



INTERNATIONAL FEDERATION OF LIBRARY ASSOCIATIONS AND INSTITUTIONS  
FEDERATION INTERNATIONALE DES ASSOCIATIONS DE BIBLIOTHECAIRES ET DES BIBLIOT  
INTERNATIONALE VEREINIGUNG BIBLIOTHEKARISCHER VERBÄNDE UND EINRICHTUNGEN  
FEDERACION INTERNACIONAL DE ASOCIACIONES DE BIBLIOTECARIOS Y BIBLIOTECAS  
МЕЖДУНАРОДНАЯ ФЕДЕРАЦИЯ БИБЛИОТЕЧНЫХ АССОЦИАЦИЙ И УЧРЕЖДЕНИЙ  
国际图书馆协会与机构联合会

الاتحاد الدولي لجمعيات ومؤسسات المكتبات



HE Prayut Chan-o-cha,  
Prime Minister,  
Government House of Thailand,  
1 Phitsanulok Road Dusit,  
Bangkok 10300  
Thailand

Date: 10 December 2018  
Our ref: S3.5/gl/sw  
Subject: Thailand's Implementation of the Marrakesh Treaty

Your Excellency,

We are writing to you from organisations representing libraries around the world working to ensure that people with print disabilities have maximum access to books and other materials.

As organisations supporting the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or Otherwise Print Disabled, we support efforts to encourage ratification and implementation of its provisions into national law.

We therefore strongly welcome your government's amendments to the Copyright Act, adopted on 11 November 2018<sup>1</sup> to facilitate Thailand's accession to the Marrakesh Treaty. The amendments uphold the rights of persons with disabilities in Thailand for equal access to printed works on the same basis as others, and offer exciting new possibilities for libraries to make and share works in accessible formats, in accordance with the Treaty.

We are delighted that the Thai government has taken a positive and disability-friendly approach in implementing Marrakesh Treaty provisions into national law, in contrast to requests from certain international rightsholder groups that sought to impose conditions<sup>2</sup> that, in our view, run entirely contrary to the spirit and letter of the Treaty.

We would highlight in particular the importance of facilitating the work of 'authorised entities' (such as libraries), and the fact that there is absolutely no obligation to introduce a so-called commercial availability check before an accessible format copy may be made. We also support the Agreed Statement to Article 9 of the Treaty, which underlines that there should be no obligation for libraries or other authorised entities to register in order to avail of Treaty provisions.

We also welcome steps to ensure that authorised entities can may exchange accessible format books with entities in other countries, as mandated by the Treaty. Indeed, cross-border exchange is a key means of fulfilling its objectives to help end the 'book famine'.

In addition, the Marrakesh Treaty permits members to retain and expand provisions protecting persons with disabilities other than those mandated by the treaty, such as deaf people, who are also prevented from accessing works to substantially the same degree as a person without the disability. Therefore we favour efforts to include people with any form of disability – and many other countries have availed of this flexibility.



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We look forward to when Thailand joins more than 70 WIPO member states expected to have embraced the treaty in January 2019. We believe that Thailand can be a model for the region in its national implementation. In order to help, we would be more than happy to work with local experts to produce a Thai version of 'Getting Started. Implementing the Marrakesh Treaty for persons with print disabilities. A practical guide for librarians'.

Yours sincerely,

Gerald Leitner  
Secretary General,  
International Federation of Library Associations  
and Institutions

Rima Kupryte  
Director  
EIFL

1. Copyright Act (No. 4) B.E. 2561 (2018)

2. Joint letter to the Prime Minister of Thailand regarding the Thai Copyright Act,  
16 August 2018:

[http://www.ifrro.org/sites/default/files/joint\\_letter\\_thailand\\_new\\_exception\\_copyright\\_act\\_10-08-18.pdf](http://www.ifrro.org/sites/default/files/joint_letter_thailand_new_exception_copyright_act_10-08-18.pdf)