11/23/2017 Events

The Parliament of the Republic of Moldova voted in two readings today, November 23, the draft Law on the Ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, adopted in Marrakesh, Morocco, on June 27, 2013, at the Diplomatic Conference.

The need for ratification of the Treaty by the Republic of Moldova stems from its commitments under the World Intellectual Property Organization (WIPO) as well as from the obligations of the Contracting Parties under existing international treaties on the protection of copyright, taking into account the importance ensuring facility of effective and timely access to works for persons who are visually impaired or otherwise print disabled.

The topical interest of the Treaty is that, taking into account the principles of non-discrimination, equal opportunities, accessibility, participation and full and effective integration in society, proclaimed in the Universal Declaration of Human Rights and the United Nations Convention on the Rights of Persons with Disabilities, it emphasizes the importance the legal protection of copyright as an incentive and reward for literary and artistic creations and the enhancement of the possibilities for all persons, including those who are visually impaired or otherwise print disabled, to participate in the cultural life of the community, to enjoy art and to share scientific advances and their benefits by establishing appropriate limitations and exceptions to facilitate access to and use of works by targeted persons, especially when the market is not able to provide this access, given that most persons with disabilities live in developing countries and least developed countries.

This Treaty directly regulates legal protection by granting facilities to certain categories of persons, as well as establishes rules on beneficiaries of protection, limitations and exceptions in national legislation on accessible format copies of works, the role of responsible entities in the field, technological protection measures, and cooperation to facilitate cross-border exchange of accessible format copies of works.

Thus, by means of the respective Treaty, the Republic of Moldova undertakes the obligation to offer equal opportunities to all persons, to recognize and respect the rights of persons with disabilities, to benefit from measures to ensure their social and professional integration, and in this case we have the need for special rules that would favor beneficiary persons without being deprived of the right to access information, taking into account the main rights and obligations that the Treaty gives rise to, as well as the regulatory, institutional and organizational aspects of the impact assessment to the Treaty.

An important moment of the Treaty is the role assigned to authorized entities for the cross-border exchange of copies in accessible format, which may be both non-commercial and state organizations specifically authorized or recognized by the governmental authority to provide access to papers/works only for educational, training and informational purposes, that is not-for-profit, to beneficiary persons.

It is worth mentioning that as such entities are usually presented the libraries, as these institutions provide the services to persons with disabilities, being the main source of the works in the special Braille language, as well as those printed in large, audio, electronic and other formats using technical assistance means.

At the same time, ensuring the implementation of the necessary measures in this respect is to be exercised within the existing national system and practices.

At the same time, the Treaty will have a positive impact on the subjects of the national intellectual property system and on the social-political situation in the Republic of Moldova.


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