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GROUP OF EXPERTS ON THE INTERNATIONAL PROTECTION OF
EXPRESSIONS OF FOLKLORE BY INTELLECTUAL PROPERTY

(Unesco House, 10-14 December 1984)

REPORT

22 JAN. 1985

I. INTRODUCTION

1. In accordance with the decisions adopted by the General Conference of Unesco at its twenty-second session (October-November 1983) and the Governing Bodies of WIPO at their fourteenth series of meetings in October 1983, the Secretariat of Unesco and the International Bureau of WIPO (hereinafter referred to as 'the Secretariats') jointly convened a 'Group of experts on the international protection of expressions of folklore by intellectual property' (hereinafter referred to as 'the Group of Experts'), which met at Unesco Headquarters in Paris from 10 to 14 December 1984.

2. Under its terms of reference, the Group of Experts was asked to consider the need for a specific international regulation on the international protection of expressions of folklore by intellectual property and the contents of an appropriate draft.

3. The experts, invited in their personal capacity, were nationals of the following twelve countries: Australia, Bolivia, Burkina-Faso, Finland, Ghana, Hungary, India, Mexico, Philippines, Tunisia, the Union of Soviet Socialist Republics and the United States of America.

4. States Parties to the Berne Convention for the Protection of Literary and Artistic Works or to the Universal Copyright Convention were invited to attend the proceedings of the Group of Experts. Delegations from the following eighteen States were present at the meeting: Australia, Belgium, Brazil, Congo, Egypt, Finland, France, Haiti, the Holy See, Israel, Italy, Kenya, Senegal, Spain, Sweden, Tunisia, Turkey and the United States of America.

5. Observers from two intergovernmental organizations and eleven international non-governmental organizations also attended the meeting.

6. A list of participants is annexed to this report.

II. OPENING OF THE MEETING

7. On behalf of the Director-General of Unesco, Mr H. Lopes, Assistant Director-General for Programme Support, opened the meeting and welcomed the participants. On behalf of the Director-General of WIPO, Mr G. Boytha,

Director of the Copyright Law Division, also welcomed the participants and thanked Unesco for having agreed to host the meeting.

III. ELECTION OF OFFICERS

8. On the proposal of Mrs M.A. Voronkova (USSR), seconded by Mr V.C. Garcia Moreno (Mexico), Mr S. El Mahdi (Tunisia) was unanimously elected Chairman of the Group of Experts.

IV. PRESENTATION OF DOCUMENTS

9. The participants had at their disposal document UNESCO/WIPO/FOLK/GEI.1/2, which was presented by the Secretariats.

10. A second document, UNESCO/WIPO/FOLK/GEI.1/3, with an annex containing a communication which the Permanent Delegation of the Federal Republic of Germany to Unesco had forwarded to the joint Secretariat of the meeting, was also placed at the disposal of the participants.

11. The participants were unanimous in acknowledging the quality of the studies that had been submitted and congratulated the Secretariats on the preparation of the working documents.

V. DEBATE

12. The discussions reflected a general recognition of the need for international protection of expressions of folklore, in particular with regard to the rapidly increasing uncontrolled use of such expressions by means of modern technology, beyond the limits of the country of the community in which they originate.

13. A number of participants supported the idea of preparing an international multilateral treaty on the protection of expressions of folklore, on a sui generis basis of safeguarding intellectual property. Several participants stressed that the draft text prepared by the Secretariats is a good starting point to this end.

14. Several participants considered it premature to establish an international treaty since there was not sufficient experience available as regards the protection of expressions of folklore at the national level, in particular concerning the implementation of the Model Provisions for National Laws on the Protection of Expressions of Folklore Against Illicit Exploitation and Other Prejudicial Actions, adopted in 1982 by a Committee of Governmental Experts. Other participants, however, referred to the inadequacy of the efforts aiming at the application of copyright protection to such expressions and to the fact that there was sufficient evidence as to the need for an international protection of expressions of folklore.

15. Several participants suggested that the necessity of the establishment of proper infrastructure for the implementation of a treaty on the protection of expressions of folklore be also considered. In this connection the Secretariats referred to the Recommendations, adopted by governmental experts convened by Unesco in 1982, on the question of identification of folklore, the conservation and analysis of folklore and its preservation, enhancement and reactivation as well as the utilization of folklore.

