



22 C/22
21 October 1983
Original: English/French/
Russian/Spanish

Item 23 of the provisional agenda

INITIAL SPECIAL REPORTS SUBMITTED BY MEMBER STATES ON THE ACTION TAKEN
BY THEM UPON THE RECOMMENDATION CONCERNING THE
STATUS OF THE ARTIST

SUMMARY

This document reproduces information contained in the initial special reports forwarded by Member States as at 30 August 1983 on the action taken by them upon the above-mentioned Recommendation.

Point for decision: paragraph 12.

INTRODUCTION

1. Article VIII of the Constitution lays down that Member States shall submit to the Organization, at such time and in such manner as shall be determined by the General Conference, reports on the action taken by them upon the recommendations and conventions referred to in Article IV, paragraph 4, of the Constitution; in accordance with Article IV, paragraph 6, of the Constitution, these reports are considered by the General Conference.
2. Article 16 of the 'Rules of Procedure concerning Recommendations to Member States and International Conventions covered by the terms of Article IV, paragraph 4, of the Constitution' stipulates in this regard, firstly, that these reports on the action taken upon recommendations and conventions shall be 'special reports', and, secondly, that initial special reports shall be transmitted not later than two months prior to the first ordinary session of the General Conference following that at which such recommendation or convention was adopted.
3. At its twenty-first session the General Conference adopted, on 27 October 1980, the Recommendation concerning the Status of the Artist.¹
4. Article IV, paragraph 4, of the Constitution provides that each of the Member States shall submit recommendations or conventions adopted by the General Conference to its 'competent authorities' within a period of one year from the close of the session of the General Conference at which they were adopted. For this purpose, certified true copies of the above-mentioned instrument were transmitted to Member States by letter CL/2782 of 25 May 1981.
5. In accordance with the constitutional provisions cited above and with Article 16, paragraph 2, of the Rules of Procedure also referred to above, the General Conference, under a resolution adopted at its twenty-first session (21 C/Resolution 17.21), reminded Member States of their obligation to transmit to it, not less than two months prior to the opening of its twenty-second session, initial special reports on the action taken by them upon the Recommendation mentioned in paragraph 3 above. Under the same resolution, the General Conference reminded Member States of their obligation to include in such reports information on the points specified in paragraph 4 of resolution 50 adopted at its tenth session. Under the terms of the latter resolution, Member States were invited, when submitting initial special reports relating to conventions or recommendations adopted by the General Conference, to include in these reports, as far as possible, information on the following:
 1. At its same session, the General Conference also adopted the following Recommendations (the references to the documents reproducing initial special reports submitted by Member States on these Recommendations are shown in parentheses):
 - On 27 October 1980, Recommendation for the Safeguarding and Preservation of Moving Images (document 22 C/23);
 - On 27 October 1980, Recommendation concerning the International Standardization of Statistics on the Public Financing of Cultural Activities (document 22 C/24).

