



THE RIGHT TO READ

FOR PEOPLE WITH
PRINT DISABILITIES

EIFL's support for ratification and
implementation of the Marrakesh Treaty

Photo by Khasar Shandag

“For generations, visually impaired people have had their requests for accessible format books declined because the books were simply not available. With the rights gained under the Marrakesh Treaty, our community is becoming braver about asking for books. It is like a new beginning!”

– INGA DAVIDONIENĖ, DIRECTOR, LITHUANIAN LIBRARY FOR THE BLIND

When word came through that negotiators had reached agreement on the text for the Marrakesh Treaty for persons with print disabilities, delegates attending the WIPO (World Intellectual Property Organization) Diplomatic Conference in Marrakesh in June 2013 burst into spontaneous outpourings of joy.

The treaty, which took five years of tough negotiations, marked the start of the end of the book famine for blind and visually impaired people – the fact that only 7% of the world’s printed materials are available in accessible formats, like braille, audio, large print and digital accessible formats.

The treaty – full name, Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled – removes legal barriers to copying books and other copyright-protected works into accessible formats, and to sharing them across borders. EIFL actively supported the World Blind Union in negotiations at WIPO headquarters in Geneva that led to the ‘miracle of Marrakesh’. Now work to deliver on the promise of the Marrakesh Treaty, to help end the book famine, has moved to national level. There are three stages: a country must agree to join the treaty, then the treaty’s provisions are usually implemented into national law, and libraries should gear up to make use of their new rights under the treaty.

EIFL has been working hard on all fronts in partner countries, raising awareness among librarians and policy-makers, supporting advocacy campaigns, organizing seminars,

responding to government consultations, and publishing specialist guides for librarians. Our two key guides, *The Marrakesh Treaty: An EIFL Guide for Libraries* (2014), published in nine languages, and *Getting Started. Implementing the Marrakesh Treaty for persons with print disabilities. A practical guide for librarians* (2018), available in five languages, have been downloaded almost 2,000 times from the EIFL website.

By December 2020, the treaty had reached a major milestone – over 100 countries had joined, among them 23 EIFL partner countries. Fourteen EIFL partner countries have begun or already completed implementation of the treaty into national law, and libraries are starting to realize the benefits for print-disabled patrons.

ZIMBABWE: ‘KNOW YOUR RIGHTS’

Zimbabwe joined the Marrakesh Treaty in 2019. Now the provisions are being implemented into national law, and in 2020, EIFL and the Zimbabwe University Libraries Consortium (ZULC) submitted comments on the copyright amendment bill. Rosemary Maturure, EIFL’s Copyright Coordinator in Zimbabwe, says university libraries are getting ready to provide expanded services for visually impaired people.

“We are raising awareness about the treaty so that visually impaired people know their rights, through university exhibitions, national disability events, conferences, and through our library websites. At the same time our libraries are dedicating staff for serving visually impaired students, and some librarians have attended online training

in the latest techniques in accessible book production, such as braille, audio, e-text and large print formats, offered by WIPO’s ABC Accessible Publishing initiative.”

SUCCESS IN KYRGYZSTAN

In 2017, Kyrgyzstan became the first EIFL partner country to both ratify the Marrakesh Treaty and implement it into national law, following a successful advocacy campaign led by EIFL’s partner, the Kyrgyz Library and Information Consortium (KLIC). Librarian Sania Battalova, who was the Vice-president of KLIC and EIFL’s Country Coordinator in Kyrgyzstan, remembers the Marrakesh Treaty campaign as one of the most exciting and rewarding periods in her career.

“The needs in Kyrgyzstan were great. The Republican Library for the Blind and Deaf lacked financial support, and it had limited braille and digital collections. There were no textbooks in accessible formats for university students, or accessible format e-resources. And librarians were nervous about creating accessible texts because of copyright law.

“In 2014, EIFL engaged a Kyrgyz law firm, ARTE, to translate EIFL’s guide to the Marrakesh Treaty into Russian. At the same time, the lawyers examined Kyrgyzstan’s copyright law to see what changes were needed to bring it into line with the treaty. Bringing librarians and legal professionals to work together was a great step: we now understood the treaty and had a vision for how the copyright law should be adapted. So we were able to advocate for two steps at once – ratification of the treaty and copyright law reform.

“Kyrgyzstan is a small country and this worked in our favour: library directors know each other, and – very importantly – we have professional connections with people in the national copyright office. We began our campaign, meeting with officials and lawmakers, but progress was slow.

“Then, in 2015, with support from EIFL, we received a grant from the Soros Foundation-Kyrgyzstan for a country-wide campaign for open education and free access to knowledge, and also for copyright law reform. The campaign was called, ‘The Right to Read, Right to Knowledge’.

“This was our breakthrough, and from that moment it was non-stop action. We held many meetings and seminars, reaching out to Members of Parliament (MPs), government officials, lawyers, non-governmental organizations. “We were very lucky that MP Dastan Bekeshev, the first blind person to be elected to parliament, strongly supported the campaign. Dastan introduced the Marrakesh Treaty to other MPs, and emphasized its importance to the community.