16. One participant emphasized the necessity of furthering general awareness of the need for the protection of expressions of folklore and the possibilities thereof.
17. Some participants said that measures already existing in several countries should be better explored.
18. One participant suggested further examination of the applicability of existing conventions dealing with the protection of intellectual property.
19. Some participants suggested starting with international recommendations or guidelines.
20. One participant stressed that the existence of an international instrument may induce countries to legislate accordingly. Other participants said that the elaboration of draft texts of a treaty may provide guidelines for national regulation of the matter.
21. One participant said that the urgency of the establishment of an international treaty on the protection of expressions of folklore may be different in various regions; he found that it was extremely urgent, for instance, in Africa.
22. Some participants, in particular those from Spanish-speaking countries, proposed that the use of the term 'folklore' be reconsidered, this term having been introduced in the nineteenth century with a different meaning, not covering the entire living tradition of a community and suggesting a lower level of the culture concerned. However, it was also pointed out that in more recent times the term 'folklore' obtained a new meaning and is widely accepted as a term suitable for the purposes of a relevant international treaty.
23. Several participants raised the question of the protection of expressions of folklore originating in a community that extends over the territory of more than one country. Some participants found it necessary to provide in the treaty itself some solution of the problem of national jurisdiction over such expressions. In this connection, it was suggested to distinguish between 'proximate' origin (immediate source) and 'ultimate' origin (historical conception) of the expression used, and to explore the possible implications of such a differentiation. The obligation of Contracting States to settle such questions at the regional level or by means of bilateral agreements was also mentioned as a possible solution. It was mentioned that possible migration of tribes or members thereof should also be considered.
24. Some participants found that it was necessary to organize regional meetings of experts on the possible contents and implementation of an international treaty on the protection of expressions of folklore. The agenda of such meetings could be limited to specific subjects.
25. Many participants emphasized the importance of strengthening, in the proposed treaty, the links between the expressions of folklore and the respective communities in which they originated. One expert said that the communities should be explicitly recognized as owners of the rights in such expressions. On the other hand, reference was made to the fact that in some countries the nation or the State is considered proprietor of the traditional culture developed by its communities and that the treaty is not supposed to deal with questions of ownership of rights in expressions of folklore but should provide for the administration of international protection of expressions of folklore so as to allow also for cases where they are property of the communities in which they originated.

26. Several participants said that the treaty should be more precise as regards certain details. Other participants were of the view that it should leave more freedom to the national legislator in choosing the means and ways of protection and should provide for less minimum requirements.

27. Some participants suggested preparing the treaty on a purely public law basis, obliging the Contracting States to regulate the protection of expressions of folklore themselves and without providing for new forms of private law type protection. One expert warned to be careful not to permit that too much control by prior authorization interfere with the orderly dissemination of expressions of folklore.

28. One participant suggested that the treaty should be elaborated in the manner in which the 1971 Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms was conceived. Each Contracting State should be obliged to provide for effective protection of expressions of folklore originating in another Contracting State. Such protection should include: (i) protection against distortion; (ii) the requirement of authorization for specified public uses made for profit, in cases where such a requirement is reasonably motivated; (iii) obligation to pay remuneration, whenever just and reasonable; (iv) obligation to mention the source of the expression of the folklore publicly used. The means of implementing the treaty should be a matter of national legislation but should include one or more of the following measures: special right in expressions of folklore; administrative measures; penal sanctions.

29. One participant suggested drafting the treaty so as to make it applicable in countries with different socio-economic systems.

30. Some participants focused on the importance of the identification of protected expressions of folklore as a condition of their international protection. It was suggested to consider, in this connection, the question of formalities, in particular registration of expressions of folklore, or the establishment of relevant inventories. Some participants suggested utilizing better the existing network of national inventories in identifying expressions of folklore. One expert referred to the importance of registering expressions of folklore from the point of view of the information of the users and consumers of such expressions. In this context, the Secretariats referred to the interdisciplinary study conducted under the auspices of Unesco on the protection of folklore and which covers, inter alia, questions of inventories and registration of expressions of folklore.

31. One participant drew the attention to the links between the developing countries' obligations to protect foreign works by copyright and their need for having their expressions of folklore protected abroad.

