Basic information

2014/0297(NLE) NLE - Non-legislative enactments	Procedure completed
Marrakesh Treaty to facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled **Subject** 3.50.15 Intellectual property, copyright 4.10.06 People with disabilities 4.45.08 Cultural and artistic activities, books and reading, arts	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs	ANDERSSON Max (Verts /ALE)	28/10/2014
	Shadow rapporteur ESTARÀS FERRAGUT Rosa (PPE) GUTELAND Jytte (S&D) DZHAMBAZKI Angel (ECR) ROHDE Jens (ALDE) ADINOLFI Isabella (EFDD)	

Committee for opinion	Rapporteur for opinion	Appointed
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	
CULT Culture and Education	The committee decided not to give an opinion.	
FEMM Women's Rights and Gender Equality	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Education, Youth, Culture and Sport	3595	2018-02-15

European

Commission DG	Commissioner

Commission	Communications Networks, Content and Technology	OETTINGER Günther

Key events

Date	Event	Reference	Summary
21/10/2014	Preparatory document	COM(2014)0638	Summary
17/10/2017	Legislative proposal published	12629/2017	Summary
26/10/2017	Committee referral announced in Parliament		
07/12/2017	Vote in committee		
11/12/2017	Committee report tabled for plenary, 1st reading/single reading	A8-0400/2017	Summary
17/01/2018	Debate in Parliament		
18/01/2018	Decision by Parliament	T8-0016/2018	Summary
18/01/2018	Results of vote in Parliament		
15/02/2018	Act adopted by Council after consultation of Parliament		
15/02/2018	End of procedure in Parliament		
21/02/2018	Final act published in Official Journal		

Technical information

Procedure reference	2014/0297(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the European Union TFEU 207 Treaty on the Functioning of the European Union TFEU 114 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/01810

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE613.333	15/11/2017	
Committee report tabled for plenary, 1st reading/single reading		A8-0400/2017	11/12/2017	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0016/2018	18/01/2018	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	05905/2015	17/10/2017	
Legislative proposal	12629/2017	17/10/2017	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2014)0638	21/10/2014	Summary
Follow-up document	COM(2025)0749	11/12/2025	
Follow-up document	SWD(2025)0406	11/12/2025	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2018/0254
OJ L 048 21.02.2018, p. 0001 Summary

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

2014/0297(NLE) - 21/10/2014

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: people who are blind, visually impaired or otherwise unable to access printed material must have equal access to books and printed material in order to fully and effectively participate in society. The World Health Organisation (WHO) estimates that **285 million people worldwide are visually impaired: 39 million are blind** and 246 million have low vision. The World Blind Union reports that in Europe only 5% of published books are available in an accessible format for visually impaired persons, while in developing countries – where approximately 90% of visually impaired people live – this rate is as low as 1%.

Since January 2011, the European Union has been bound by the United Nations Convention on the Rights of Persons with Disabilities. This enshrines the right of access to information (Article 21) and the right of people with disabilities to participate in cultural life on an equal basis with others (Article 30). The Convention has become an integral part of the EU legal order. Twenty-five Member States are parties to the Convention and three countries are finalising ratification.

In 2009, negotiations began in the World Intellectual Property Organisation (WIPO) on a possible international treaty introducing limitations and exceptions to copyright for the benefit of people who are blind, visually impaired or otherwise print-disabled, with the objective of **facilitating the cross-border exchange of books in accessible formats**.

On 26 November 2012, the Council adopted a Decision authorising the Commission to participate in these negotiations, on behalf of the European Union. The WIPO negotiations were successfully concluded at the diplomatic conference held in Marrakesh between 17 and 28 June 2013. These led to the adoption of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled on 27 June 2013.

The Council authorised the signature of the Treaty on behalf of the European Union on 14 April 2014.

It is now necessary to conclude this Agreement on behalf of the European Union.

CONTENT: this proposal calls on the Council to approve, 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.

Objectives of the Treaty: the Treaty establishes a set of international rules which ensure that there are limitations or exceptions to copyright at national level for the benefit of people who are blind, visually

impaired, or otherwise print-disabled and enable the cross-border exchange of accessible format copies of published works that have been made under an exception or limitation to copyright in any of the Contracting Parties to the Treaty.

