

Access to Knowledge for Persons with Disabilities and Copyright



Read and Write...

- ▶ allow for acquiring, preserving, further processing, and transmitting knowledge;
- ▶ are essential prerequisites for any successful political, social, professional, economic, and cultural **inclusion**; - and:
- ▶ Being able / enabled to read and to communicate is a **fundamental human right**.

Exclusion

- ▶ Hundreds of millions of persons worldwide **are excluded** from access to knowledge **because of a print disability** [any disability that makes difficult or impossible to read standard print].
- ▶ Only **5%** (industrialized world) and **1%** (developing world) of publications are converted into formats that are accessible for print disabled persons [the conversions are normally done by charities / not-for-profit organizations, for instance Libraries for the Blind and Visually Impaired].

Copyright...

- ▶ is a **major barrier** that significantly impedes access to knowledge for persons with print disabilities;
- ▶ makes necessary **title-by-title rights clearance** [only about 30% of the countries have national copyright exceptions that are furthermore highly heterogeneous in their conception and scope];
- ▶ is territory based and does not allow for **cross border exchange**;
- ▶ thus, very **bad consequences**:
 - **multiplication of conversions of the same work** into accessible formats, waste of resources;
 - generation of **huge administrative overhead** for NGOs, reduction of resources for the conversion of works and keeping even lower the rate of conversions into accessible formats.

UN Convention on the Rights of Persons with Disabilities

- ▶ Currently (12 October, 2011), there are 153 signatories and 105 ratifications of the Convention.
- ▶ “States Parties shall take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights **do not constitute an unreasonable or discriminatory barrier** to access by persons with disabilities to cultural materials.” [Art. 30, Par. 3]

Three Recommendations

- ▶ Introduce an **exception clause in national copyright** legislation for persons with print disabilities.
- ▶ Adhere to an international agreement allowing for **cross border exchange** of accessible works for persons with print disabilities.
- ▶ Further **accessible** digital publishing by applying accessibility **standards (EPUB-DAISY-W3C)** and support close cooperation between the publishing industry and accessibility experts, **including print disabled persons** and/or their organizations.