32. A participant, while supporting the idea of international protection of expressions of folklore on behalf of producers of phonograms and videograms, said that the dissemination of legitimately made copies of a phonogram or videogram of an expression of folklore should not be restricted by the entry into force of a treaty, and expressed doubts as regards the applicability of a system of a case by case authorization in respect of producing phonograms.

33. A participant, speaking on behalf of the broadcasting organizations, said that broadcasting organizations should be free to use expressions of folklore; commercial broadcasters usually do not broadcast such expressions and non-commercial broadcasters would be in any case exempt from the obligation to request authorization to use expressions of folklore.

34. One participant referred to the necessity of also protecting the rights of certain persons and organizations concerned with the collection, preservation or conservation of expressions of folklore (informants, first users, collectors, archives, etc.). The Secretariats referred to the separate interdisciplinary study conducted under the auspices of Unesco and which covers the question raised by the participant.

VI. ARTICLE BY ARTICLE DISCUSSION OF THE DRAFT TREATY

Title

35. Some participants suggested confining the title to a mere reference to the protection of expressions of folklore, without precisely describing the subject of the treaty; this would allow for a more flexible shaping of its contents. However, with regard to other aspects of the international protection of folklore which may be regulated by other international instruments, the participants agreed to maintain the title in its originally proposed text.

The Preamble

36. A great number of participants suggested deleting in the Preamble any reference to copyright type protection, with regard to the sui generis nature of the proposed protection. One expert suggested to qualify the legal protection referred to in the first part of the last preambular paragraph as 'special'.

37. Some participants suggested that the Preamble should also refer to the necessity of respecting the links between the expressions of folklore and the communities in which they originate.

38. Some participants proposed to make it clearer in the Preamble that it is not the development of technology and the commercialization of expressions of folklore itself which is adversely affecting legitimate interests relating to the protection of expressions of folklore; modern technology may properly promote desirable dissemination of expressions of folklore and it is the improper exploitation and distortion of such expressions, facilitated by modern technology, that is prejudicial.

39. One participant suggested that the Preamble should not limit the motivation of the necessity of international protection to dangers resulting from abusive utilization of modern technology but should also cover traditional forms of using expressions of folklore.

40. One participant suggested mentioning either 'unlawful exploitation' instead of 'improper' use, since the meaning of the latter term is too vague, or to describe what it is supposed to mean.

41. One participant suggested that in the third preambular paragraph the adjective 'harmful' should be inserted before the word 'distortion' since innocuous distortions were not intended to be sanctioned under the treaty.

42. One participant suggested deleting, in the fourth preambular paragraph, the adjective 'authentic' before the term 'maintenance' since the notion 'authentic' would need interpretation.

43. One participant suggested adding to the enumeration, in the fourth preambular paragraph, of the acts to be promoted by the protection of expressions of folklore, also 'legitimate use' thereof. It was also proposed to mention in the same sentence 'lawful interests' rather than 'legitimate' uses.

Article 1

44. Some participants suggested replacing, in the first sentence, the term 'production' by the word 'creations'; another expert proposed the use of the term 'manifestations'.

45. Some participants found that the meaning of the term 'artistic' expectations should be explained more in detail, and that the word 'expectations' should be replaced by a term such as 'standards' or 'norms' or 'values'.

46. One participant suggested deleting the term 'folk' in points (i), (ii) and (iii), since the kind of expressions that word was intended to qualify has been already defined in the first sentence and the term 'folk' may still be misunderstood as implying negative value judgement.

47. One participant suggested referring in the portion following point (iii) to 'any' material form, in order to make it clear that the term 'material form' also covers audio- and video-recordings.

48. Some participants proposed to complement the illustrative enumeration of protected expressions by adding therein 'indigenous games', 'ceramics' and 'leatherware'. One participant suggested replacing the word 'play' by 'manifestation', as this term would also cover carnivals as such; however, with regard to the discussions in previous committees of experts elaborating the Model Provisions for the protection of expressions of folklore by national laws and which are reflected in paragraph 84 of the comments to the Draft Treaty concerning the possibilities of protecting certain folklore events, it was felt that the term 'play' should be kept. The inclusion of 'legends' and 'foods' was also proposed by one expert but this was opposed with reference to the relevant comments to Article 2. Some participants felt that traditional 'proverbs' could also be protected. One expert suggested mentioning also 'choreographies'. It was also proposed that 'calligraphy', 'feather art' and 'symbolic motives' be mentioned.

