

**IFLA Statement on a Proposed Consensus Instrument at the 22nd Session of the  
Standing Committee on Copyright and Related Rights  
June 16, 2011**

On Monday 20th June IFLA made a brief statement on the [proposed consensus instrument](#) that has been produced during negotiations on copyright exceptions for persons with disabilities. This working document instrument is being co-sponsored by Paraguay, Argentina, Mexico, Australia and it could provide the basis for a possible Treaty. The SCCR meeting is scheduled to finish on Friday 25th June and discussions are ongoing. The IFLA statement was made by the Chair of CLM, Winston Tabb.

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Thank you, Mr. Chairman: I am speaking on behalf of IFLA, the International Federation of Library Association and Institutions, and eIFL, Electronic Information for Libraries. We welcome the consensus instrument, and the effort it represents on the part of a number of Member States to increase access to information for the beneficiaries enumerated in Article B.

IFLA and eIFL would make 4 points. The first two fall under Article A, "Definitions - "authorized entity"

1st, libraries are one of the key distributors of material serving print disabled persons, and in developing countries, libraries are likely the mechanisms by which material will be delivered. While there are a few special libraries servicing the blind community around the world, all libraries must serve all of their users. For example, public libraries serve the whole community, university libraries serve all their students and staff in faculty. So we support the suggestions from several Member States that "activities" is preferable to "primary missions"

2d, para 3 of "authorized entity" seems superfluous, as the entities referred to in para 1 must be assumed to be trusted. If for some reason para 3 were to be retained, it is essential that the word "prior" be deleted, as it implies that some kind of post-action licensing, approval or certification might be required. This would be unnecessary, inefficient, and introduce a constraining element of uncertainty in service to our visually impaired users. Libraries should be presumed to meet the standards unless there is wilful non-compliance, which could be handled at the national level.

3d, Art C(5). We have a question, and would like clarification about, the intent and effect of this provision. In principle, we do not agree that remuneration should be permitted for the activities provided under this article to the visually impaired, print-disabled community.

4th, we support the WBU's position that the Member States should look to the current document as the basis for a Treaty.

**Winston Tabb**  
CLM Chair