

Max Andersson, MEP

Dear Minister Heiko Maas
Dear Minister Monika Grütters

Thank you very much for the interest expressed in your January 11th letter concerning the legislation being considered by the European Parliament for the implementation of the WIPO Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

With regards to your proposal to include a provision in Proposed Directive Com(2016) 596 to allow publishers to claim a share of remuneration in the case of exceptions and limitations of copyright, we would like to point out that while we do understand your point of view we consider the amendment you propose as outside of the scope of the Marrakesh Directive which is framed in present EU legislation, the Information Society Directive (2001/29/EC).

The “article 12” that you suggest is a part of the proposed Directive on Copyright in the Digital Single Market (COM 2016/593) that has not yet been considered by the European Parliament and constitutes of a much broader scope of copyright legislation. In turn, the Directive we are now considering on the implementation of the Marrakesh Treaty is focussed on a very concrete issue of rights for persons with disabilities which, in our opinion, is not the best place to consider more general copyright concerns that will be fully discussed in other debates in the European Parliament. In our opinion the general copyright debate should not condition the content of this legislation nor the swift implementation and ratification of the Marrakesh Treaty by the European Union.

Our interest is to expedite the approval Marrakesh Directive and Regulation as quickly as possible. We fear that the incorporation of an amendment unrelated directly to the needs of visually-impaired persons could delay the co-legislative process or even cause a division of opinions.

Given the specificity and uniqueness of the legislation at hand, we feel it is not convenient nor advisable to add the amendment you have suggested.

Thank you very much for your interest and your understanding.

Best,

MEP Max Andersson (Greens/EFA)