17 OCT 1983

- (a) whether the convention or recommendation has been submitted to the competent national authority or authorities in accordance with Article IV, paragraph 4, of the Constitution and Article 1 of the Rules of Procedure concerning Recommendations to Member States and International Conventions;
 - (b) the name of the competent authority or authorities in the reporting state;
 - (c) whether such authority or authorities have taken any steps to give effect to the convention or recommendation;
 - (d) the nature of such steps.'
6. In accordance with the instructions of the General Conference and with a view to assisting governments of Member States in preparing special reports along the lines indicated by the General Conference, the Director-General prepared a document for the benefit of the governments of Member States containing 'the various provisions of the Constitution and the regulations applicable, together with the other suggestions that the General Conference itself has found it necessary to formulate, at its earlier sessions, concerning the submission of conventions and recommendations to the competent authorities'. This document is entitled 'Memorandum concerning the obligation to submit conventions and recommendations adopted by the General Conference to the "competent authorities" and the submission of initial special reports on the action taken upon these conventions and recommendations'.
7. The Director-General informed Member States of the foregoing, and forwarded to them copies of the above-mentioned memorandum, by letter CL/2859 of 3 January 1983 requesting them to send the special reports to reach him within the time-limit prescribed by the Rules of Procedure, that is, no later than 23 July 1983.
8. As at 30 August 1983 special reports on the Recommendation concerning the Status of the Artist had been received from twenty-five Member States.
9. Not all these reports are reproduced in full. When considering, at its fifteenth session, the initial special reports of which it was seized at that session, the General Conference noted that a large part of the information reproduced by the Secretariat did not reply to the questions set out in resolution 50 quoted above, and authorized the Director-General to reproduce in future only such information as relates to subparagraphs (a), (b), (c) and (d) of the said resolution 50. At its twenty-first session, the General Conference repeated this authorization.
10. For the sake of convenience the special reports received are reproduced in the present document in the English alphabetical order of the names of the Member States which provided them.
11. In accordance with Article 32, paragraph 2, of the Rules of Procedure of the General Conference, initial special reports relating to conventions and recommendations are considered by the Legal Committee.
12. Under the terms of Articles 17, 18 and 19 of the 'Rules of Procedure concerning Recommendations to Member States and International Conventions covered by the terms of Article IV, paragraph 4, of the Constitution', the General Conference is required to consider the special reports submitted by Member States in connection with the Recommendation concerning the Status of the Artist and to embody its comments on the action taken by Member States in pursuance of the Recommendation in one or more general reports, which shall be transmitted to Member States, to the United Nations, to National Commissions and to any other authorities specified by the General Conference.

CANADA

1. The Recommendation has been submitted to the competent national authority.
2. The competent national authority is the legislative authority represented by the Ministry of Communications, Arts and Culture sector.
3. That authority has not yet taken steps to give effect to the Recommendation in view of the fact that existing legislative provisions already cover the ground adequately.
4. The Canadian Commission for Unesco has notified its members of the adoption of the Recommendation; furthermore, the Canadian Arts Conference has referred the Recommendation to its members and has discussed it with the relevant minister. The Canadian Artists' Representation has also reacted to the Recommendation.

CHILE

1. The Recommendation has been submitted to the competent national authority.
2. That authority is the Ministry of Public Education.
3. That Ministry has distributed the Recommendation in the education and culture sector and to professional associations.
4. Adequate steps have been taken in accordance with established practice.

CZECHOSLOVAKIA

1. The Recommendation was submitted to the competent national authorities directly after being approved by the General Conference of Unesco at its twenty-first session. Professional circles were informed through the Bulletin of the Czechoslovak Commission for Unesco, the Recommendation being published in issue No. 1/1983.
2. The competent authorities in this sphere are the Ministries of Culture of the Czech Socialist Republic and of the Slovak Socialist Republic, the Ministries of Education of the Czech Socialist Republic and the Slovak Socialist Republic, the Department for Artists' Training, and the Federal Ministry of Labour and Social Affairs, Department of Social Security and Labour Questions.
3. The competent national authorities have taken the following steps to give effect to the Recommendation:

translation of the Recommendation into Czech;

distribution to interested institutions and organizations, professional associations, etc.

Since fulfilment of the obligations of Member States as regards the status of the artist, as set out in the Recommendation concerning the Status of the Artist, is guaranteed to the great possible extent in Czechoslovakia by legislation, it is not necessary to take any other legislative steps in this sphere.

FINLAND

1. The above-mentioned recommendation has been submitted to the competent national authority.
2. The competent national authority is the Ministry of Education.
3. The Ministry of Education has taken steps to give effect to the Recommendation.

4. The Ministry of Education has translated the Recommendation into Finnish. The Finnish National Commission for Unesco has published the Finnish version of the Recommendation in its series of the recommendations and conventions of United Nations Educational, Scientific and Cultural Organization, Unesco No. 11 and widely distributed it to the Professional institutions and associations and national non-governmental organizations concerned.

FRANCE

The French authorities have taken a number of legal and practical measures appropriate to the activity and social status of the artist.

These measures, together with those currently being studied, are described below:

(a) Copyright is protected in France by the 1957 law which contains important provisions concerning the intellectual and economic aspects of artistic activity.

