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Standing Committee on Copyright and Related Rights

Twenty-sixth Session
Geneva, December 16 to 20, 2013

SEVENTH INTERIM REPORT OF THE STAKEHOLDERS' PLATFORM

Document prepared by the Secretariat

INTRODUCTION

1.   This seventh Interim Report describes the outcome of the eighth meeting of the Stakeholders' Platform organized in Geneva on November 18, 2013.

2.   During the 17th session of the Standing Committee on Copyright and Related Rights (SCCR) held in November 2008, the Committee acknowledged the special needs of visually impaired persons (VIP) and stressed the importance of dealing, without delay and with appropriate deliberation, with those needs of the blind, visually impaired, and other reading disabled persons, including discussions at the national and international level on possible ways and means of facilitating and enhancing access to protected works, against the background of an analysis of limitations and exceptions. This should also include the establishment of a stakeholders' platform at the World Intellectual Property Organization (WIPO), in order to facilitate arrangements to secure access for disabled persons to protected works.

3.   Based on the above mandate, the WIPO Secretariat invited various major stakeholders representing the interests of copyright right holders and VIPs, including persons with print disabilities, to take part in a Platform with the aim of exploring their concrete needs, concerns, and suggested approaches in order to achieve the goal of facilitating access to works in alternative formats for persons with disabilities.

4.   The previous meetings of the Stakeholders' Platform have taken place as follows:

–   First meeting: in Geneva, on January 19, 2009
–   Second meeting: in London, on April 20, 2009
–   Third meeting: in Alexandria, on November 3, 2009
–   Fourth meeting: in Geneva, on May 26, 2010
–   Fifth meeting: in New Delhi, on October 23, 2010
–   Sixth meeting: in Geneva, on February 10, 2010
–   Seventh meeting: in Bangkok, on November 16, 2012

5.   Interim Reports have been presented during the 18th, 19th, 20th, 21st, and 24th sessions of the SCCR (documents SCCR/18/4, SCCR/19/10, SCCR/20/6, SCCR/21/10, and SCCR/24/2, respectively) to provide an update on the work carried out by the Platform. The Committee has welcomed the Reports of the First through Sixth meetings and, during its 24th session held in July 2011, encouraged the Secretariat to continue the work of the Platform. Since the 24th session of the SCCR, two Stakeholders' Platform meetings were held:

–   Seventh meeting: in Bangkok, on November 16, 2012
–   Eighth meeting: in Geneva, on November 18, 2013

6.   This document exclusively reports on the eighth meeting of the Platform. The report of the seventh meeting of the Stakeholders' Platform is listed as document SCCR/26/5 ("Sixth Interim Report of the Stakeholders' Platform").

EIGHTH MEETING OF THE STAKEHOLDERS' PLATFORM

7.   The eighth meeting of the Stakeholders' Platform took place in Geneva on November 18, 2013. The list of participants is included in the Annex to this report. World Blind Union (WBU) representatives attended as observers and later indicated that they would join in

the work of the Platform, with an emphasis on ensuring its compatibility with the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or

Otherwise Print Disabled (Marrakesh VIP Treaty implementation) and with a goal of working to end the global book famine.

8.   The meeting focused on two main topics, first the progress reports of the Trusted Intermediary Global Accessible Resources (TIGAR) project, the Capacity Building project, and the Inclusive Publishing project (formerly Enabling Technologies Framework); and second planning for the future of the Stakeholders' Platform.

Trusted Intermediary Global Accessible Resources (TIGAR)

9.   The report of the TIGAR project was presented. It was reported that 24 Trusted Intermediaries (TIs), also referred to as authorized entities (AEs), from 22 different countries and 45 rightholders were involved in the project. The TIGAR database includes over 210,000 titles that are available in accessible formats in various languages from ten libraries. Rights clearance has been a challenge which will require more resources and should be helped when the Marrakesh VIP Treaty is implemented. Many positive outcomes were highlighted, particularly the development of a technology solution developed by WIPO and implemented by the participating AEs including the creation of a joint catalogue allowing search and discovery, according to different accessibility requirements; an uploading and downloading facility; modules for order management, file exchange, statistics reporting, automated notification and messaging; and the preparation of a rights clearance tool. These tools have all proven to be fit for purpose and their scalability should now be tested.

