

Hundred-and-thirteenth Session

113 EX/16
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INVITATIONS TO THE MEETING OF THE COMMITTEE OF
GOVERNMENTAL EXPERTS ON THE INTELLECTUAL PROPERTY ASPECTS OF
THE PROTECTION OF FOLKLORE

SUMMARY

Pursuant to the Regulations for the general classification of the various categories of meetings convened by Unesco, the Director-General submits to the Executive Board proposals concerning invitations to the meeting of the above-mentioned Committee of Governmental Experts

1. The General Conference at its twenty-first session adopted resolution 5/01 whereby:

"The General Conference,

Authorizes the Director-General to carry out activities contributing to the achievement of objective 9.2 (Promotion of copyright and of access to copyrighted works), in particular:

.....

- (c) by contributing to the safeguard of the intellectual heritage of nations;

.....".

2. The General Conference also took note of the work plan relating to theme 5/9.2/02, paragraph 5024 of which provides that:

"Two Committees of Governmental Experts (category II) will be convened. The first will be held, with a view to defining measures to safeguard the existence, development and authenticity of folklore and traditional popular culture and to protect them against the risk of distortion. The second,, will be organized jointly with WIPO in 1982 and will be responsible for drawing up proposals for regulating the 'intellectual property' aspects of the protection of folklore and traditional popular culture"

3. (a) A "Working Group on the Intellectual Property Aspects of Folklore Protection", convened jointly by Unesco and WIPO, held two meetings (Geneva, from 7 to 9 January 1980 and Paris, from 9 to 13 February 1981) and adopted "Model Provisions for National Laws on the Protection of Expressions of Folklore". The said Working Group noted that the adopted Model Provisions and the Commentary to be prepared on it by the Secretariats, will be presented for further consideration at a meeting of governmental experts to be convened jointly by Unesco and WIPO in 1982.
- (b) The first "Committee of Governmental Experts on the Safeguarding of Folklore" as referred to in paragraph 2 above, and to be convened by Unesco, is scheduled to be held in early 1982. The Executive Board decided at its hundred-and-twelfth session on the invitations to this meeting (112 EX/Decision 4.6.1).

Nature of the meeting

4. In view of the "Regulations for the general classification of the various categories of meetings convened by Unesco", adopted by the General Conference at its fourteenth session and modified at its eighteenth session, this meeting is to be considered as falling within category II, i.e. intergovernmental meetings other than international conferences of states. Under the terms of Article 21 of the Regulations, it is therefore for the Executive Board to decide on the participants in the meeting of this Committee.
5. In accordance with paragraph 5024 of the work plan referred to in paragraph 2 above, the present meeting of the Committee of Governmental Experts will be convened jointly by the Directors-General of Unesco and WIPO.

Place and date of the meeting

6. It is proposed that the meeting of the Committee of Governmental Experts be held at WIPO Headquarters in Geneva from 28 June to 2 July 1982.

Participants

7. Member States and Associate Members (Article 21.1 of the Regulations)

The Director-General, in agreement with the Director-General of WIPO, proposes that all Member States and the Associate Member of Unesco be invited to participate in the meeting of the Committee.

8. Non-Member States of Unesco (Article 21.3 of the Regulations)

After consultation with the Director-General of WIPO the Director-General proposes:

- (a) that the following states which are not members of Unesco but are members of WIPO should be invited to participate in the meeting of the Committee: Fiji, Holy See, Liechtenstein;
- (b) that states that are not members of Unesco or of WIPO but are members of one or more organizations of the United Nations system be invited to send observers to the meeting of the Committee. At the time of drawing up this document and taking into account resolution 10 adopted by the General Conference at its twenty-first session, the list of such states was as follows: Bhutan, Republic of Djibouti, Nauru, Saint Vincent and the Grenadines, and Solomon Islands.

Observers and representatives

9. African liberation movements recognized by the OAU (Article 7A of the Regulations)

The Director-General, after consulting the Director-General of WIPO, proposes that the following African liberation movements, recognized by the OAU, be invited to send observers to the meeting of the Committee:

African National Congress (ANC)
Pan Africanist Congress (PAC)
South West African People's Organization (SWAPO)

10. Palestine Liberation Organization recognized by the League of Arab States (Article 7B of the Regulations)

Under the terms of Article 7B of the Regulations, as adopted by the General Conference at its eighteenth session, the Executive Board shall invite the Palestine Liberation Organization, recognized by the League of Arab States, to send observers to the meeting of the Committee.

