

VIP/PM/6 PROV  
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## **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 18, 2012**

### **DRAFT REPORT**

*prepared by the Secretariat*

## **I. INTRODUCTION**

1. The meeting of the 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 (hereinafter referred to as "the Preparatory Committee") was held in Geneva on December 18, 2012.
2. The following States Members of WIPO were represented at the meeting:  
  
Afghanistan, Algeria, Armenia, Australia, Barbados, Belarus, Belgium, Benin, Brazil, Bulgaria, Burundi, Canada, Chile, China, Colombia, Congo, Costa Rica, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, El Salvador, Egypt, Ethiopia, Finland, France, Georgia, Germany, Greece, Hungary, India, Indonesia, Ireland, Iran (Islamic Republic of), Israel, Italy, Japan, Kenya, Libya, Lithuania, Luxembourg, Malaysia, Maldives, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nigeria, Panama, Peru, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Serbia, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia (86).
3. The European Union also participated in the meeting in an observer capacity.

## **II. ELECTION OF A CHAIR AND TWO VICE-CHAIRS**

4. The Preparatory Committee unanimously elected Mr. Darlington Mwape (Zambia) as President and Ms. Gunseli Güven (Turkey) and Ms. Deng Yuhua (China) as Vice-Presidents. Mr. Edward Kwakwa, Legal Counsel, acted as Secretary to the Preparatory Committee.

## **III. ADOPTION OF THE AGENDA**

5. The draft Agenda, as contained in document VIP/PM/1 Prov., was unanimously adopted.
6. Discussions were based on documents VIP/PM/2, VIP/PM/3, VIP/PM/4 and VIP/PM/5.

## **IV. CONSIDERATION OF DRAFT ADMINISTRATIVE PROVISIONS AND FINAL CLAUSES OF THE TREATY TO BE CONSIDERED BY THE DIPLOMATIC CONFERENCE**

7. The Draft Administrative Provisions and Final Clauses of the Treaty to be considered by the Diplomatic Conference were approved after amendment or bracketing for further discussion:
  - Page 5: Article [...] Eligibility for Becoming Party to the Treaty (1) ADD WITH BRACKET AFTER "ANY MEMBER STATE OF WIPO": "that is also a Member of the Berne Union or a party to the Agreement on Trade-related aspects of Intellectual Property Rights (TRIPs).
  - Page 6: Article [...] Obligations under the Treaty INSERT IN THE TITLE: "rights and" immediately before the word "obligations".
  - Page 6: Article [...] Obligations under the Treaty BETWEEN "SHALL" AND "ASSUME" INSERT THE WORDS: "enjoy all the rights and".

- Page 8: Article [...] Entry into Force of the Treaty, the figure [20] as well as the word [parties] TO BE BRACKETED.
- Page 9: Article [...] Effective Date of Becoming Party to the Treaty, SAME BRACKETS as on page 8 for the figure [20] and the word [parties]. In paragraph (ii) REPLACE “the State” WITH: “it”.

## **V. CONSIDERATION OF DRAFT RULES OF PROCEDURE OF THE DIPLOMATIC CONFERENCE**

8. The Draft Rules of Procedure of the Diplomatic Conference were approved after:

- BRACKETING Rule 1(1):

“The objective of the Diplomatic Conference to Conclude a Treaty [to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities] (hereinafter referred to as “the Conference”) is to conclude the [Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities] (hereinafter referred to as “the Treaty”) pursuant to the mandate contained in the General Assembly document (WO/GA/42/...).”

A proposal was made to replace the bracketed title of the Treaty using the terminology of paragraph 1 of the Decision of the Extraordinary General Assembly.

- REPLACING IN RULE 13(2) Drafting Committee “12” WITH “15”.

## **VI. CONSIDERATION OF THE LIST OF INVITEES TO THE DIPLOMATIC CONFERENCE AND THE TEXTS OF THE DRAFT LETTERS OF INVITATION**

9. The draft list of invitees and invitation letters were approved as proposed, with the understanding that Member Delegations could provide additional names of organizations that were not included in Document VIP/PM/4 to the WIPO Secretariat. The following organizations were provided to the Secretariat for inclusion in the list of invitees: National Federation of the Blind; Chief Officers of the State Library Agencies; American Library Association; Association of Research Libraries; Association of College and Research Libraries; and, International Group of Scientific, Technical and Medical Publishers (STM).

## **VII. CONSIDERATION OF THE AGENDA, DATES, VENUE AND OTHER ORGANIZATIONAL QUESTIONS OF THE DIPLOMATIC CONFERENCE**

10. DATES, VENUE AND OTHER ORGANIZATIONAL QUESTIONS

The Preparatory Committee welcomed and accepted the generous offer of the Government of the Kingdom of Morocco to host the Diplomatic Conference in Marrakech, Morocco. The Preparatory Committee also agreed that the Diplomatic Conference shall be held between June 16 and 30, 2013.

11. The Delegations unanimously adopted the Agenda for the Diplomatic Conference.

## VIII. ADOPTION OF THE REPORT

12. The Delegations unanimously adopted the Draft Report.

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