Main provisions:

Definition and scope: the Treaty defines:

- the beneficiaries: they are people who are blind, have a visual impairment or a perceptual or reading disability, or are otherwise unable, due to physical disability, to hold or manipulate a book, or focus or move their eyes to the extent that would be normally acceptable for reading;

- works: as literary and artistic works within the meaning of Article 2(1) of the Berne Convention for the Protection of Literary and Artistic Works, in the form of text, notation and/or related illustrations, whether published or otherwise made publicly available in any media. By virtue of an agreed statement, this also covers audiobooks;

- **an accessible-format copy**: as is a copy in an alternative manner and form compared to the format in which the work has been published and which gives beneficiaries access to the work as comfortably as sighted people could access it. The accessible-format copy must be used exclusively by beneficiaries and it must respect the integrity of the original work.

Accessible format copies made under a limitation or exception to copyright may be exported by ‘authorised entities’, defined as government institutions or other organisations that provide education, instructional training, adaptive reading or information access to blind, visually impaired, or otherwise print-disabled persons on a non-profit basis.

These entities must ensure that they only distribute accessible formats to beneficiaries, that they discourage the reproduction, distribution and making available of unauthorised copies and that they maintain due care in, and records of, their handling of the copies.

Production obligations of accessible format copies: the 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 may decide to limit such limitations or exceptions to cases where accessible format copies are not commercially available on reasonable terms to beneficiaries in their territory.

‘Three-step test’: Contracting Parties may only allow accessible format copies to be exported, if they ensure that relevant limitations or exceptions to the rights of reproduction, distribution and making available to the public are subject to the ‘three-step test’. This means that either they must be a party to the WIPO Copyright Treaty (WCT) or they must otherwise ensure that the relevant limitations or exceptions are limited to certain special cases which do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the right holder.

Import authorisation: the Treaty clarifies that, to the extent a Contracting Party permits a beneficiary or an authorised entity to make an accessible-format copy of a work, it should also permit accessible-format copies to be imported.

Contracting Parties are obliged to take appropriate measures, if necessary, to ensure that when they provide adequate legal protection and effective legal remedies against the circumvention of effective technological measures, this legal protection does not prevent the beneficiaries from enjoying the limitations and exceptions provided for in the Treaty.

Protection of privacy: the Treaty also requires Contracting Parties to protect the privacy of beneficiaries and to cooperate in order to facilitate the cross-border exchange of accessible-format copies. WIPO will set up an information access point to assist authorised entities in identifying one another with a view to working together. The Treaty also encourages authorised entities to provide information on their policies and practices to interested parties and to members of the public.

Ratification procedure and entry into force: the Treaty confirms that Contracting Parties are free to determine the appropriate method of implementing the Treaty within their own legal system and practice. However, they must comply with existing international obligations under the Berne Convention, the Agreement on Trade-Related Aspects of Intellectual Property Rights and the WIPO Copyright Treaty (WCT).

The Treaty will enter into force once twenty Contracting Parties have ratified it.

Other specific provisions: the Treaty also:

- recognises that the Contracting Parties may maintain or implement other limitations and exceptions for beneficiaries and people with other disabilities, outside the scope of the Treaty;
- contains administrative and procedural provisions that are very similar to those in other WIPO Treaties in the field of copyright (e.g. WCT).

Competence of the EU: the EU may become a party to the Treaty, having made the declaration during the Marrakesh diplomatic conference, that it is competent in respect of, and has its own legislation binding on all its Member States on matters covered by this Treaty and that it has been duly authorised, in accordance with its internal procedures, to become party to the Treaty. The European Union signed the final act of the diplomatic conference on 28 June 2013 and signed the Treaty on 30 April 2014 in Geneva.

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.

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

2014/0297(NLE) - 21/10/2014 - Preparatory document

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: people who are blind, visually impaired or otherwise unable to access printed material must have equal access to books and printed material in order to fully and effectively participate in society. The World Health Organisation (WHO) estimates that **285 million people worldwide are visually impaired: 39 million are blind** and 246 million have low vision. The World Blind Union reports that in Europe only 5% of published books are available in an accessible format for visually impaired persons, while in developing countries – where approximately 90% of visually impaired people live – this rate is as low as 1%.

Since January 2011, the European Union has been bound by the United Nations Convention on the Rights of Persons with Disabilities. This enshrines the right of access to information (Article 21) and the right of people with disabilities to participate in cultural life on an equal basis with others (Article 30). The Convention has become an integral part of the EU legal order. Twenty-five Member States are parties to the Convention and three countries are finalising ratification.