An author thus has a lifelong right over his work; his moral right over his work is perpetual, inalienable and imprescriptible; failure to respect that right is punishable under civil and criminal law.

(b) Special measures are applied for artists in regard to social security and taxation.

A social security system for artists and creators of graphic and plastic works has been in existence since 1975.

It provides insurance against pregnancy, illness, disablement and old age.

Special provisions have been adopted by the employers' and workers' associations regarding the payment of unemployment benefits.

Authors and performing artists do not have to cease all professional activity to be able to receive old-age benefits (law No. 84 430 of 31 May 1983).

From 1983 onwards the total tax levy is to be calculated on the basis of average expenses and receipts for the tax year and the four previous years. Artists who sell only their own works are not liable for professional tax.

Lastly, the employment of children in the performing arts is strictly regulated.

(c) Measures are being taken to protect or develop the working facilities of artists. Thus groups of artists' residences are safeguarded and each year the authorities take action to build artists' studios throughout the country.

(d) New opportunities for the training of musicians are being provided through the granting of research fellowships. National drama centres will soon be providing training facilities.

(e) Legal studies have been carried out to ascertain the legislative measures that might be taken to improve the status of creative artists and those who assist in creative work. The measures envisaged, the adoption of which has to be decided by Parliament, are as follows:

entitlement to remuneration for authors, performing artists and producers of phonograms and videograms in order to offset the financial disadvantage arising from the large-scale development of private copying (reproduction of works by the public on blank sound or audio-visual cassettes);

establishment of new rights for performing artists whose right to oppose any use made of their work without their consent is enshrined in law and carries with it an entitlement to remuneration linked to each of the forms in which their performance may be exploited;

establishment of a specific right for producers of phonograms and videograms (in addition to any rights they may enjoy as copyright assignees);

strengthening of the sanctions provided for in the law of 11 March 1957 and establishment of a supervisory system for the videocassette market;

unification in regard to literary and artistic property of the system governing cinematographic and audio-visual works, removing any reference to technical data in connection with the legal status of the work, strengthening of the moral rights of authors of audio-visual works, clarification of the contractual relationships between creative artists and producers (introduction of a new section in the 1957 law concerning contracts for the production of audio-visual works) and improvement of the guarantees offered to authors in respect of their remuneration;

adaptation of the system of legal deposit to technological developments;

measures to protect programme-carrying signals transmitted via point-to-point satellite connections;

official approval of bodies set up to collect and distribute royalties due under the law on copyright and neighbouring rights and improvement of the Ministry of Culture's information concerning their operation.

(f) The purpose of other legal studies currently being carried out is also to modify the 1945 ordinance on the performing arts by regulating agencies for the performing arts and granting new rights to associations.

It is also envisaged that there will cease to be a requirement as to nationality for the issuing of a licence to give public performances and that the directors of foreign companies based outside the EEC will be able to benefit from an administrative authorization dispensing them from the need to hold a licence for a period less than or equal to fifty days.

FEDERAL REPUBLIC OF GERMANY

1. The above-mentioned Recommendation has been submitted to the competent national authorities.
2. The competent national authorities are the Bundestag, the Bundesrat and the Government of the Federal Republic of Germany.
3. These authorities have taken steps to give effect to the Recommendation.
4. The steps which have been undertaken include:

The translation of the Recommendation into the German language and its distribution to all competent organizations and institutions.

The allocation of financial means within the federal budget (6.4 million Deutschmarks) earmarked for supporting and sponsoring of artists, writers and musicians.

Increased tax benefits for contributions to specific cultural purposes. The sum deductible from the yearly income of contributors has been raised from 5 per cent to 10 per cent.

Tariff agreements have been reached according to paragraph 12a of the law concerning tariff agreements for part-time employed artists and journalists working at broadcasting and television stations, daily newspapers and graphic design agencies.

The implementation of a social security law for artists, in force since 1 January 1983, which provides self-employed artists the opportunity of adequate social security for old age and illness.

Efforts to achieve adequate old-age pensions for those older artists, who do not receive benefits by the social security law for artists.