“In February 2016, we organized the first-ever conference in Kyrgyzstan on copyright, ‘Copyright in the Digital Age: Access to Information and Knowledge’. All the players met together – international advisors, MPs, government ministries, libraries and societies for the blind, copyright officials, and legal experts. The conference was the key to our success because other stakeholders started to view libraries as serious partners in copyright law reform.

“Afterwards, we continued to work with ARTE law firm, drafting proposals for amendments. MP Dastan supported our amendments and ensured that they were included in the copyright bill (2016). We waited anxiously over the next months – and in March 2017, were overjoyed to hear that the President had signed the bill into law. And all our proposed amendments were included!

“To complete the legal process, the government should also accede to the Marrakesh Treaty. In May 2017, we were delighted when the government deposited its instrument of accession at WIPO, and three months later, in August, the Marrakesh Treaty entered into force in Kyrgyzstan. From now on, librarians would not be forced to turn down requests for accessible format texts because of copyright. At last, blind and visually impaired people in Kyrgyzstan had equal rights of access to information.

“In 2018, to show the Marrakesh Treaty in action, we facilitated the first-ever international transfer of accessible format books to Kyrgyzstan during a national seminar in Bishkek organized by WIPO in cooperation with the State Service of Intellectual Property and Innovation (Kyrgyzpatent). The requested titles were converted into digital accessible format by the University of Toronto Libraries, Canada and transferred to Kyrgyzstan using Dropbox. In that seminar, we showed how straightforward international exchange of accessible books can be.

“Our success in ratifying the treaty and amending our copyright law was the result of a collective effort by many passionate and involved organizations and individuals, including libraries. We are extremely thankful for their hard work.”

Now new services for persons with print disabilities are being rolled out nationwide. The Republican Library for Children and Youth, a public library in the capital Bishkek, is leading efforts to develop a national library infrastructure for accessible books. The library has developed practical manuals on

how to convert printed works into accessible formats, and has provided training.

“Now we are working towards creating a national catalogue of accessible books. All our libraries in Kyrgyzstan have access to the catalogue, and can request material needed from other libraries. In this way, blind and visually impaired people will have access to resources from across the country. And if we do not have the book needed in Kyrgyzstan, for the first time, we can request it from another country,” says Nyriya Sarybaeva, head of the library’s training centre.

LITHUANIA: ‘A TRULY GLOBAL SERVICE’

Lithuania has also joined and implemented the treaty into national law. By enabling cross-border sharing of accessible format material, the Marrakesh Treaty dramatically expands opportunities for learning and research for visually impaired people. In 2020, Inga Davidonienė, Director of the Lithuanian Library for the Blind, received an unexpected request from a student in Delhi in India.

“The student is studying Indo-European languages. Lithuanian is a very old language that belongs to the family of Indo-European languages, and he needed books in Lithuanian. He selected 14 audio books from a list we provided. I was so happy to help. Such an experience gives us confidence that we are moving in the right direction in serving visually impaired scholars. We are becoming a truly global service!

“In 2020 we organized five seminars for Lithuanian librarians, where our specialists shared knowledge, experience and guidelines for practical implementation of the treaty. More than 300 public and academic librarians took part.

“It is very important for Lithuanian libraries to know that they can also serve readers who cannot read print text. Our aspiration is that all print disabled readers who come to any Lithuanian library will receive the information they need.”

The Marrakesh Treaty – EIFL’s contribution

20 countries joined the treaty

- Azerbaijan • Belarus • Botswana
- Estonia • Ghana • Kenya
- Kyrgyzstan • Latvia • Lesotho
- Lithuania • Moldova • Mongolia
- Poland • Russia • Serbia
- Slovenia • Tanzania • Thailand
- Uganda • Zimbabwe

23 copyright law recommendations

- Belarus • Botswana • Brazil
- Côte d’Ivoire • Ethiopia
- European Union • Ireland
- Kenya • Kyrgyzstan • Lesotho
- Lithuania • Malawi • Mongolia
- Myanmar • Nepal
- North Macedonia • Russia
- Serbia • South Africa • Tanzania
- Uganda • Zanzibar • Zimbabwe

37 million blind and visually impaired people have greater access to knowledge.*

People living with perceptual impairment such as dyslexia, and physical disabilities that prevent them from holding or turning the pages of a book, also benefit from the Marrakesh Treaty. Global statistics for these beneficiaries are not available.

Thank you to the Open Society Foundations for supporting our work in the area, and to UNESCO and the University of Toronto Scarborough for supporting regional training events.

* Bourne R, Steinmetz J, Flaxman S, et al., *Trends in prevalence of blindness and distance and near vision impairment over 30 years: an analysis for the Global Burden of Disease Study. Lancet Glob Health. 2020. Accessed via the IAPB Vision Atlas (<https://www.iapb.org/learn/vision-atlas>).*

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