

## **Standing Committee on Copyright and Related Rights**

**Twenty-seventh Session**  
**Geneva, April 28 to May 2, 2014**

### **PROPOSAL ON A TREATY ON THE PROTECTION OF BROADCASTING AND CABLECASTING ORGANIZATIONS**

*Document presented by the Delegations of Armenia, Azerbaijan, Belarus, Kazakhstan,  
Kyrgyzstan, Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan*

## TITLE

### PREAMBLE

The Contracting Parties,

Desiring to develop and maintain the protection of the rights of broadcasting and cablecasting organizations in a manner as effective as possible,

Recognizing the need to introduce new international rules in order to provide adequate solutions to the questions raised by economic, social, cultural and technological developments,  
Acknowledging the need to take adequate measures to prevent the abuse of the rights granted under this Treaty,

Recognizing the profound impact of technological development on the broadcasting and cablecasting system, including ways and means of broadcasting and cablecasting,

Recognizing the need to maintain a balance between the rights of broadcasting and cablecasting organizations in respect of broadcasts and cablecasts and the larger public interest, particularly in the sphere of education, research and access to information,

Acknowledging the importance of protection and promoting the diversity of cultural expressions, including through public service broadcasting and cablecasting,

Recognizing the freedom of each Contracting Party to take measures to promote the public interest in sectors relevant to its social, economic, scientific and technological developments,

Stressing the need to create conditions that prevent the use of practices that unreasonably restrains trade,

Have agreed as follows:

### ARTICLE 1

#### RELATION TO OTHER CONVENTIONS AND TREATIES

(1) Nothing in this Treaty shall derogate from any obligations that Contracting Parties have to each other under any other treaties, nor shall it prejudice any rights that Contracting Parties have under any other treaties.

(2) Protection granted under this Treaty shall leave intact and shall in no way affect the protection of copyright and related rights in broadcast or cablecast objects. Consequently, no provision of this Treaty may be interpreted as prejudicing such protection.

### ARTICLE 2

#### DEFINITIONS

(1) For the purposes of this Treaty:

(a) "broadcasting organization" means the legal entity that takes the initiative and has the responsibility for the first broadcasting of images or sounds, or of images and sounds or of the representations thereof;

(b) “cablecasting organization” means the legal entity that takes the initiative and has the responsibility for the first cablecasting of images or sounds, or of images and sounds or of the representations thereof;

(c) “reproduction” means making of a copy or copies of a fixation of a broadcast or a cablecast or parts thereof, in any form;

(d) “fixation” means embodiment of images or sounds, or of images and sounds or of the representations thereof, allowing them to perceive, reproduce or communicate through any technical devices;

(e) “rights management information” means information which identifies the broadcasting or cablecasting organization, the broadcast or the cablecast, the holder of any right in the broadcast or the cablecast, or information about the terms and conditions of use of the broadcast or the cablecast, and any numbers or codes that represent such information, when any of these items of information is attached to a copy of a fixation of a broadcast or a cablecast, or appears in connection with the communication of a fixation of a broadcast or a cablecast to the public;

(f) “broadcast” means a signal containing images or sounds or images and sounds or the representations thereof, generated and transmitted by any of the means set forth in paragraph (h) of this Article, by the broadcasting organization or by its order for its expense by another organization or a set of such signals;

(g) “cablecast” means a signal containing images or sounds or images and sounds or the representations thereof, generated and transmitted by any of the means set forth in paragraph (i) of this Article, by the cablecasting organization or by its order for its expense by another organization or a set of such signals;

(h) “broadcasting” means the transmission by wireless for public reception of images or of sounds or of images and sounds or of the representations thereof; as well as transmission by satellite. Transmission by wireless of images or of sounds or of images and sounds or of the representations thereof, which are carried out by encrypted signals is also “broadcasting” if the means for decrypting are provided to the public by the broadcasting organization or with its consent;

(i) “cablecasting” means the transmission by wire, cable, similar to them the means for public reception of images or of sounds or of images and sounds or of the representations thereof;