HONDURAS

1. The Recommendation concerning the Status of the Artist has been submitted to the competent national authority.
2. The competent national authority is the Ministry of Culture and Tourism, and specifically the General Directorate of Culture.
3. The first steps taken by this national authority of the Government of Honduras are:
 - (a) studying and analysing the principles and norms set out in the Recommendation with a view to implementing it or integrating it with existing national regulations;
 - (b) studying and assessing the present status of the artist and making new legal arrangements for the protection and defence of the cultural heritage, literary and artistic works, copyright, and intellectual creation and production, in accordance with specific international agreements;
 - (c) it is also planning to study and update national law in this field in order to protect, disseminate and make known the works of national artists and regulate their participation in cultural development;
 - (d) lastly, it will regulate the social, legal and economic protection of artists in order to safeguard their rights and cultural works on the basis of international resolutions and agreements in this field, in particular the principles and norms set out in the Recommendation.
4. Other steps will be taken in due course in co-ordination with national cultural institutions and entities with a view to enabling artists and creative workers to participate in the framing of prevailing cultural policies or in the investigative process.

Further measures will be adopted subsequently in the light of national requirements and conditions, in keeping of course with the general spirit of the Recommendation.

IRELAND

1. Recommendation concerning the Status of the Artist

(a) The Recommendation was submitted to national bodies.

(b) The Department of Environment, Finance, Foreign Affairs, Labour, Posts and Telegraphs, Social Welfare, the Taoiseach, The Arts Council, Irish Actors' Equity, Irish Transport and General Workers' Union, National College of Art and Design, National Gallery of Ireland, The Royal Hibernian Academy of Arts.

(c) and (d) The Recommendation was published in book form by the Arts Council and the Irish National Commission for Unesco in an effort to bring the proposals in the Recommendation to the notice of as many people as possible. It was distributed free of charge to artists and art organizations. The special income tax exemption for artists under Section 2 of the Income Tax Act, 1969 (copy of relevant section attached) is relevant.

In relation to Section V Part 4, the position is that an artist who is an employee has the same social security protection as other employees. They would be entitled to benefits in all the usual branches of social security, viz. unemployment, sickness, widowhood, retirement and old age, work injury, etc. Such benefit would include benefits for dependants. An artist would have access to a wide range of social assistance benefits which are payable subject to a means test. In relation to Section VII c the Department of Foreign Affairs is active in promoting cultural contacts with other countries through promoting bilateral cultural exchange and through sponsoring participation of Irish artists and their works in international cultural events.

The following will also be of assistance in giving effect to the Recommendation:

- (a) the establishment of Aosdána, an affiliation for 150 creative artists, to provide grants to those artists wishing to engage on a full-time basis in their art and a pension scheme for artists (explanatory leaflet enclosed);

- (b) the Arts Council provides annual subventions to Artists' Associations, the Association of Irish Composers and the Society of Irish Playwrights. These associations provide facilities for their members, publish newsletters and act as a channel for the expression of the view of artists on cultural and other matters;
- (c) the scheme of awards, bursaries and scholarships for individual artists operated by the Arts Council;
- (d) the International Federation of Actors is holding a symposium in the USSR, May 1984 on the practical implementation of the recommendation on the 'Status of the Artist'.

ISRAEL

Your letter CL/2782 of 25 May 1981 and certified copies of the three recommendations adopted by the twenty-first session of the General Conference, as requested by us in our letter of March 1983, have arrived at our Secretariat.

I take pleasure in informing you that they have been duly submitted to the competent national authority.

The competent national authority is the Government of Israel (Prime Minister's Office, Ministry of Justice, Ministry of Education and Culture, Ministry of Industry and Trade).

Because of the belated receipt of the certified copies, the respective ministries have not yet completed their examination of the recommendations and have not yet reached decision whether existing legislation or regulations already adequately cover the subject or any further steps have to be taken to give effect to these recommendations.

Nevertheless, the Israel National Commission for Unesco already initiated the translation of the Recommendation concerning the Status of the Artist into Hebrew and it intends to give it a widespread distribution to ministries, public agencies, trade unions, professional associations, etc.

