



IFLA Statement on Item 27: Marrakesh Treaty Assembly

Submitted on 5 October 2017

Dear Mr/Ms Chair,

First of all I would like to congratulate you on your nomination as Chair of this Assembly.

The deposition of Nigeria's ratification instrument earlier this week, as well as the publication of EU legislation last month are reasons for celebration.

Every new ratification increases exponentially the possibilities for the exchange of accessible format works. In doing so, it moves us closer to the Treaty's objective – equal access to knowledge and culture for all, print disability or no.

We applaud those countries which have given Marrakesh ratification the priority it merits in the legislative agenda. We also applaud the ABC Book Service's practical work to make a reality of cross-border exchange of accessible format works.

But, Mr Chair, not all ratifications are equal.

For libraries, as institutions dedicated to providing access to Treaty beneficiaries, experience shows that there is a need for vigilance.

Every ratification that maintains or introduces barriers to access represents a disappointment for those who believed that Marrakesh would make a real difference.

Too often, the spectre of piracy is raised as a reason for imposing disproportionate and unreasonable bureaucracy on authorised entities. But there is no evidence of this happening to any significant degree.

Similarly, there are warnings that Marrakesh is just the first step towards the deconstruction of the whole copyright system. But for libraries, the focus is not on precedent, rather on the potential to offer equal access to bring to some of the most vulnerable. There is no ulterior motive. Another ghost story.

But while the evidence for such claims is imaginary, the consequences are not.

They impose real costs, in terms of money that could otherwise go on providing services.

Real costs, in terms of the time taken to comply with conditions.

Real costs, in terms of requests for exchange refused because it is impossible to be sure if a copy really is commercially unavailable.

Real costs, in terms of the inability to take part in the ABC Book Service, or other services such as BookShare, which are incompatible with barriers that some have sought to introduce.

Mr Chair,

We are faced with a clear practical need, the result of a serious market failure. But we have a golden opportunity to respond.

Rather than listening to ghost stories, we need to act, seize the opportunity Marrakesh offers to eliminate the causes of market failure.

We hope, by the time of the Marrakesh Assembly 2018, to have much more reason for celebration.

Thank you.