(j) “public performance” means presentation of a broadcast or a cablecast to the public by technical means, regardless of whether it is perceived in the performance place or elsewhere;

(k) “retransmission” means a transmission of a broadcast or a cablecast by any of the means set forth in paragraphs (h) and (i) of this Article by another broadcasting or cablecasting organization simultaneously receiving such broadcast or cablecast;

(l) “communication to the public” means transmission of a fixation of a broadcast or a cablecast by any of the means referred to paragraphs (h) and (i) of this Article, as well as bringing the fixations of broadcasts or cablecasts to the public in such a way that members of the public may access them from any place and at any time of their own choosing.

(2) For purposes of this Treaty, the terms “fixation”, “broadcasting” and “cablecasting” shall apply mutatis mutandis to the broadcasts and cablecasts and its fixations in the cases provided for in Articles 6 (1), 7 (2) of this Treaty.

### ARTICLE 3 SCOPE OF APPLICATION

The protection granted under this Treaty shall apply to broadcasts and cablecasts and not apply to literary and artistic works or other broadcast or cablecast objects.

### ARTICLE 4 BENEFICIARIES OF PROTECTION

(1) Contracting Parties shall accord the protection granted under this Treaty to broadcasting and cablecasting organizations which are legal entities of other Contracting Parties that meet either of the following conditions:

(a) the headquarters of the broadcasting or cablecasting organization is situated in another Contracting Party;

(b) the broadcasting or the cablecasting is carried out from a transmitter situated in another Contracting Party.

(2) In the case of satellite transmission, the transmitter shall be considered to be situated in the Contracting Party, from which the line with the satellite uplink is sent in a continuous chain of communication leading to the satellite and back to earth.

(3) Notwithstanding paragraph (1) of this Article, the Contracting Party in a notification deposited with the Director General of the World Intellectual Property Organization, may declare that it will provide protection of broadcasts or cablecasts if the headquarters of the broadcasting or cablecasting organization is situated in another Contracting Party and the broadcasting or the cablecasting is carried out from a transmitter that is situated in the same Contracting Party. Such notification is provided simultaneously with the ratification, acceptance or accession, or at any moment thereafter; in the last case, it shall enter into force six months after the date of its receipt.

### ARTICLE 5 NATIONAL TREATMENT

(1) Each Contracting Party shall accord to broadcasting or cablecasting organizations of other Contracting Parties, as defined in Article 4 of this Treaty, the treatment it accords to its own broadcasting and cablecasting organizations in respect of the rights granted under this Treaty.

(2) The obligation provided for in paragraph (1) of this Article does not apply to a Contracting Party to the extent that another Contracting Party makes use of the reservations permitted by Article 13 (2) of this Treaty, nor does it apply to a Contracting Party, to the extent that it has made such reservation.

### ARTICLE 6 PROTECTION FOR BROADCASTING AND CABLECASTING ORGANIZATIONS

(1) Broadcasting and cablecasting organizations shall enjoy the exclusive right of authorizing or prohibiting other persons to carry out:

(a) the fixation of their broadcasts or cablecasts;

(b) the reproduction of fixations of their broadcasts or cablecasts in the following cases:

(i) the fixations of their broadcasts or cablecasts were made without their consent;

(ii) the fixations of their broadcasts or cablecasts, made in accordance with Article 7 of this Treaty, are used for other purposes than those provided for in this article;

(c) the distribution of fixations of their broadcasts or cablecasts, or copies of fixations of their broadcasts or cablecasts, through sale or other transfer of ownership;

(e) the public performance of their broadcasts or cablecasts, or fixations of their broadcasts or cablecasts for commercial purposes;

(f) the broadcasting of fixations of their broadcasts or cablecasts;

(g) the cablecasting of fixations of their broadcasts or cablecasts;

(h) the retransmission of their broadcasts or cablecasts;

(i) the making available to the public fixations of their broadcasts or cablecasts in such a way that members of the public may access them from anywhere and at any time of their own choosing.