JAPAN

1. The Japanese translation of the certified copies of the above-mentioned Recommendations were submitted to the competent national authority.
2. The competent national authority is the Diet.
3. The following steps have been taken:
 - (1) The Japanese Government has made the Japanese Government has made the Japanese translation of the texts of the above-mentioned recommendations and distributed to all the members of the House of Representatives and the House of Councillors.
 - (2) The Ministry of Foreign Affairs has distributed its translation to all the ministries and agencies of the government and to the Japanese National Commission for Unesco.
 - (3) The Japanese National Commission for Unesco has reproduced its translation and distributed to the local public bodies and other public or private institutions concerned, with a view to making the recommendations known as widely as possible.

REPUBLIC OF KOREA

1. The above-mentioned Recommendation has been submitted to the competent national authorities.
2. The competent national authorities are:

The National Assembly

The Ministry of Culture and Information

The Ministry of Education

The Ministry of Foreign Affairs

The Korean National Commission for Unesco.

3. These authorities

(a) have taken certain steps to give effect to the Recommendation, and

(b) have not taken other steps to give effect to the Recommendation because existing measures already adequately cover the subject of the Recommendations.

4. The steps which have been taken are:

(a) The translation of the Recommendation into the Korean language and its widespread distribution to the following associations:

The Federation of Artistic and Cultural Organizations of Korea (this Federation has ten professional associations):

- Korean Association of Fine Arts
- The Classical Music Association of Korea
- The Korean Institute of Architecture
- The Korean Dance Association
- The Korean Writers Association
- The Motion Picture Association of Korea
- Korea Music Association
- Korea Entertainment Association
- The Photo Artist's Society of Korea
- The Korean Drama Association

The Korean Culture and Arts Foundation

International Cultural Society of Korea

Motion Picture Promotion Co-operation

Motion Picture Producers Association of Korea

Film Distributors Association

Korean Publishers Association.

(b) The Academy of Korean Studies is studying the indicator of culture for Korea, and the Korean National Commission for Asia (5/31/83-6/3/83, Seoul) and is studying scientific applications of indicators and statistics to the task of cultural planning.

MADAGASCAR

1. The efforts made by the Democratic Republic of Madagascar to guarantee all the population access to art include:

establishing a Ministry of Culture instead of a department;

setting up Provincial Services for Revolutionary Culture and Art (SPCAR) to which artists in the outlying regions have easier access;

extending the administrative network for culture to the level of the Fivondronana (e.g. subprefectures).

2. Encouragement for artistic activity and the use of free time for cultural purposes: organization of national and provincial competitions for each category of artistic activity and for each socio-occupational group.

3. Measures to enable the artist to enjoy the benefits of his work:

Ordinance No. 82-031 of 6 November 1982 modifying certain provisions of Law No. 57-298 of 11 March 1957 concerning Literary and Artistic Property.

4. Guaranteeing the right to establish trade union and professional organizations:

artists' associations (e.g. Malagasy Poets' and Writers' Union (UPEM)) that do not yet have the status of trade union organizations.

5. Moral and material support for artists:

subsidies for those over sixty years old;

technical and logistic support for theatrical performances and exhibitions.

6. Place of artists in education:

'Malagasization' of primary education necessarily involving the use of Malagasy literary works.

MEXICO

1. The Recommendation has been submitted to the competent national authority.
2. The competent national authority is the Federal Executive Authority, Office of the Secretary for Public Education, General Copyright Department.
3. This authority has not taken any steps to give effect to the Recommendation since existing national law has for some time adequately covered the subject of the Recommendation.

NETHERLANDS

The recommendations concerned have been submitted to the competent national authority which in this case is Parliament. Parliament has not as yet undertaken further steps for the implementation of the recommendations as the aims of the recommendations are for the greater part being covered by existing legislation and regulations.

As far as the translations of the recommendations are concerned, these are actually being finalized.