49. With regard to the hesitation concerning the inclusion of 'architectural forms' in the illustrative enumeration of protected expressions, one participant suggested to provide for the possibility of reservation as regards the protection of architectural expressions.

Article 2

50. The participants discussed in detail the possible scope of application of national treatment under the proposed treaty in the light of the relevant comments.

51. It was made clear that national treatment does not extend to the identification of expressions of folklore originating in another country, this being the responsibility of competent organs of the latter mentioned country. One participant emphasized that no authority of any country can be expected to be as knowledgeable about foreign expressions of folklore as it was concerning expressions originating in its own country.

52. One participant said that, inter alia, national treatment should apply to the determination of how far the use of expressions of folklore in creating a new work can be considered an exception from the protection of the expression of folklore involved.

Article 3

53. Several participants proposed to emphasize in the comments that the authorities should be competent also professionally. It was suggested to give more examples of the kind of institutions that might be designated as competent authority.

54. As regards the main functions of the competent authority, one participant doubted if it was justified to make it the task of the authority of the country of origin of the expression of folklore used in another country to claim the enforcement of the protection there and suggested that the enforcement of the protection should be considered the duty of the competent authority in the country where the expression was used.

55. One participant emphasized that the competent authority could not satisfactorily operate without an inventory of foreign expressions of folklore to be protected in its country.

56. One participant stressed that the provisions on the competent authority should be particularly flexible and be open to the adoption of special national solutions such as, inter alia, 'clearance' procedures, or the exercise of communities' rights to prevent the use of secret expressions.

Article 4

57. One participant proposed to use the term 'gainful intent' instead of 'for profit', in order to be consistent with the wording of the Model Provisions for the protection of expressions of folklore by national laws. One participant suggested that it should be made clear in the comments that requesting certain payments in order to cover the costs of publicly using the expression of folklore, or a part of that cost, does not necessarily involve making profit or intending to make it. One participant said that this understanding should also apply to the organization of certain amateur folklore festivities.

58. One participant proposed to define in the treaty what is meant under 'publication' and 'distribution to the public' and to state whether the latter term also comprises public rental or lending.

59. Some participants suggested the inclusion of 'translation' in the list of acts subject to authorization.

60. Several participants stressed the fundamental importance of depositing by the countries adhering to the treaty an inventory of protected expressions of folklore originating in their respective territories. One participant said that it was indispensable to regulate in the treaty the consequences of entering by a competent authority of a country, in an internationally accepted inventory, of an item, the administration of whose protection was also claimed by one or more other country. No registered information concerning such items should imply any obligation to respect it.

61. One participant suggested that proper solutions should be explored to the problem of countries which wanted to adhere to the treaty but in which the establishment of an inventory of expressions of folklore could not yet be

established. The requirement of depositing an inventory of protected expressions of folklore should not be a condition of signing a treaty or adhering to it, or should be subject to reservation.

62. One participant said that proper inventories could be established without much difficulties in most African countries, as regards both various categories and concrete items of expressions of folklore.

63. One participant said that cataloguing could be started with regard with one or more special categories of expressions. Concerning recordings of expressions of folklore, he proposed to properly mark each copy embodying a protected expression of folklore, for instance by the letter F in a square. Another participant added that such a mark could also indicate the source of the recorded expression of folklore. It was understood, however, that such a solution would not be possible as regards the protection of orally or empirically maintained expressions of folklore, recited or performed live.

64. One participant said that the authorization to use an expression of folklore should exempt the user from any further liability as long as his activities remain within the frame of the authorization.

65. A few participants said that an unqualified requirement of authorization of uses with gainful intent goes too far and that it should be left to the Contracting States to decide whether they want to adopt it. Some countries may prefer protection by means of penal law or administrative measures, such as compulsory or statutory licences.

66. One participant drew the attention to possible conflicts of the exercises of various rights relating to the use of a phonogram embodying a protected expression of folklore.

Article 5

67. Some participants suggested to delete the provisions on the request and grant of authorization and to consider the related questions of procedure as a matter for national legislation.

68. Other participants stressed the importance of providing for in the treaty the main conditions of the procedure of authorization and insisted on maintaining the article.