(2) Nothing in this Treaty shall affect the freedom of a Contracting Party to determine whether or not the conditions under which the exhaustion of the right in subparagraph (1) (c) of this Article applies after the first sale or other transfer of ownership in the fixation of the broadcast or the cablecast, or a copy of the fixation of the broadcast or the cablecast by authority of the broadcasting or cablecasting organization.

(3) With respect to the acts referred to in subparagraph (1) (e) of this Article, the conditions, under which this right is exercised, can be determined by the legislation of the Contracting Party where protection of this right is claimed provided that such protection is adequate and effective.

(4) Broadcasting and cablecasting organizations shall exercise the rights provided for in paragraph 1 of this Article, within the rights acquired from the artists and authors of broadcast or cablecast literary and artistic works.

## ARTICLE 7 LIMITATIONS AND EXCEPTIONS

(1) Contracting Parties may, in their national legislation, provide for the same kinds of limitations or exceptions with regard to the protection of broadcasting and cablecasting organizations as they provide for, in their national legislation, in connection with the protection of copyright in literary and artistic works.

(2) Without limiting the foregoing, the Contracting Parties may, in their national legislation, provide for limitations or exceptions with respect to the fixations of the broadcasts or cablecasts of short-term use, provided that such fixation is made by another broadcasting or cablecasting organization using its own equipment and for use in its own broadcasts or cablecasts.

(3) Contracting Parties may establish limitations or exceptions to the protection of rights of broadcasting and cablecasting organizations only in certain special cases, provided that such limitations or exceptions shall not conflict with the normal exploitation of the broadcasts and the

cablecasts, and do not unreasonably prejudice the legitimate interests of broadcasting and cablecasting organizations.

#### ARTICLE 8 TERM OF PROTECTION

The term of protection to be granted to broadcasting and cablecasting organizations under this Treaty shall last, at least, until the end of a period of 50 years computed from the end of the year in which the broadcasting or cablecasting were carried out.

#### ARTICLE 9 OBLIGATIONS CONCERNING TECHNOLOGICAL MEASURES

(1) Contracting Parties shall provide adequate legal protection and effective legal remedies against the circumvention of technological measures that are used by broadcasting and cablecasting organizations in connection with the exercise of their rights granted under this Treaty and that restrict acts, in respect of their broadcasts and cablecasts, which are not authorized by the broadcasting and cablecasting organizations or permitted by legislation.

(2) Without limiting the foregoing, the Contracting Parties shall provide adequate legal protection and effective legal remedies against the actions facilitating the circumvention of technological measures used by broadcasting and cablecasting organizations in connection with the exercise of their rights granted under this Treaty and that restrict acts, in respect of their broadcasts and cablecasts that are not authorized by the broadcasting and cablecasting organizations or permitted by legislation.

#### ARTICLE 10 OBLIGATIONS CONCERNING RIGHTS MANAGEMENT INFORMATION

(1) Contracting Parties shall provide adequate and effective legal remedies against any person knowingly performing any of the following acts knowing, or with respect to civil remedies having reasonable grounds to know that it will induce, enable, facilitate, or conceal an infringement of any right covered by this Treaty:

(a) to remove or alter any electronic rights management information without authority of the right holder of a broadcast or a cablecast;

(b) to distribute, import for distribution, communicate to the public of fixations of broadcasts or cablecasts without authority, knowing that electronic rights management information has been removed or altered without authority of the right holder of a broadcast or a cablecast.

#### ARTICLE 11 PROVISIONS ON ENFORCEMENT OF APPLICATION

(1) The Contracting Parties undertake to adopt the measures necessary to ensure the application of this Treaty.

(2) Contracting Parties shall ensure that their legislations provide measures for the enforcement of the rights that enable effective action against any act of infringement of the rights provided under this Treaty, including expeditious remedies to prevent infringements and measures which serve as a deterrent to committing subsequent infringements.