I may add that last year a symposium was organized by the National Commission for Unesco on the significance for the situation in the Netherlands of the Recommendation on the Status of the Artist. Representatives of professional organizations and of the Netherlands Government, as well as individual artists themselves participated in this symposium. Much attention was devoted by the Netherlands press to the Unesco Recommendation and the symposium that concentrated on it.

NORWAY

1. The Recommendation above has been submitted to competent national authorities.
2. The competent national authorities are the National Assembly (Storting) and the Ministry of Cultural and Scientific Affairs.
3. These authorities have taken steps to give effect to the Recommendation.
4. In a report presented to the National Assembly in 1981 (St. meld. nr. 23 1981-1982) on a general cultural policy for the 1980s the government sought and obtained approval for a number of measures designed to enhance cultural activities in a broad sense, not least with a view to improving the economic and social status of artists. While these recommendations were not directly related to the Recommendation above (whose demands were largely met already), they contributed greatly to a further development in the direction suggested by the Recommendation.

POLAND.

1. The Recommendation has been submitted to the competent authorities.
2. The authorities competent to take legislative and other necessary measures are the Ministry of Culture and Fine Arts and the Diet of the Polish People's Republic.
3. Existing Polish law on questions relating to the status of the artist in the broad sense is in accordance with the principles of the Recommendation and with its detailed provisions.

At an earlier stage the Recommendation was translated and circulated for information purposes, as it was during the previous stage in order to gather opinions, to all organizations of creative artists and professional organizations, as well as to state and other cultural institutions.

At the previous stage the Recommendation was widely discussed. It aroused great interest and was supported by creative workers and artists.

The state administrative bodies consider the Recommendation to be a useful document of considerable significance. It should be pointed out that the working version of the Recommendation was submitted to the Cultural Commission of the Diet.

In accordance with the laws in force in the Polish People's Republic, the Recommendations of international organizations adopted in conformity with their statutes are communicated to interested national organizations and institutions by the body participating in the work of the international organization concerned. At the same time those national organizations and institutions are notified of the entry into force of the Recommendation.

ROMANIA

1. The Recommendation has been submitted to the competent national authority.
2. The competent national authority is the Council for Culture and Socialist Education. The President of the Council is a member of the Council of Ministers.
3. The relevant legislative and other provisions in force in the country adequately cover the subject of the said Recommendation.

SAN MARINO

1. The Recommendation has been submitted to the competent national authority.
2. The competent national authority is the Ministry of National Education and Culture.

3. That authority has taken steps to give effect to the Recommendation.
4. These steps include the following:
 - (a) the promotion of meetings with the San Marino Artists' Association (ASART);
 - (b) the preparation, in collaboration with that Association, of draft resolution 21 C/DR.108 concerning the status of the artist, which was unanimously adopted by the General Conference at its twenty-first session, held in Belgrade;
 - (c) organization of ASART exhibitions in San Marino and abroad in order to foster cultural exchanges.

SPAIN

1. Submission of the Recommendation to the competent national authority. The Minister of Culture has taken note of the content of the Recommendation.
2. Name of the competent authority. The competent body in regard to the subject of this report is the Ministry of Culture, although some questions, such as that of social security, do not come within the field of competence of that Ministry, being the specific responsibility of the Ministry of Labour.
3. Taking of steps by the competent authorities and nature of those steps. Further steps have not been necessary on most of the points referred to in the Recommendation since, both from the purely legal point of view and in respect of administrative action, the measures described in the Recommendation had already been taken. As regards other questions, particularly that of intellectual property, the first steps have been taken to extend the protection afforded to such property in accordance with the aims of the Recommendation.

SWEDEN

The Swedish National Commission for Unesco has translated into Swedish and published in its series of publications the Recommendations on the Status of the Artist and the Safeguarding and Preservation of Moving Images. Such publications are widely spread not only among the authorities concerned but also among organizations, professionals and others, and the interested public.

The National Council for Cultural Affairs is the competent authority for the Recommendation on the Status of the Artist. We have however so far not received an answer on our request to the National Council on what measures which might have been taken. The Recommendation has been spread as a publication by the Swedish National Commission as mentioned above.

