

Opening Statement/United States
SCCR 21
15 June 2011

Thank you, Mr. Chairman.

Again, the United States congratulates you for your election and thank you for willingness to spend the long hours needed to chair this committee. Like the Russian Federation, we want to express our sincere appreciation to your predecessor, Jukka Lieddes, who served as chairman of this committee – as well as the 2000 Diplomatic Conference. Mr. Lieddes guided us through many storms with the calm and sureness of a good captain.

On the AV Treaty, we are pleased that the distinguished delegate from Nigeria went before us because we concur and endorse what he said. The US comes to this SCCR committed to completion of

the treaty, in particular resolution of the outstanding issue of Article 12. As you know, Mr. Chairman, we have started working with our colleagues from India and Mexico on ideas to converge our proposals and we will meet shortly in that effort. It is the hope of the United States that we will be able to present a consensus proposal on this issue in a few days.

While we believe the 19 Articles should form the basis for establishment of the treaty, we also look forward to working with our Brazilian colleagues on some of the concerns and questions they have raised.

Concerning the draft Treaty on the Protection of Broadcasting Organization, the United States was pleased to attend the informal consultation organized by the Secretariat earlier this year. We were pleased to see the new suggestions made by South Africa. We agree with so many delegations that the problem of signal piracy must be addressed,

but we also share the concern of other delegations like India that protection of broadcast organizations must be properly calibrated and should not harm to the public domain.

On the topic of exceptions and limitations, our delegation comes to the SCCR ready for serious work this week on the broad program to which we committed ourselves at the last SCCR. First and foremost among those topics is the issue of copyright exceptions for persons with print disabilities.

As everyone knows, the Africa Group, the EU, Brazil, Mexico, Ecuador, Paraguay and the United States have been holding informal meetings in an effort to reach consensus on both the substance of new international copyright legal norms for persons with print disabilities and the procedure to achieve those norms.

We have held four such meetings – hosted variously by Brazil, the United States, the EU, and Mexico. The meetings have not always been easy, but efforts have been genuine, sincere, and in good faith. The United States takes this opportunity to thank sincerely our partners in these meetings. We met yesterday all afternoon, this morning, and, again, some of us at lunch. We will be meeting again this evening.

For the United States it is very important that these efforts produce genuine results for persons with print disabilities. As our colleagues from Brazil and Uruguay have already discussed, a large number, perhaps most, of the Member States in this room have ratified the U.N. Convention on the Rights of Persons with Disabilities. The United States is in the process of ratifying the Convention, we do so having

determined that our laws now comply with the Convention's requirements.

Those requirements include Article 30(3), which obliges members of the Convention to "take appropriate measures" to ensure that copyright laws "do not constitute an unreasonable or discriminatory barrier to access to cultural materials" for persons with print disabilities. Although this is a binding treaty obligation, there are dozens of Member States – both of the Convention and this committee – who apparently do not yet comply with this binding obligation.

It is the United States' hope that this committee will succeed in establishing new international legal norms on both copyright exceptions in national law and the cross-border exchange of special format copies. But the experience so far with Article 30 of

the U.N. Convention suggests that that is not enough and that we will need a program or a structure to give countries an incentive to bring their law into compliance with these new norms. We come here committed to the formulation of such a program that produces on the ground results for persons with print disabilities.

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