## ARTICLE 12 FORMALITIES

The enjoyment and exercise of the rights provided for in this Treaty shall not be subject to any formality.

## ARTICLE 13 APPLICATION IN TIME

(1) Contracting Parties shall accord the protection granted under this Treaty to fixed broadcasts and cablecasts which exist, and the term of protection of the rights in which has not expired at the time of entry into force of this Treaty for each Contracting Party, as well as to all broadcasts and cablecasts that occur after the entry into force of this Treaty for each Contracting Party.

(2) Notwithstanding the provisions of paragraph (1) of this Article, a Contracting Party may declare in a notification deposited with the Director General of the World Intellectual Property Organization that it will not apply the provisions of Article 6 of this Treaty, or any one or more of those, to the fixed broadcasts and cablecasts that existed at the moment of the entry into force of this Treaty for each Contracting Party. In respect of such Contracting Party, other Contracting Parties may limit the application of the provisions of Article 6 of this Treaty only to broadcasts and cablecasts that occurred after the entry into force of this Treaty for that Contracting Party.

## ARTICLE 14 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 the World Intellectual Property Organization 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 Organization or that are countries in transition to a market economy.

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

(b) The Assembly shall perform the function allocated to it under Article 16 of the Treaty 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 the World Intellectual Property Organization 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 of its Member States exercises its right to vote and vice versa.

(4) The Assembly shall meet in ordinary session upon convocation by the Director General of the World Intellectual Property Organization, and, in the absence of exceptional circumstances, during the same period and in the same place as the General Assembly of the World Intellectual Property Organization.

(5) The Assembly shall endeavor to take its decisions by consensus and establish its 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.

#### ARTICLE 15 INTERNATIONAL BUREAU

The International Bureau of the World Intellectual Property Organization shall perform the administrative tasks concerning the Treaty.

#### ARTICLE 16 ELIGIBILITY FOR BECOMING PARTY TO THE TREATY

(1) Any Member State of the World Intellectual Property Organization 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 Community, 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.

#### ARTICLE 17 RIGHTS AND OBLIGATIONS UNDER THE TREATY

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

#### ARTICLE 18 RESERVATIONS AND NOTIFICATIONS

(1) Subject to provisions of Article 13 (2) of this Treaty, no reservation to this Treaty shall be permitted.



(2) Any notification under Article 13 (2) of this Treaty may be made in instruments of ratification or accession, and the effective date of the notification shall be the same as the date of entry into force of this Treaty with respect to the Contracting Party having made the notification. Any such notification may also be made later, in which case the notification shall have effect three months after its receipt by the Director General of the World Intellectual Property Organization or at any later date indicated in the notification.

#### ARTICLE 19 SIGNATURE OF THE TREATY

This Treaty shall be open for signature at the Diplomatic Conference in \_\_\_\_\_, and thereafter at the headquarters of the World Intellectual Property Organization by any eligible party for one year after its adoption.

#### ARTICLE 20 ENTRY INTO FORCE OF THE TREATY

This Treaty shall enter into force three months after 30 eligible parties referred to in Article 16 of this Treaty have deposited their instruments of ratification or accession.

#### ARTICLE 21 EFFECTIVE DATE OF BECOMING PARTY TO THE TREATY

This Treaty shall bind:

(a) The 30 eligible parties referred to in Article 20 of this Treaty, from the date on which this Treaty has entered into force;

(b) each other eligible party referred to in Article 16 of this Treaty, from the expiration of three months from the date on which it has deposited its instrument of ratification or accession with the Director General of the World Intellectual Property Organization.

#### ARTICLE 22 DENUNCIATION OF THE TREATY

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

#### ARTICLE 23 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 of this Article shall be established by the Director General of the World Intellectual Property Organization 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 the World Intellectual

Property Organization 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.

ARTICLE 24  
DEPOSITARY

The Director General of the World Intellectual Property Organization is the depositary of this Treaty.