69. Some participants proposed to delete the requirement of granting the authorization 'in written form'. It was found that the requirement of written individual authorizations would exclude the possibility of introducing statutory licences or the application of a system of 'domaine public payant', kind of earmarked taxes, etc.

70. Another participant expressed the view that written form could provide a kind of security for all parties concerned.

71. Some participants proposed to delete, in paragraph 2, reference to the honour and dignity of the originating country. They proposed to consider in this context only the honour and dignity of the community. One participant suggested to allow the refusal of an application also in cases where the intended use would conflict with the public policy of the country concerned.

72. One participant suggested allowing the refusal of an application only if the intended use would constitute an offence. Another participant referred to already existing policies of folklore protection aiming at the protection of the informant in cases of confidentiality, at the respect of the right of first use of the collector, at the safety of the collected material and at the respect of the interests of archives keeping copies of expressions of folklore. Such policies may also constitute a basis for refusing the application for the use of an expression of folklore and this should be mentioned in the comments.

73. One participant said that the criteria of deciding on the grant of authorizations should be enumerated in the comments.

74. It was also suggested to provide for the possibility of appealing against the refusal of an application.

75. One participant suggested to define what is meant by 'equitable' remuneration and to make it clear that no payments for the use of the expressions of folklore should be considered as a price for acquiring property in the expressions concerned.

Article 6

76. Several participants suggested that the scope of free use of expressions of folklore for creating an original work should be described in detail. It should be explained what kind of adaptations of expressions of folklore are intended to be made subject to authorization and what kind of derivative uses should be free, in order to secure the freedom of creation of works based on expressions of folklore, which was considered as a fundamental requirement.

77. Some participants said that it should be made clear in the comments on the specific exceptions that all kinds of uses without gainful intent (scholarship, research, collection, etc.) are free. This follows a contrario from the definitions of the uses subject to authorization.

78. In connection with the use for non-profit making research some participants said that in their respective countries special regulation governs the use of expressions of folklore for research purposes, with regard to the possibility of subsequent commercialization of the collected material.

Article 7

79. One participant suggested that the indication of the source should be required also in cases of using the expressions of folklore for the creation of an original work.

Articles 8, 9 and 10 (Offences and remedies)

80. One participant proposed to reduce the above-mentioned three articles to two, only. In one article, deception in respect of the origin of the expressions of folklore and the distortion of such expressions should be prohibited. In the other, it should be declared a matter for national legislation to provide for appropriate means of implementing the requirements set forth in the treaty, both as regards authorization of certain uses and the prohibition of the acts specified in the treaty. Such legal means should comprise seizure.

81. Another participant said that the three articles in question could be amalgamated in one, merely defining punishable acts and leaving the determination of sanctions to national legislations. Seizure and damages follow naturally from existing national laws.

82. One participant said that one should not go further, as regards seizure, than the Berne Convention does, and seizure of returns from offences should not be specifically required.

83. One participant said that punishments do usually not apply to corporate bodies while expressions of folklore are mainly used by such entities. Another participant, however, referred to the possibility of obliging corporate bodies to pay fines.

84. Some participants said that it was difficult (according to one of them even unacceptable) to introduce new types of offences in the framework of a convention for the protection of intellectual property, with regard to penal law standards already existing in national laws. A participant said, however, that each penal law can be revised. It was also mentioned that conventions on penal law matters are not unusual.

85. One participant found that it was important to regulate offences in the treaty and proposed to differentiate according to different kinds of uses of expressions of folklore.

86. One participant proposed to mention in point (iv) of Article 8 only cultural interests and delete reference to 'honour and dignity' of the community.

Article 11

87. One participant said that relations to other conventions concerning the trade in the field of intellectual property (GATT Treaty, Florence Agreement on the importation of educational, scientific and cultural materials) should also be considered.

Article 12

88. One participant said that it was preferable to confine the possibility of adherence to the treaty to States already party to at least one of the major international copyright conventions.

Article 13

89. One participant said that retroactivity of the treaty should be explicitly excluded. Another participant said that this was unnecessary, since without explicit provision to the contrary, no convention is considered retroactive.

