



## MARRAKESH TREATY ENTERS INTO FORCE IN LESS THAN THREE MONTHS' TIME, BUT EUROPE'S STILL NOT ON BOARD

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EBLIDA warmly welcomes Canada's ratification of the **WIPO Marrakesh Visually Impaired Persons Treaty 2013** which means that now that 20 countries have ratified or acceded to the Treaty, it shall enter into force on 30 September 2016.<sup>1</sup>

Marrakesh is a **human rights treaty**, *the first international treaty in favour of copyright users*, in this case **visually impaired and other reading disabled persons' right to read**, including to study or do research and otherwise use copyright materials, on the same basis as everyone else. The Treaty aims to do away with many of the copyright restrictions that have done much to create a **book famine** for visually impaired people resulting from market failure in the supply of accessible format copies of reading materials, either for sale from publishers and booksellers or, due to copyright laws, through library and archive services, despite the technologies available to facilitate accessibility in the digital age. It is estimated that in developed countries only 5 to 7% of published books are available in accessible formats; reducing to just 1% in developing countries, home to the majority of the world's visually impaired people.<sup>2</sup> Additionally, most people, even in the world's richest countries, suffer some degree of serious visual impairment in old age.

Marrakesh establishes a norm for minimum copyright exceptions for visually impaired or other reading disabled persons. It also allows authorised entities (libraries, archives and charities, etc.) creating accessible copies of works, to develop non-profit global distribution systems between the Treaty's member states. The export of accessible format works will make the written word much more accessible for visually impaired and other reading disabled people throughout the world, including for those who require foreign language materials or who live in developing countries.

The first 20 countries to ratify or accede the Treaty were India, El Salvador, United Arab Emirates, Mali, Uruguay, Paraguay, Singapore, Argentina, Mexico, Mongolia, Republic of Korea, Australia, Brazil, Peru, Democratic People's Republic of Korea, Israel, Chile, Ecuador, Guatemala and Canada.

Three years have passed since adoption by WIPO, yet *not one European country has ratified or acceded to the Treaty*. EU and EEA member states do have national copyright exceptions for the benefit of disabled people, but they *do not include cross-border sharing of accessible format copies*, a vital component of the Treaty. The EU and the 15 of its member states that had also signed the Treaty in 2013, as well as the rest of Europe's states, have not given due priority to the world's visually impaired people's right to read, also ignoring the needs of their own citizens for cross-border supply of accessible formats. However, we note that the European Commission committed in 2015<sup>3</sup> to include ratification of the Treaty in its copyright package expected in September this year **and expect the Commission to fulfil its promise and push through the legislation at all speed**.

EBLIDA calls upon European countries, especially the EU and member states, to do the right thing and implement the Marrakesh Treaty in the coming year without further delay. Europe's libraries and archives hold vast collections of written materials in many languages spoken throughout the world and their potential role in defeating the book famine is crucial - if only they could already be doing so now...

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<sup>1</sup> See the [World Blind Union](#) and [WIPO](#) press releases and video messages from WIPO Director General [Francis Gurry](#) and [Chris Friend](#), Technical Advisor to World Blind Union on Marrakesh Treaty.

<sup>2</sup> See Low, Marcus: *Dancing and tears greet book treaty for blind*, GroundUp 3 July 2013.  
<http://www.groundup.org.za/article/dancing-and-tears-greet-book-treaty-blind/>

<sup>3</sup> [http://europa.eu/rapid/press-release\\_IP-15-6261\\_en.htm](http://europa.eu/rapid/press-release_IP-15-6261_en.htm)