[Annex follows]

## ANNEX

### GENERAL NOTES TO THE PROPOSAL OF THE CACEEC MEMBER STATES, (WITH THE EXCEPTION OF GEORGIA), IN RESPECT OF THE PROVISIONS OF THE INTERNATIONAL DRAFT TREATY ON THE PROTECTION OF BROADCASTING ORGANIZATIONS

1. These proposals are worked out with the objective of achieving a consensus on the provisions of the international draft Treaty on the Protection of Broadcasting Organizations.
2. The basis of the proposals – approaches to the protection of the rights of broadcasting and cablecasting organizations which are specific to the countries of the regional group of some countries in the Caucasus, Central Asia and Eastern Europe ( hereinafter – the regional group).

#### *Explanations to the proposal on the title:*

3. Taking into account the results of the discussion at the 26th session of the Standing Committee on Copyright and Related Rights of the World Intellectual Property Organization (hereinafter - SCCR), we considered it reasonable to make amendments to the title of the international draft treaty, presented in document SCCR/24/10 Corr. (hereinafter - the draft), as the following: “Treaty on the Protection of Broadcasting and Cablecasting Organizations”.
4. The Proposed changes in the title of the draft will, on the one hand, make the title of the project in line with the content of the draft.

#### *Explanation to the proposal on the preamble:*

5. The proposal is based on the approaches to the formulation of the preambles in international treaties in the field of related rights. The basis is WIPO Performances and Phonograms Treaty, as well as the Beijing Treaty on Audiovisual Performances adopted in Beijing on June 24, 2012 (hereinafter - the Beijing Treaty).
6. The proposal takes into account the practical absence of provisions of multilateral international treaties that define requirements for the protection of the rights of cablecasting organizations, the active development of ways and means of transmission, as well as the need to maintain a balance between the interests of rights holders in the field of broadcasting and cablecasting, and society in general.

#### *Explanation to the proposal on Article 1 “Relation to Other Conventions and Treaties”:*

7. The proposal takes into account the semantic content of Article 1 of the draft. At the same time, it aims to facilitate the perception of the content of the article and bring the content in line with the terminology used throughout the text of the proposals.

#### *Explanations to the proposal on Article 2 “General Principles”, Article 3 “The Protection and Promotion of Cultural Diversity”, Article 4 “Defense of Competition”:*

8. The provisions contained in Article 2 of Section 3, paragraph (1) of Article 4 of the draft are generic, so they can be transferred to the preamble of the draft.
9. The provisions contained in paragraphs (a) and (b) of Article 3, paragraph (3) of Article 4 of the draft, are absorbed by the content of Article 1 of the draft.

10. The provisions on the possibility of introducing restrictions contained in paragraph (2) of Article 4 of the draft can be included in the Article "Limitations and Exceptions" of the draft.

11. Recognizing the abovementioned, we considered it reasonable to exclude from the draft Articles 2, 3, 4, include in the preamble of the draft the principles contained in them and not reflected in Article 1 "Relation to Other Conventions and Treaties" of the draft.

*Explanations to the proposal on Article 5 of the "Definitions"*

12. Taking into account the results of the discussion at the 26th session of the SCCR, as well as terms and their definitions used in the legislation of the countries of the regional group, proposed definitions of terms used in the draft.

13. The term "pre-broadcast signal" is excluded from the Article according to the legislation of the countries of the regional group the right to broadcasts shall be protected, i.e. broadcasts or cablecasts. Pre-broadcast signal at the same time, exists before the transmission, therefore it is not protected.

14. Instead of the term "signal" referred to in the formulation of the scope of use of the draft, the Article includes "broadcast" and "cablecast" terms. This proposal is based on the provisions of the legislation of the regional group and the Rome Convention.

15. Other definitions of terms have semantic and editorial amendments.

16. Also it is proposed to use of the term "fixation", "broadcasting" and "cablecasting" with the necessary changes to the broadcasts and cablecasts and their fixations accordingly.