11. International organizations (Article 21 (4) and (5) of the Regulations)

- (a) The Director-General recalls that under Article 21.4 of the Regulations, the following organizations of the United Nations system with which Unesco has concluded mutual representation agreements may send representatives to the meeting of the Committee:

United Nations

United Nations Industrial Development Organization
United Nations Development Programme

International Labour Organisation
Food and Agriculture Organization
World Health Organization
International Atomic Energy Agency

- (b) In pursuance of Article 21.5 of the Regulations, the Director-General in agreement with the Director-General of WIPO, proposes that the following organizations be invited to send observers to the meeting of the Committee:

(i) Intergovernmental organizations

African Cultural Institute
Agency for Cultural and Technical Co-operation
Arab Educational, Cultural and Scientific Organization
Arab States Broadcasting Union

Caribbean Community Secretariat
Commonwealth Secretariat
Council for Mutual Economic Assistance
Council of Arab Economic Unity
Council of Europe
European Economic Community
Intergovernmental Bureau for Informatics
Islamic States' Broadcasting Services Organization
Joint African and Mauritian Organization
Nordic Council
Organization of African Unity
Organization of American States
Organization of Central American States
World Tourism Organization

(ii) International non-governmental organizations in categories A, B and C

Category A (consultative and associate relations)

International Association of Art
International Co-operative Alliance
International Confederation of Free Trade Unions
including its full member:
International Secretariat of Entertainment Trade Unions
International Council of Archives
International Council of Museums
International Film and Television Council
including its affiliated members:
International Federation of Film Distributors' Associations
International Federation of Film Producers' Associations
International Union of Cinematograph Exhibitors
International Federation for Documentation
International Federation of Library Associations and Institutions
International Federation of Translators
International Music Council
International Organization for Standardization
International Theatre Institute
Society of African Culture
World Confederation of Labour
World Crafts Council
World Federation of Trade Unions

Category B (information and consultative relations)

Asia-Pacific Broadcasting Union
European Society of Culture
Inter-American Association of Broadcasters
International African Institute
International Association of Democratic Lawyers
International Association of South-East European Studies
International Commission of Jurists
International Confederation of Societies of Authors and Composers
International Copyright Society
International Dance Council
International Federation for Information Processing
International Federation of Actors
International Federation of Films Archives
International Federation of Journalists
International Federation of Musicians
International Federation of Newspaper Publishers

International Federation of Producers of Phonograms and Videograms
 International Group of Scientific, Technical and Medical Publishers
 International Institute for Audio-Visual Communications and
 Cultural Development
 International Institute of Communications
 International Law Association
 International Literary and Artistic Association
 International Organization of Journalists
 International PEN
 International Publishers' Association
 International Radio and Television Organization
 International Writers' Guild
 Union of National Radio and Television Organizations of Africa

Category C (mutual information relationship)

European Broadcasting Union
 European Federation for Intercultural Learning
 Iberoamerican Television Organization
 International Association of Sound Archives
 International Catholic Film Organization
 International Confederation of Professional and Intellectual Workers
 International Council of Reprography
 International Federation of Photographic Art
 International Institute for Children's Juvenile and Popular Literature
 International Organization for the Protection of Works of Art
 Organization of Museums, Monuments and Sites in Africa

12. The Director-General of WIPO has stated that if the Executive Board approves the above proposals, he alone will invite the International Alliance for Diffusion by Wire and the Inter-American Copyright Institute, which have consultative status with WIPO.

13. If the Executive Board approves the proposals contained in this document, it may wish to adopt the following decision:

"The Executive Board,

1. Having considered the Director-General's proposals concerning invitations to the meeting of the Committee of Governmental Experts on the Intellectual Property Aspects of the Protection of Folklore,
2. Decides:
 - (i) that invitations to participate in the meeting of the Committee of Governmental Experts shall be extended to all Member States and the Associate Member of Unesco mentioned in paragraph 7 and states not members of Unesco but members of WIPO listed in paragraph 8(a) of document 113 EX/16;
 - (ii) that invitations to send observers to the meeting of the Committee of Governmental Experts shall be extended to the states not members of Unesco or of WIPO listed in paragraph 8(b) of document 113 EX/16 and to any other state that becomes a member of one or more organizations of the United Nations system before the opening of the Committee's meeting;

- (iii) that invitation to send observers to the meeting of the Committee of Governmental Experts shall be extended to the African liberation movements recognized by the OAU;
- (iv) that an invitation to send observers to the meeting of the Committee of Governmental Experts shall be extended to the Palestine Liberation Organization recognized by the League of Arab States;
- (v) that an invitation to send observers to the meeting of the Committee of Governmental Experts shall be extended to the organizations listed in paragraph 11(a) and (b) of document 113 EX/16".