Marrakesh Treaty to facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled

2014/0297(NLE) - 17/10/2017 - Legislative proposal

PURPOSE: to conclude, on behalf of the European Union, the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the World Health Organisation estimates that **285 million people worldwide are visually impaired**: 39 million are blind and 246 million have low vision1. The World Blind Union reports that **in Europe only 5 % of published books are available in an accessible format** for visually impaired persons. In developing countries, this rate is as low as 1 %.

The Marrakesh Treaty, negotiated within the framework of the World Intellectual Property Organization (WIPO), to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled on 27 June 2013.

The Marrakesh Treaty was signed, on behalf of the European Union as regards matters falling within the Union's competence, on 30 April 2014, subject to its conclusion at a later date. It entered into force on 30 September 2016.

Regulation (EU) 2017/1563 of the European Parliament and of the Council and Directive (EU) 2017/1564 of the European Parliament and of the Council, which implement the Union's obligations under the Marrakesh Treaty, have been adopted on 13 September 2017.

The conclusion of the Marrakesh Treaty falls within the exclusive competence of the Union1, the Marrakesh Treaty should be approved,

CONTENT: the draft Council Decision seeks to approve, on behalf of the Union, the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or Otherwise Print Disabled.

The Marrakesh Treaty obliges:

- every Contracting Party to provide, in their national copyright laws, for a **limitation or exception to the rights of reproduction, distribution and making available to the public**, to facilitate the availability of works in accessible formats for the Treaty's beneficiaries;
- Contracting Parties to protect the privacy of beneficiaries and to cooperate in order to facilitate the **cross-border exchange** of accessible-format copies.

Thus, the Marrakesh Treaty will facilitate access to published works for its beneficiaries inside and outside the Union.

Therefore, the deposit of the ratification instrument should take place as from three months before the date by which Member States are to transpose Directive (EU) 2017/1564 and Regulation (EU) 2017/1563 becomes applicable.