*Explanations to the proposal on Article 6 "Scope of Application"*

17. Taking into account the given terminology the provisions of the Article are reduced. It is determined that the right in broadcasts and cablecasts shall be protected according to the draft, but not the broadcast and cablecast objects.

*Explanations to the proposal on Article 7 "Beneficiaries of Protection"*

18. The proposal is based on Article 7 of the draft. At the same time, the proposal consists of paragraphs (1) and (2) of Article 7 of the draft, as paragraph (2) has the excess definition of the legal entity that does not match a given concept.

19. The proposal has editorial and terminological changes due to approaches according to the national legislation of the countries of the regional group.

*Explanation to the proposal on Article 8 "National Treatment"*

20. The proposal is based on an alternative B to Article 8 of the draft. At the same time, the provision of the Article has reservations and editorial amendments.

*Explanations to the proposal on Article 9 “Protection for Broadcasting Organizations”*

21. The proposal is based on the alternatives A and B to Article 9 of the draft. At the same time, the powers of broadcasting and cablecasting organizations in respect of their broadcasts and cablecasts are expanded; there is no possibility to make a reservation by a Contracting Party in respect of noncompliance with obligations demands on the establishment of a positive right to broadcasting or cablecasting.

*Explanations to the proposal on Article 10 “Limitations and Exceptions”*

22. The proposal is based on the alternative B to Article 10 B of the draft. It also takes into account the provisions of the Rome Convention and the Performances and Phonograms Treaty.

*Explanations to the proposal on Article 11 “Term of Protection”*

23. The draft is the embodiment of the next stage of development of the system of legal protection of related rights. In this regard we consider it should have higher standards of legal protection of broadcasts and cablecasts. Taking into account the peculiarities of the legislation of countries of the regional group the Article provides the term of fifty years of protection of rights to these objects.

24. The provisions of the Article also have editorial amendments.

*Explanations to the proposal on Article 12 “Protection of Encryption and Rights Management Information”*

25. The proposal is based on the alternative B1 to Article 12 of the draft.

26. The proposal in comparison with Article 12 of the draft has expanded obligations of the Contracting Parties with respect to technical measures that are used by broadcasting and cablecasting organizations in connection with the exercise of their rights under this Treaty and that restrict acts, in respect of their broadcasts and cablecasts that are not allowed by these organizations or permitted by legislation.

27. Article 12 of the draft has editorial amendments.

*Explanations to the proposal on Article 13 “Obligations Concerning Rights Management Information”*

28. Taking into account the importance of enforcement of the rights management information on the broadcasts and cablecasts including approaches under the Performances and Phonograms Treaty, as well as the Beijing Treaty, the provisions of the draft on obligations in respect of rights management information are written in a separate Article. At the same time they have editorial and terminological amendments. In order to systematize the content of the draft paragraph (2) of Article 13 is moved to Article 5 of the draft “Definitions”. It also has terminological and editorial amendments.

*Explanations to the proposal on Article 14 “Provisions of Enforcement of Rights”*

29. The title of the Article is amended in order to bring it into line with the content of the Article. The provisions of the Article have editorial amendments due to the content of the applicable legal categories. The wording “or violation of any prohibition” is excluded in paragraph (2) of the Article, which is due to the fact that the forming basis of the protection system of rights of broadcasting and cablecasting organizations is a positive right.

*Explanations to the proposal on Article 15 “Formalities”*

30. The Article has editorial amendments taking into account the content of the applicable legal categories.

*Explanation to the proposal on Article 16 “Application in Time”*

31. The provisions of Article are corrected on the basis of the proposed terminology of the draft. The Article also takes into account the term of protection of the rights of broadcasting and cablecasting organizations having a value for determination of the scope of broadcasts and cablecasts, which fall under the draft.

*Explanations to the proposal on the final provisions*

32. Final provisions are formulated similarly to the Beijing Treaty and the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who are Blind and Visually Impaired or Otherwise Print disabilities adopted in Marrakesh June 27, 2013.

33. Final provisions are formulated to give the draft integrity.

[End of annex and document]