

**Ukraine
and the Marrakesh Treaty for persons with print disabilities**

[Ukraine acceded to the Marrakesh Treaty for persons with print disabilities](#) on June 8, 2023. The treaty enters into force in Ukraine on September 8, 2023.

Further, on 20 March 2023, the Parliament of Ukraine adopted copyright law amendments implementing the Marrakesh Treaty into national law.

Therefore, authorized entities such as libraries, can start to use the Marrakesh Treaty to make accessible format copies, and to distribute these copies for the benefit of people with print disabilities in Ukraine. They can also send and receive accessible format copies to and from libraries, and directly with beneficiaries, in other Marrakesh countries.

Below is an extract from the copyright law of Ukraine implementing the Marrakesh Treaty – Article 23 Free use of a work for the benefit of persons with print disabilities (unofficial translation, the original version in Ukrainian is [here](#)).

EXTRACT FROM

THE LAW OF UKRAINE

About copyright and related rights

{With changes introduced in accordance with the Laws No. 2849-IX dated 13.12.2022 No. 2974-IX dated 03.20.2023}

This Law regulates relations regarding the acquisition, exercise and protection of copyright and/or related rights, as well as sui generis rights related to the field of copyright and/or related rights.

Article 23. Free use of a work for the benefit of persons with print disabilities

1. Without the permission of the copyright holders and free of charge, but taking into account the second and fifth parts of this article, it is allowed to use copies of a work in an accessible format for persons with print disabilities in the following ways:

1) reproduction, distribution, making available;
forwarding electronic copies on a network exclusively for
persons with print disabilities over wire or wireless
means;

2) translation of a work for the purpose of making copies
of works in an accessible format for persons with print
disabilities;

3) hire of copies (copies) of the work in an accessible
format for persons with print disabilities;

4) import of copies of works in accessible format.

2. Use of the work in the ways provided for in the first
part of this article is allowed through an authorized
entity (institution, organization), which in accordance
with legislation provides education, training, organizes
educational and learning process, provides specialized
services for adaptive reading and access to information
for people with print disabilities. Authorized entities
can also be a government agency or non-profit
organization that provides similar services to persons
with print disabilities as one of its primary activities
or institutional obligations.

Use of the work in the ways provided for in the first
part of this article is allowed
subject to the following conditions:

1) the authorized entity which intends to carry out the
specified actions has legal access to a copy of the
work;

2) a copy of the work in an accessible format and/or
devices, computer programs intended for use of this copy
by persons with print disabilities may include any means
necessary for navigation of the work in an accessible
format but without making changes to the work except for
those needed to ensure access to the work for persons
with print disabilities (typho-commenting etc);

3) a copy of the work in an accessible format is provided
for use exclusively by persons with print disabilities;

4) the actions provided for in clauses 1-3 of this part do not have an independent economic effect value;

5) the authorized entity takes appropriate measures, including the use of technological protection measures, in order to limit further reproduction, distribution and making available of relevant works, copies of which are provided to persons with print disabilities.

3. Without the permission of the copyright holders and free of charge to authorized entities, it is allowed to make available copies of works in an accessible format exclusively to persons with print disabilities and/or institutions that provide similar services to such persons, in another country, provided that such a copy will be used exclusively for the use of beneficiary persons.

4. Accessible format copy - a copy of the work in an alternative manner or form which gives a beneficiary person the same real and convenient access to a work as a person without visual impairment or other print disability. The accessible copy is used exclusively by beneficiary persons, and it must ensure the integrity of the original work, taking due consideration of the changes necessary to make the work available in an alternative format, and the accessibility needs of the person with print disability.

5. Lawfully produced copies of works in an accessible format must contain information about the name of the author and the source, as well as an inscription that their use is intended exclusively for persons with print disabilities.