Articles 14, 15 and 16

90. No comments were made on these articles.

VII. CONCLUSION

91. In conclusion, the participants noted that the Secretariats shall further explore various aspects of a treaty for the intellectual property type protection of expressions of folklore and shall prepare a revised text, in the light of the observations made, and the advice given by the participants, also considering possible alternative means of implementing the protection. The Secretariats shall communicate this report to the Executive Committee of the Berne Union and to the Intergovernmental Committee of the Universal Copyright Convention, and shall report on the present meeting to the respective governing bodies of Unesco and WIPO.

VIII. ADOPTION OF THE REPORT AND CLOSING OF THE MEETING

92. This report was unanimously adopted by the participants.

93. After the usual thanks, the Chairman declared the meeting closed.

ANNEXE/ANNEX/ANEXO

LISTE DES PARTICIPANTS/LIST OF PARTICIPANTS/LISTA DE PARTICIPANTES

I. EXPERTS/EXPERTOS

Mr. Peter Banki
Executive Officer
Australian Copyright Council

Mr. Sankho Chaudhuri
Chairman
Academy of Fine Arts (India)

M. Salah El Mahdi
Directeur général
Ministère des affaires culturelles (Tunisie)

M. Mihály Ficsor
Directeur général
Bureau hongrois pour la protection des droits d'auteur

Sr. Víctor Carlos García-Moreno
Asesor de Asuntos Internacionales
Dirección General de Derecho de Autor (México)

Mr. Alan Jabbour
Director
American Folklife Center
The Library of Congress (USA)

Mr. Jukka Liedes
Special Adviser
Ministry of Education (Finland)

Mr. Joseph H. Kwabena Nketia
Former Director, Institute of African Studies, University of Accra (Ghana)
Andrew Mellon Professor of Music, University of Pittsburgh

Mr. Serafin D. Quiason
Director
The National Library of the Philippines

Sra. Graciela Thompson Aguilar
Asesor Jurídico
Instituto Boliviano de Cultura

M. Sibiri Oumar Traoré
Sous-Directeur
Bureau Burkinabé du droit d'auteur
Ministère de l'information et de la culture

Ms. Margarita A. Voronkova
Director, Legal Department
Copyright Agency of the USSR

II. ETATS PARTIES AUX CONVENTIONS MULTILATERALES SUR LE DROIT D'AUTEUR
INVITES A SUIVRE LES DELIBERATIONS/STATES PARTY TO THE MULTILATERAL
COPYRIGHT CONVENTIONS INVITED TO FOLLOW THE DISCUSSIONS/ESTADOS PARTES
EN LAS CONVENCIONES MULTILATERALES SOBRE DERECHO DE AUTOR INVITADOS A
SEGUIR LAS DELIBERACIONES

AUSTRALIE/AUSTRALIA

Mr. Ian Harvey
Principal Legal Officer
Intellectual Property Section
Attorney-General's Department

BELGIQUE/BELGIUM/BELGICA

M. Samuel Glotz
Conservateur honoraire du Musée international du carnaval et du masque
Membre de la Commission royale belge de folklore
Membre du Conseil supérieur des arts et traditions populaires et du folklore

BRESIL/BRAZIL/BRASIL

Mme Almerinda Augusta de Freitas Carvalho
Secrétaire d'Ambassade
Délégation permanente du Brésil auprès de l'Unesco

CONGO

M. Albert Biaouila
Administrateur des services administratifs et financiers
Ministère de la culture et des arts
Président de l'Union nationale des écrivains, artistes et artisans
congolais en France

EGYPTE/EGYPT/EGIPTO

M. Ahmed Kashef
Conseiller culturel
Ambassade d'Egypte en France

M. Wagdi Mahmoud
Attaché culturel
Délégation d'Egypte auprès de l'Unesco

ESPAGNE/SPAIN/ESPAÑA

Sr. José María Marín Martínez
Director
Consejería de Cultura y Educación, Cartagena

Sr. Juan Montiel Vila
Investigador
Mayordomo de la Hermandad de Animas, Caravaca

ETATS-UNIS D'AMERIQUE/UNITED STATES OF AMERICA/ESTADOS UNIDOS DE AMERICA

Mr. William H. Skok
Office of Business Practices
Bureau of Economic and Business Affairs
Department of State

FINLANDE/FINLAND/FINLANDIA

M. Lauri Olavi Honko
Director of the Nordic Institute of Folklore
Professor at the University of Turku

FRANCE/FRANCIA

Mme Sylvie Berlin
Bureau du droit d'auteur
Ministère de la culture

M. Jean Roche
Conseiller technique et pédagogique en arts et traditions populaires
Ministère de la jeunesse et des sports

