

**Nigeria Proposal to the Africa Group Addressing the
Berne Gap and Concerns raised by the US
Presented on June 22, 2013, AM Session**

Any Contracting Party which is not a member of the Berne Convention/relevant international treaties and which, upon becoming a member if this treaty permits its authorized entities to re-distribute accessible format copies received pursuant to Article D shall ensure, consistent with its own legal system and practices, that it does so only in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author/right holder. This obligation is without prejudice to the rights and obligations regarding exceptions and limitations contained in the Berne Convention and the WCT, and shall not establish an obligation for a Contracting Party/Member State to ratify/accede/join either Treaty.

Alternative:

Nigeria Second Proposal

(Use original AG Proposal of June 20 and add ratification of Berne Convention and WCT)

Any Contracting Party which is not a member of the Berne Convention/WIPO Copyright Treaty and seeks to receive accessible format copies from another Contracting Party under Article D shall ensure, consistent with its own legal systems and practices, that accessible format copies are only re-distributed to other Contracting Parties upon that Contracting Member State's ratification of the Berne Convention and/or WIPO Copyright Treaty.