In 2009, negotiations began in the World Intellectual Property Organisation (WIPO) on a possible international treaty introducing limitations and exceptions to copyright for the benefit of people who are blind, visually impaired or otherwise print-disabled, with the objective of **facilitating the cross-border exchange of books in accessible formats**.

On 26 November 2012, the Council adopted a Decision authorising the Commission to participate in these negotiations, on behalf of the European Union. The WIPO negotiations were successfully concluded at the diplomatic conference held in Marrakesh between 17 and 28 June 2013. These led to the adoption of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled on 27 June 2013.

The Council authorised the signature of the Treaty on behalf of the European Union on 14 April 2014.

It is now necessary to conclude this Agreement on behalf of the European Union.

CONTENT: this proposal calls on the Council to approve, 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.

Objectives of the Treaty: the Treaty establishes a set of international rules which ensure that there are limitations or exceptions to copyright at national level for the benefit of people who are blind, visually

impaired, or otherwise print-disabled and enable the cross-border exchange of accessible format copies of published works that have been made under an exception or limitation to copyright in any of the Contracting Parties to the Treaty.

Main provisions:

Definition and scope: the Treaty defines:

- the beneficiaries: they are people who are blind, have a visual impairment or a perceptual or reading disability, or are otherwise unable, due to physical disability, to hold or manipulate a book, or focus or move their eyes to the extent that would be normally acceptable for reading;

- works: as literary and artistic works within the meaning of Article 2(1) of the Berne Convention for the Protection of Literary and Artistic Works, in the form of text, notation and/or related illustrations, whether published or otherwise made publicly available in any media. By virtue of an agreed statement, this also covers audiobooks;

- **an accessible-format copy**: as is a copy in an alternative manner and form compared to the format in which the work has been published and which gives beneficiaries access to the work as comfortably as sighted people could access it. The accessible-format copy must be used exclusively by beneficiaries and it must respect the integrity of the original work.

Accessible format copies made under a limitation or exception to copyright may be exported by 'authorised entities', defined as government institutions or other organisations that provide education, instructional training, adaptive reading or information access to blind, visually impaired, or otherwise print-disabled persons on a non-profit basis.

These entities must ensure that they only distribute accessible formats to beneficiaries, that they discourage the reproduction, distribution and making available of unauthorised copies and that they maintain due care in, and records of, their handling of the copies.

Production obligations of accessible format copies: the 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 may decide to limit such limitations or exceptions to cases where accessible format copies are not commercially available on reasonable terms to beneficiaries in their territory.

'Three-step test': Contracting Parties may only allow accessible format copies to be exported, if they ensure that relevant limitations or exceptions to the rights of reproduction, distribution and making available to the public are subject to the 'three-step test'. This means that either they must be a party to the WIPO Copyright Treaty (WCT) or they must otherwise ensure that the relevant limitations or exceptions are limited to certain special cases which do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the right holder.

Import authorisation: the Treaty clarifies that, to the extent a Contracting Party permits a beneficiary or an authorised entity to make an accessible-format copy of a work, it should also permit accessible-format copies to be imported.

Contracting Parties are obliged to take appropriate measures, if necessary, to ensure that when they provide adequate legal protection and effective legal remedies against the circumvention of effective technological measures, this legal protection does not prevent the beneficiaries from enjoying the limitations and exceptions provided for in the Treaty.

Protection of privacy: the Treaty also requires Contracting Parties to protect the privacy of beneficiaries and to cooperate in order to facilitate the cross-border exchange of accessible-format copies. WIPO will set up an information access point to assist authorised entities in identifying one another with a view to working together. The Treaty also encourages authorised entities to provide information on their policies and practices to interested parties and to members of the public.

Ratification procedure and entry into force: the Treaty confirms that Contracting Parties are free to determine the appropriate method of implementing the Treaty within their own legal system and practice. However, they must comply with existing international obligations under the Berne Convention, the Agreement on Trade-Related Aspects of Intellectual Property Rights and the WIPO Copyright Treaty (WCT).

The Treaty will enter into force once twenty Contracting Parties have ratified it.