10.   As TIGAR was aimed at exploring the feasibility and utility of a global network, it was underlined that not only were technology and business support critical for the project, but that special care for the needs of developing and least-developed countries was needed in order to face adequately the possible additional challenges brought by technical and infrastructural characteristics in their jurisdictions. It was also stressed that after the pilot phase of the TIGAR project, scheduled to end in May 2014, a new joint strategy addressing the three current Stakeholders' Platform projects would be the best approach.

Capacity Building

11.   A report on Capacity Building was presented. The Working Group participants were of the opinion that a systematic approach based on the fulfilment of certain conditions, such as a certain level of existing library services, would be advisable to achieve the best results. Some minimum level of structure of library service is required to maintain information about books and registered members with print disabilities. The Capacity Building Working Group aimed to assist organizations in developing countries to be able to function as an authorized entity, to benefit from the TIGAR database and to add value to it. The number one issue that permeated capacity building activities was human resources on the ground.

12.   A project was started in Bangladesh with a Memorandum of Understanding having been signed to provide capacity building to a non-governmental organization in that country on the production of educational materials in Bengali in accessible formats, including training of VIPs in assistive technologies. In addition, training was going to be provided to publishers in Dhaka on the latest accessible format technologies (i.e., EPUB 3). A fact-finding mission was currently underway in Sri Lanka to identify a non-governmental organization and local publishers that would also benefit from a similar Memorandum of Understanding. Similar plans have been made for Tanzania in the first quarter of 2014. The work thus far has shown that capacity building is required at many levels, particularly to help VIP organizations provide accessible copies, to help publishers and government services produce local school books in local languages, and to develop the capacity to import accessible format copies, among others. It is

important to the success of the projects to find local champions. Financial support for these activities has come from the Australian FIT funds and WIPO.

13.   The resignation of Ambassador Swashpawan Singh, the WIPO Director General's Honorary Advisor on the Visually Impaired Persons (VIP) Initiative, was announced with thanks and regret.

Inclusive Publishing

14.   The report on the activities of the Inclusive Publishing project emphasized the following points:

> (a) EPUB 3 is an accessible standard publishing format that has been successfully adopted in Canada and the United States, less so thus far in other countries. It was noted that from the technical standpoint, EPUB3 could consist of only texts or be enhanced with other media since it supported different media overlays;

> (b) The American Publishers Association and the US National Foundation for the Blind have agreed that higher level education materials should be published in EPUB 3 format;

> (c) Many companies (Adobe, Google, IBM, Bookshare, Learning Ally) have joined the Readium Foundation, which has set up a "pre-flight" testing system that checks a file to confirm whether it is in conformity with the EPUB 3 publishing standard;

> (d) Pipeline 2 has been developed by the DAISY Consortium (with partial funding by WIPO) and can convert the old DAISY formats to EPUB 3; and

> (e) EDItEUR has developed Accessibility Guidelines with funding by WIPO that have been very well received in the publisher community, with EDItEURadvising that it has had over 7000 downloads from its website in the four languages in which the guidelines were produced. Training for publishing houses has also been very well received.

15.   All stakeholders agreed that the promotion of born-accessible publishing and promotion of collaboration between VIP organizations and publishers were important factors in increasing the number of accessible copies of books. While the goal is to have 90% of works that solely have printed text "born accessible" within three to four years, participants agreed that some materials were more complex to transform into an accessible format than others. Particular challenges are posed by educational materials with complex images, charts and other graphics. This important aspect of the Stakeholder Platform's work should continue.

Future of the Stakeholders' Platform

16.   The participants agreed that the next steps were especially important, not only because the initial phase of TIGAR would soon reach its deadline, but also because of the momentum created by the Marrakesh VIP Treaty adopted in June 2013. It was agreed that this project had contributed in practical ways to increased accessibility of works and that therefore the initiative should be continued, but that shared objectives and strategy had to be agreed to by all

stakeholders. An exercise to formulate and agree to the shared objectives and a concrete strategy was begun.

