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**Interinstitutional File:**  
**2014/0297 (NLE)**

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PI 105

**'I/A' ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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No. prev. doc.: 12013/17  
No. Cion doc.: 14617/14 PI 117

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Subject: Proposal for a 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  
- Request by the Council for the consent of the European Parliament

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1. On 14 April 2014, the Council adopted its decision on the signing of the Marrakesh Treaty<sup>1</sup>.
2. On 21 October 2014, the Commission submitted to the Council a proposal for a 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<sup>2</sup>.
3. On 17 July 2015, the Commission requested the opinion of the Court of Justice regarding the Union competence to conclude the Marrakesh Treaty and the proposal was therefore put on hold pending its opinion.

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<sup>1</sup> O.J. L115/1

<sup>2</sup> Doc. 14617/14.

4. On 14 February 2017, the Court of Justice delivered its opinion<sup>3</sup> concluding that the Union has an exclusive competence to conclude the Marrakesh Treaty.
5. On 13 September 2017, the EU adopted a Directive<sup>4</sup> and a Regulation<sup>5</sup> aiming at bringing Union law into line with the EU's international commitments under the Marrakesh Treaty to facilitate access to published works for persons who are blind, visually impaired or otherwise print disabled.
6. At its "attachés" meeting on 22 September, the working party on Intellectual Property reached an agreement on an revised text of the proposal for a 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<sup>6</sup>, subject to its finalisation by the legal-linguistic experts.
7. The Permanent Representatives Committee is therefore invited to recommend to the Council to forward the draft Decision on conclusion as set out in 12629/17 PI 109 to the European Parliament for its consent under the "A" items of one of its forthcoming meetings.

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<sup>3</sup> Opinion of 14 February 2017 of the Court of Justice, 3/15, ECLI:EU:C:2017:114.

<sup>4</sup> O.J. L 242/6.

<sup>5</sup> O.J. L 242/1.

<sup>6</sup> Doc. 12013/17