

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

**DIPLOMATIC CONFERENCE
ON
CERTAIN COPYRIGHT AND NEIGHBORING RIGHTS QUESTIONS**

Geneva, December 2 to 20, 1996

AMENDMENT TO ARTICLE 16 IN DRAFT TREATY N° 1 AND
TO ARTICLE 27 IN DRAFT TREATY N° 2

proposed by the Delegation of Jamaica

It is proposed that Article 16 and the Annex of Draft Treaty N° 1, and Article 27 and the Annex of Draft Treaty N° 2, be amended as follows:

- (i) delete Articles 16 and 27 in their present form;
- (ii) delete the Annex in both Draft Treaties;
- (iii) replace Articles 16 and 27 by the following provision adopted from Article 1(1) of each Annex and modified as follows:

“Contracting Parties shall ensure that enforcement procedures are available under their laws so as to permit effective action against any act of infringement of rights covered by this Treaty, including expeditious remedies to prevent infringements and remedies which constitute a deterrent to further infringements.”

It is felt that this proposed provision is sufficient to impose a general obligation on Contracting Parties with respect to enforcement, at the same time leaving implementation to national laws.

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