



Bruxelles, le 22 mars 2017

Nos références : 2017- Marrakesh Treaty- VDE
Votre correspondant : Véronique Duchenne

Objet : Marrakesh Treaty

Dear Ambassador before the European Union:

We are writing to express our great concern and dismay over the Presidency compromise proposals to Com(2016) 596¹ that will be considered today in the COREPER. If these proposals prospered, especially with regards to the proposed changes to "Recital 11" of the Directive as tabled by the European Commission, the human rights objectives of the Marrakesh Treaty would be severely jeopardized. Representatives of millions of visually-impaired persons in Europe and around the world are requesting that you withdraw these proposals that could have fatal consequences on ending the "book famine" and the cross-border sharing of texts in accessible formats which are the motivations behind the Marrakesh Treaty and the UN Convention on the Rights of Persons with Disabilities (Article 21).

The introduction by EU Member States of rightsholders compensation laws and/or commercial availability as proposed by the abovementioned Council compromise proposals would create legal uncertainty for cross-border exchange, greater administrative burdens, greater costs and a chaotic regulatory situation between EU country legislations concerning the access to culture and education by blind and other print-disabled persons. On the contrary, successful implementation of the Marrakesh Treaty needs simple and user-friendly EU harmonization of the application of this exception to copyright.

*In contrast, we would like to express our total support for the proposal of the European Commission (Recital 11) that is also supported by the majority of the European Parliament **"that Member States should not be allowed to impose additional requirements for the application of the exception such as compensation schemes or the prior verification of commercial availability of accessible format copies."***



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We consider this a "make or break" issue to achieve positive EU legislation for visually-impaired persons.

The Marrakesh Treaty will only be successful in ending the "book famine" of the visually impaired persons if it is implemented by the EU without additional barriers or burdens. We are confident that you understand the objectives of the Treaty and will act accordingly to make this EU legislation simple, efficient and fair.

We are at your disposal to meet in Brussels to discuss these issues at the earliest possible date.

Thank you very much,

Gisèle MARLIÈRE
Secrétaire générale

Pierre GYSELINCK
Président