case refer to large print for people with low vision, Braille for those with total loss of sight (blind), and audio information (for both categories). This is partly due to access barriers in Copyright law; something the Treaty helps to address in two main ways:

Firstly, countries which ratify the Treaty are required to have an **exception to domestic copyright law** for visually impaired and print disabled people. This means

that such countries are obliged to ensure that their laws allow blind people and their organisations to have books produced in accessible formats without the need to ask permission first from the holders of the Copyright (e.g. author or publisher).

Secondly, by allowing for **import and export** of accessible versions of books and other copyrighted works, again without seeking permission from the copyright-holder, this will help to avoid the duplication of transcription efforts in different countries, and also allow those with larger collections of accessible books to share these collections with visually impaired people in countries with fewer resources.

It is noteworthy that “authorised entities”, such as blind people’s organisations can send accessible books under the Treaty’s terms. However, the Treaty allows accessible books to be imported / received either by other “authorised entities” or directly by visually impaired / print disabled individuals.

Outline of the *Right to Read Campaign* activities

The activities are threefold:

Firstly, Advocacy for ratification of the Marrakesh Treaty by the African Governments that have signed the Treaty.

Secondly, awareness-raising on the Treaty and other national and international legislation which promote the ***Right to Read*** by visually impaired persons and print disabilities in different platforms and fora in Africa.

Thirdly, engaging stakeholders such as publishers, authors and other Associations promoting the right to read by all citizens of Africa, to join organizations of blind and visually impaired persons with other disability organizations in the Campaign on the Right to Read by visually impaired persons and other print disabilities.

1. Personal experience as a visually impaired person, of the challenges in education, work environment and leisure due to limited access to published works

I would like to demonstrate to you, our audience the challenges visually impaired persons face due to lack of

reading materials in accessible formats by citing a few of my challenges as below:

I pursued my education from primary to the university level in mainstream schools with all text books in print which I could not read. I had to rely on oral lessons from the teacher during class hours while my colleagues copied notes. After classes, I would sacrifice my leisure time to copy notes from my friends whom I had to deny their leisure time as well because they had to read to me the lesson notes copied during the day so that I could transcribe them into Braille. The textbooks which were in Braille were books which were not relevant to the syllabus but I could read them just as a pastime activity.

During my work experience I started as a teacher of Senior Five and Six but I had to sacrifice my meagre salary to hire a sighted guide to read the text books for me to enable me to prepare notes for the students.

Currently, I have to rely on sighted readers to access the print materials and use the few soft copies that are available.

I miss out on important news in the local daily newspapers and other reading materials because they are usually in print, which is not accessible to persons with visual impairment like me.

2. Conclusion

In brief, the Marrakesh Treaty presents an opportunity to work towards putting an end to the book famine in Africa. It provides a crucial legal framework for adoption of national copyright exceptions in countries that lack them. It also creates an international import/export regime for the exchange of accessible books across borders. This treaty is necessary for ending the book famine faced by persons with visual impairment, but it is not sufficient unless operationalised.

Organizations of the blind in Africa and World Blind Union therefore call upon the Governments of Africa with the support of the legislative arm to ratify and implement the provisions of the Marrakesh Treaty. Non-profit organizations, libraries, educational institutions and Government departments are equally called upon to take advantage of these provisions to deliver books in accessible formats so as to enable people with visual impairment realise their dreams in the areas of, *inter alia*,

education, employment and full social inclusion on an equal basis with others.

THANK YOU FOR LISTENING TO ME.