

**Abstract**

**The Adoption of the Marrakesh Treaty to Facilitate  
Access to Published Works for Persons Who Are  
Blind, Visually Impaired, or Otherwise Print Disabled  
and its Significance**

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According to the World Health Organization, there are over 314 million blind and visually impaired persons in the world, 90 percent of whom live in developing countries. But only 54 countries have limitation and exception clauses in their copyright laws that can specially provide braille, large print etc. for the visually impaired persons. In this context, the “book famine” remains a reality because less than 5 percent of the books published every year in the world are available in formats accessible to visually impaired persons. Everyone has the right to freedom of expression and to dissemination of information and thought beyond the national boundary. Even so, there is still a strong barrier to prevent the visually impaired persons from accessing to the works and the obstacle acts as a fetter that bans them from enjoying culture and taking part in a society. We are faced with the pitiable reality.

It is welcome that the new solution in the field of copyright was tried to address such a book famine. In a city of Marrakesh of Morocco, on June 27 2013, the World Intellectual Property Organization and its Member States adopted the “Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or Otherwise Print Disabled.” The goal of this treaty is to improve the copyright system by eliminating the barriers in order to ensure equal access to works for visually impaired persons compared to normal persons. With this treaty adopted, we can anticipate the improvement of reading environment for the visually impaired persons and the facilitation of cross-border exchange of the materials among countries using the same language.

This paper is designed to review the background on which this Marrakesh Treaty was adopted and to consider the importance of this treaty as the first treaty concerning limitations and exceptions in the field of copyright. In addition, it takes a look at the main contents including beneficiary persons, the range of works, national law limitation and exception, cross-border exchange, the relationship between technological measure, 3-step test and the treaty. In conclusion, it is aimed at finding our counterplan in connection with the implementation of this treaty.

### **Keywords**

WIPO, Marrakesh Treaty, Visually Impaired Person, Authorized Entity, Accessible Format, Technological Measure, 3 Step Test, Limitation and Exception, Berne Convention, WCT, WPPT, TRIPs

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