HAITI

Mme Marie-Paule Keranflech
Attachée
Délégation permanente d'Haïti auprès de l'Unesco

ISRAEL

M. Meir Shamir
Ministre plénipotentiaire
Délégué permanent d'Israël auprès de l'Unesco

ITALIE/ITALY/ITALIA

M. Giampiero Catalini
Directeur
Division du droit d'auteur
Présidence du Conseil des ministres

KENYA

Mr. J.K. Mbaluli
Deputy Permanent Delegate of Kenya to Unesco

Mr. George Kingori
Second Secretary
Permanent Delegation of Kenya to Unesco

SAINT-SIEGE/HOLY SEE/SANTA SEDE

Maître Louis Rousseau
Avocat honoraire au Conseil d'Etat et à la Cour de cassation

Maître Renée Blaustein
Avocat à la Cour d'appel de Paris

SENEGAL

Mme Marie Mody Sagna
Secrétaire général
Bureau sénégalais du droit d'auteur

SUEDE/SWEDEN/SUECIA

Mr. A. Henry Olsson
Director
Ministry of Justice

Mr. Roland Halvorsen
Secretary of the Governmental Committee for revision of the Copyright Act
Ministry of Justice

TUNISIE/TUNISIA/TUNEZ

M. Fethi Zghonda
Sous-directeur de la musique et des arts populaires
Ministère des affaires culturelles

Mme Sophie Zaouche
Délégation permanente de Tunisie auprès de l'Unesco

TURQUIE/TURKEY/TURQUIA

M. Tahsin Akkiraz
Attaché d'information
Ambassade de Turquie en France

III. OBSERVATEURS/OBSERVERS/OBSERVADORES

- (a) ORGANISATIONS INTERGOUVERNEMENTALES/INTERGOVERNMENTAL ORGANIZATIONS/
ORGANIZACIONES INTERGUBERNAMENTALES

CONSEIL DE L'EUROPE/COUNCIL OF EUROPE/CONSEJO DE EUROPA

Mme Graziella Brianzoni
Chef du Bureau du Conseil de l'Europe à Paris

ORGANISATION DE L'UNITE AFRICAINE/ORGANIZATION OF AFRICAN UNITY/
ORGANIZACION DE LA UNIDAD AFRICANA

M. Albert-Kangni Ekue
Directeur de la Division éducation et culture

(b) ORGANISATIONS INTERNATIONALES NON GOUVERNEMENTALES/INTERNATIONAL NON-
GOVERNMENTAL ORGANIZATIONS/ORGANIZACIONES INTERNACIONALES NO
GUBERNAMENTALES

ASSOCIATION INTERNATIONALE POUR LA PROMOTION DE L'ENSEIGNEMENT ET DE LA RECHERCHE
EN PROPRIETE INTELLECTUELLE (ATRIP)/INTERNATIONAL ASSOCIATION FOR THE ADVANCEMENT
OF TEACHING AND RESEARCH IN INTELLECTUAL PROPERTY/ASOCIACION INTERNACIONAL PARA
EL FOMENTO DE LA ENSEÑANZA Y DE LA INVESTIGACION SOBRE PROPIEDAD INTELECTUAL

M. André Françon
Professeur à l'Université de Paris II

ASSOCIATION LITTERAIRE ET ARTISTIQUE INTERNATIONALE (ALAI)/INTERNATIONAL LITERARY
AND ARTISTIC ASSOCIATION/ASOCIACION LITERARIA Y ARTISTICA INTERNACIONAL

M. André Françon
Secrétaire général

M. Wladimir Duchemin
Membre du Comité exécutif

BUREAU INTERNATIONAL DES SOCIETES GERANT LES DROITS D'ENREGISTREMENT ET DE
REPRODUCTION MECANIQUE (BIEM)/INTERNATIONAL BUREAU OF THE SOCIETIES ADMINISTERING
THE RIGHTS OF MECHANICAL RECORDING AND REPRODUCTION/OFICINA INTERNACIONAL DE
SOCIEDADES ADMINISTRADORAS DE LOS DERECHOS DE GRABACION Y DE REPRODUCCION MECANICA

M. Ndéné Ndiaye
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