Other specific provisions: the Treaty also:

- recognises that the Contracting Parties may maintain or implement other limitations and exceptions for beneficiaries and people with other disabilities, outside the scope of the Treaty;
- contains administrative and procedural provisions that are very similar to those in other WIPO Treaties in the field of copyright (e.g. WCT).

Competence of the EU: the EU may become a party to the Treaty, having made the declaration during the Marrakesh diplomatic conference, that it is competent in respect of, and has its own legislation binding on all its Member States on matters covered by this Treaty and that it has been duly authorised, in accordance with its internal procedures, to become party to the Treaty. The European Union signed the final act of the diplomatic conference on 28 June 2013 and signed the Treaty on 30 April 2014 in Geneva.

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

2014/0297(NLE) - 11/12/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Legal Affairs adopted the report by Max ANDERSSON (Greens/EFA, SE) on the draft Council decision on the conclusion on behalf of the European Union of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled.

The committee recommended that the European Parliament **give its consent** to the conclusion of the Marrakesh Treaty.

As stated in the explanatory statement accompanying the recommendation, the Marrakesh Treaty, adopted on 27 June 2013, is part of a series of international copyright treaties administered by the World Intellectual Property Organisation (WIPO).

The purpose of the treaty is to facilitate the access for persons with visual impairments and other print disabilities to works in accessible format, all the while protecting the rightholders. To this end, the Treaty harmonises exceptions to the international copyright system and allows for the cross-border exchange of accessible format copies.

The Committee for Legal Affairs of the European Parliament has successfully finalised the inter-institutional negotiations on the legislative package implementing the Marrakesh Treaty into EU law.

Parliament and Council adopted Directive (EU) 2017/1564 and Regulation (EU) 2017/1563 on 13 September 2017.

The Council's decision to conclude the international treaty would be another decisive step towards the full implementation of these copyright laws.

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

2014/0297(NLE) - 15/02/2018 - Final act

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.

NON-LEGISLATIVE ACT: Council Decision (EU) 2018/254 on the conclusion on behalf of the European Union of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled.

CONTENT: the Council decided 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, adopted on 27 June 2013, is part of a collection of international copyright treaties under the World Intellectual Property Organisation (WIPO). It entered into force on 30 September 2016.

The Marrakesh Treaty establishes a set of international rules which ensure that there are limitations or exceptions to copyright at national level for the benefit of people who are blind, visually impaired or otherwise print-disabled.

In particular, the Treaty:

- defines a **beneficiary person** as a person who is blind, who has a visual impairment, a perception disability or reading difficulties, or who are unable, due to a physical disability, to hold or manipulate a book or to focus or to move the eyes to the extent that would be normally acceptable for reading;
- obliges each contracting party to provide other **limitations or exceptions in its national copyright law** and to confine limitations or exceptions to works which, in the particular accessible format, cannot be obtained commercially under reasonable terms for beneficiary persons in that market;
- provides that accessible format copies made under a copyright limitation or exception may be **exported by 'authorised entities'**, defined as public institutions or other non-profit organisations, services in education, instructional training, adaptive reading or access to information for the blind, visually impaired or otherwise print disable. These entities shall ensure that the distribution of copies in an accessible format beneficiaries is limited, discourages the reproduction, distribution and availability of unauthorised copies, as well as exercising due diligence in handling copies of works and to keep a record of this management;
- clarifies that to the extent that a contracting party authorises a beneficiary or an authorised entity to make an accessible format copy of work, it shall also authorise the **import** of such copies;
- also requires contracting parties to **protect the privacy** of beneficiary persons and to cooperate to facilitate the cross-border exchange of accessible format copies.

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 implement the Union's obligations under the Marrakesh Treaty.

The effective date of becoming a party to the Marrakesh Treaty is three months from the date on which the deposit of the instrument of ratification or accession with the Director-General of WIPO has taken place. 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.

The deposit of the instrument of ratification shall take place on 12 July 2018.

ENTRY INTO FORCE: 15.2.2018.

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

2014/0297(NLE) - 18/01/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 594 votes to 8, with 25 abstentions, a legislative resolution on the draft Council decision on the conclusion on behalf of the European Union of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled.

Parliament **gave its consent** to the conclusion of the Marrakesh Treaty.

The purpose of the treaty, adopted on 27 June 2013, is to facilitate the access for persons with visual impairments and other print disabilities to works in accessible format, all the while protecting the rightholders.