

Preparatory Committee of the Diplomatic Conference to Conclude a Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities

Geneva, December 17 to 18, 2012

DRAFT ADMINISTRATIVE PROVISIONS AND FINAL CLAUSES OF THE TREATY TO BE CONSIDERED BY THE DIPLOMATIC CONFERENCE

prepared by the Secretariat

PRESENTATION OF THE PROVISIONS

The proposed administrative provisions and final clauses are modeled on the corresponding provisions of the Beijing Treaty on Audiovisual Performances, adopted on June 24, 2012, as the most recent and relevant expression of the will of the Member States of WIPO with respect to such provisions in international legal instruments.

Draft

Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with
Print Disabilities

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Assembly

(1) (a) The Contracting Parties shall have an Assembly.

(b) Each Contracting Party shall be represented in the Assembly by one delegate who may be assisted by alternate delegates, advisors and experts.

(c) The expenses of each delegation shall be borne by the Contracting Party that has appointed the delegation. The Assembly may ask WIPO to grant financial assistance to facilitate the participation of delegations of Contracting Parties that are regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations or that are countries in transition to a market economy.

(2) (a) The Assembly shall deal with matters concerning the maintenance and development of this Treaty and the application and operation of this Treaty.

(b) The Assembly shall perform the function allocated to it under Article [...] in respect of the admission of certain intergovernmental organizations to become party to this Treaty.

(c) The Assembly shall decide the convocation of any diplomatic conference for the revision of this Treaty and give the necessary instructions to the Director General of WIPO for the preparation of such diplomatic conference.

(3) (a) Each Contracting Party that is a State shall have one vote and shall vote only in its own name.

(b) Any Contracting Party that is an intergovernmental organization may participate in the vote, in place of its Member States, with a number of votes equal to the number of its Member States which are party to this Treaty. No such intergovernmental organization shall participate in the vote if any one of its Member States exercises its right to vote and vice versa.

(4) The Assembly shall meet upon convocation by the Director General and, in the absence of exceptional circumstances, during the same period and at the same place as the General Assembly of WIPO.

(5) The Assembly shall endeavor to take its decisions by consensus and shall establish its own rules of procedure, including the convocation of extraordinary sessions, the requirements of a quorum and, subject to the provisions of this Treaty, the required majority for various kinds of decisions.

[End of Article [...]]

Article [...]

International Bureau

The International Bureau of WIPO shall perform the administrative tasks concerning the Treaty.

[End of Article [...]]

Article [...]

Eligibility for Becoming Party to the Treaty

- (1) Any Member State of WIPO may become party to this Treaty.
- (2) The Assembly may decide to admit any intergovernmental organization to become party to this Treaty which declares that it is competent in respect of, and has its own legislation binding on all its Member States on, matters covered by this Treaty and that it has been duly authorized, in accordance with its internal procedures, to become party to this Treaty.
- (3) The European Union, having made the declaration referred to in the preceding paragraph in the Diplomatic Conference that has adopted this Treaty, may become party to this Treaty.

[End of Article [...]]

Article [...]

Obligations under the Treaty

Subject to any specific provisions to the contrary in this Treaty, each Contracting Party shall assume all of the obligations under this Treaty.

[End of Article [...]]

Article [...]

Signature of the Treaty

This Treaty shall be open for signature at the headquarters of WIPO by any eligible party for one year after its adoption.

[End of Article [...]]

Article [...]

Entry into Force of the Treaty

This Treaty shall enter into force three months after 20 eligible parties referred to in Article [...] have deposited their instruments of ratification or accession.

[End of Article [...]]

Article [...]

Effective Date of Becoming Party to the Treaty

This Treaty shall bind:

- (i) the 20 eligible parties referred to in Article [...], from the date on which this Treaty has entered into force;
- (ii) each other eligible party referred to in Article [...], from the expiration of three months from the date on which the State has deposited its instrument of ratification or accession with the Director General of WIPO;

[End of Article [...]]

Article [...]

Denunciation of the Treaty

This Treaty may be denounced by any Contracting Party by notification addressed to the Director General of WIPO. Any denunciation shall take effect one year from the date on which the Director General of WIPO received the notification.

[End of Article [...]]

Article [...]

Languages of the Treaty

(1) This Treaty is signed in a single original in English, Arabic, Chinese, French, Russian and Spanish languages, the versions in all these languages being equally authentic.

(2) An official text in any language other than those referred to in paragraph (1) shall be established by the Director General of WIPO on the request of an interested party, after consultation with all the interested parties. For the purposes of this paragraph, "interested party" means any Member State of WIPO whose official language, or one of whose official languages, is involved and the European Union, and any other intergovernmental organization that may become party to this Treaty, if one of its official languages is involved.

[End of Article [...]]

Article [...]

Depositary

The Director General of WIPO is the depositary of this Treaty.

[End of Article [...] and of document]