17.   The stakeholders stated their desire to move forward to a higher level of professionalism, as agreed during the seventh meeting of the Stakeholders' Platform, through an alliance of WIPO, the international publishing industry, and organizations representing or serving the print-disabled, sometime before the end of the TIGAR pilot project in May 2014 and with the idea of eventually naming this future entity something along the lines of the Accessible Book Consortium (ABC). The objective of ABC would be to end the global famine of books in accessible formats, through the collaboration of all relevant stakeholders at a more operational, professional level and consistent with the Marrakesh VIP Treaty. This would be accomplished taking into account similar initiatives and through the following activities and sponsored projects:

(a) The development and implementation of appropriate tools and systems and business processes, such as the TIGAR database;

(b) Capacity building to improve relevant skills and knowledge in developing and least developed countries;

(c) The widespread promotion of and training in inclusive publishing techniques; and

(d) The encouragement of cooperation and the fostering of relationships among persons who are blind, visually impaired, or otherwise print disabled, authorized entities, rightsholders, and technology companies.

18.   The Participants recalled that the discussions held during the seventh Stakeholders' Platform Meeting had led to a conclusion that a more streamlined structure was needed to coordinate the different initiatives within the Stakeholders' Platform, namely TIGAR, Inclusive Publishing and Capacity Building; and to use the limited allocated human and financial resources in a more efficient manner. The proposed new structure would streamline coordination of these activities to ensure that the work of the Stakeholders' Platform leads to practical measures to increase the number of works accessible to persons who are blind, visually impaired, or otherwise print disabled. This enhanced level of professionalism would also make it possible to undertake fundraising activities with the objective of obtaining external funding to support the expansion of the activities of the future entity. In the interim period the successful structure of the Steering Committee for the TIGAR Project could be applied to coordinate all three projects.

19.   The Participants agreed to continue working on the development of the strategy and proposed structure over the next few months.

20.   The next Stakeholders' Platform Meeting likely will take place in February 2014.

21.   The Committee is invited to take note of the information contained in this document.

[Annex follows]

ANNEX

EIGHTH MEETING OF THE STAKEHOLDERS' PLATFORM
Geneva, November 18, 2013

LIST OF PARTICIPANTS

I.   VISUALLY IMPAIRED SECTOR AND RIGHTHOLDERS REPRESENTATIVES

Jens BAMMEL, Secretary General, International Publishers Association (IPA)

Maryanne DIAMOND, Immediate Past President and Chair, Copyright Committee, World Blind Union (WBU)

Nicolaas FAASEN, Publishers Association of South Africa

François HENDRIKZ, Director, South African Library for the Blind

George KERSCHER, Secretary General, DAISY Consortium

Stephen KING, President, DAISY Consortium

Francisco Javier MARTÍNEZ CALVO, WBU representative and Technical Advisor, National Organization of Spanish Blind Persons (ONCE)

Bárbara MARTÍN MUÑOZ, WBU representative and Director, Technical Office, National Organization of Spanish Blind Persons (ONCE)

Margaret MCGRORY, Vice President and Executive Director, Canadian National Institute for the Blind (CNIB) Library

Pedro MILLIET, Senior Developer and Information Architect, *Fundação Dorina Nowill para o Cego*

Dan PESCOD, WBU representative and Campaigns Manager, Royal National Institute of Blind People (RNIB)

Carlo SCOLLO LAVIZZARI, Legal Counsel, International Association of Scientific, Technical and Medical Publishers (STM)

Olav STOKKMO, Chief Executive and Secretary General, International Federation of Reproduction Rights Organizations (IFRRO)

Alicia WISE, Director, Universal Access, Elsevier

II.   OBSERVERS

Bernhard HEINSER, DAISY Consortium and TIGAR Project Management Team

Jim RUSSELL, RPM Associates and TIGAR Project Management Team

III.   WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

Francis GURRY, Director General

C. Trevor CLARKE, Assistant Director General, Culture and Creative Industries Sector

David UWEMEDIMO, Director, Copyright Infrastructure Division, Culture and Creative Industries Sector

Michele WOODS, Director, Copyright Law Division, Culture and Creative Industries Sector

Monica HALIL, Project Leader, Visually Impaired Persons' Initiatives, Copyright Infrastructure Division, Culture and Creative Industries Sector

Geidy LUNG, Senior Counsellor, Copyright Law Division, Culture and Creative Industries Sector

Michael JUNG, Head, Internet Services Section, Information and Communication Technology Department

Anna MORAWIEC MANSFIELD, Head, Non-Governmental Organizations and Industry Relations Section

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