

World Intellectual Property Organization (WIPO)
Diplomatic Conference, Marrakesh, Morocco

United States of America Closing Statement

27 June 2013

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Thank you, Mr. President.

Mr. President, Distinguished guests, Ladies and Gentlemen.

At times, the road to Marrakesh has been difficult.

But as the 17th century philosopher Benedict Spinoza once said, “[a]ll things excellent are as difficult as they are rare.”

And the United States delegation believes this Diplomatic Conference has indeed produced something truly excellent.

The United States believes profoundly, in the words of our Supreme Court, that copyright law is

“the engine of free expression,” but we are also committed to policies that ensure everyone has a chance to get the information and education they need and to live independently as full citizens in their communities.

So, in April 2012, President Obama pledged the United States’ commitment to an “effective international instrument . . . that ensures that copyright is not a barrier to equal access to information, culture, and education for visually impaired persons and persons with print disabilities.” We are proud to have participated in a Diplomatic Conference that has produced just that, an international agreement to significantly improve access to printed works for persons with print disabilities while preserving the integrity of the international copyright system.

Domestically, the Administration had a team of people bringing together expertise in intellectual

property, disability law, trade, library and information services, and education policy. These people put in hundreds and hundreds of hours into studying the issues, formulating our own positions, and responding to the ideas and proposals of our negotiating partners.

In that effort to understand the issues, we particularly want to thank the National Federation of the Blind, the American Council of the Blind, the American Foundation for the Blind, and the Association of American Publishers. We would also like to thank the people in libraries, civil society and copyright industries who gave us continuous input.

We want to express our appreciation to our partners in the informal “four way” meetings in 2011 that eventually produced the first chairman’s text that year – Brazil, the European Union, Mexico, and members of the Africa Group. We also want to thank the increasing number of delegations that

participated in the continuing informal meetings in 2012, and the tremendous efforts by all delegations in the recent meetings of the SCCR. As we have said before, these have been meetings of tremendous good will among delegates with unquestionably strong wills.

We also want to thank Director-General Gurry, Assistant Director General Clarke, and the entire WIPO Secretariat, including Copyright division director Michele Woods, the translators, and the captioning team.

The Secretariat's support and attention to detail has continued right up to this morning and the conference President's clarification of a small point on one Agreed Statement – a clarification we appreciate and endorse.

Finally, our thanks to the chairman of Main Committee I, Ambassador Kuneralp; our facilitator,

Martin Moscoso; and our conference President, the Minister of Communications, who we would also ask to convey our thanks to the Kingdom and people of Morocco for hosting our final efforts in this splendid city.

Mr. Chairman, we have always said that crafting an international instrument on copyright exceptions for persons with print disabilities is just *one step* on the road to ensuring that the blind and others with print disabilities have a chance to get the information and education they need and to live independently as full citizens in their communities.

Sometimes government officials think that, when they pass legislation or create a treaty, the problem they are addressing goes away.

But our efforts today are really just the beginning of a new chapter in the struggle of the blind. Not only will Member States have to ratify this treaty,

but scores of countries need to join the approximately 60 Member States that have clear exceptions in their national copyright laws for the blind; additional authorized entities will have to be established and capacity built; confidence in cross-border exchange of accessible format copies will have to increase as the new international legal framework sets in.

Different speakers have given different numbers for the total number of blind in the world, but the precise number does not matter. What matters is that these are people who have faced a special and extraordinary barrier to education and to full participation in their communities.

In our country, the National Federation of the Blind was founded by Jacobus tenBroek, a law professor in California who was himself blind. In his work for the visually impaired, he said that his goal

was to fight for “access to the mainstreams of community life” and to a future for persons with print disabilities in which “the aspirations and achievements of each of us are to be limited only by the skills, energy, talents, and abilities” he or she brings to their community.

Our work today is just a small step in that continuing struggle, but the United States is very proud to have been part of it.

Thank you, Mr. President.

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