SWITZERLAND

1. The Recommendation has been submitted to the competent national authorities.
2. The competent national authorities are, on the one hand, the Federal Council (the government of the country) and, on the other, the governments of the twenty-six Swiss cantons.
3. Those authorities have taken steps to give effect to the Recommendation.
4. These steps include:

the translation of the Recommendation into German;

its distribution to all circles concerned;

the formulation of proposals which were adopted by the Swiss National Commission at its 1982 annual assembly devoted to the status of the artist;

identification of ways and means of implementing the Recommendation within the framework of existing laws (e.g. increased financial resources for the Pro Helvetia Foundation, studies on the needs of artists in respect of social assistance, revision of copyright law).

5. An important step towards implementing the Recommendation will be taken in 1984 with the presentation of the Federal Council's message on action to promote culture.

THAILAND

1. The above-mentioned Recommendation has been submitted to the competent national authority.

2. The competent national authority is the Fine Arts Department, Ministry of Education, which is the most direct responsible party on Thai cultural arts, entrusted with duties of preserving, conserving, promoting and publicizing them to general citizens and people of the world as well.

3. The Fine Arts Department has taken steps to give effect to the Recommendation.

4. The steps which have been taken include the government's outstanding activities during the past three years as follows:

4.1 Thai Government has distinct policy in expediting to instil national cultural arts into everyday life by promoting and publicizing them among government agencies and general public. It urges all Thai citizens to pay more concern to the true value of national cultural arts.

4.2 Thai Government has a specific policy in enhancing people in the entire parts of the country to get more education on genuine cultural arts by establishing one college of dramatic arts in Bangkok and seven in various regional locations with a plan of two more in the academic year of 1984. Meanwhile, other college or university level institutes have also been assigned with the obligations of national cultural arts preservations and conservations.

4.3 Thai Government has also a policy to promote and to encourage artistic and folk arts occupations among people in cities and rural areas, while the promoting of professions on works of art is specified in the 'Fifth Stage' (1982-1986) of Cultural Promotion Plan.

4.4 Thailand lauds and encourages most artists with distinguished achievements in every field available. Retired artists of national level are usually employed on exceptional basis by the Fine Arts Department as experts attached to the department or specific tutors to hand down their precious experiences and knowledges on cultural arts to posterities.

4.5 In the field of publicizing knowledges and understandings of art to youths and general public, the Fine Arts Department has initiated two projects of training thus:

4.5.1 Training course on art for youths. This course has the objective of creating artistic habits and initiative ideas on artistic works to youths of six to thirteen years. The project is being carried out yearly starting from 1980.

4.5.2 Training course on arts for public. The objective of this course lies in the training of any people interesting in art but without a chance to study it. The curriculum comprises of painting, Thai art and sculpture. This project is also being carried out yearly. Nevertheless, after each course of training has been completed, the department used to arrange an exhibition of the above training courses' products. This exhibition could certainly be considered as a means to 'create public capable of appreciating the work of the artist'.

4.6 As Thai Government has thus clearly displayed its distinct policy in promoting cultural art, Thai people are now paying more interests on cultural art. Artists in every field are recognized their status. Their rights and dignities are equal to those in other vocations within Thai society in terms of employment, social status, working conditions, etc. Besides, they have the freedom and the right to establish trade unions and professional organizations of their choosing and to become members of such organizations, if they so wish.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

1. The aforementioned Recommendation was brought to the attention of the competent national authority.
2. The Ministry of Culture of the Ukrainian SSR is the competent national authority.
3. The provisions of the Recommendation are adequately covered by the regulations and the administrative and legislative measures in force in the Ukrainian SSR, and there is accordingly no need to adopt special measures for its implementation.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

1. This Recommendation has been submitted to the competent authorities.
2. The competent authorities are the Houses of Parliament, H.M. Customs and Excise, the Department of Employment, the Board of Inland Revenue, the Department of Trade and Industry, the Department of Health and Social Security and the Office of Arts and Libraries.
3. No steps have been taken to give to the Recommendation with regard to Social Security and Employment because under existing legislation artists receive the same benefits as other occupational groups. Under the United Kingdom taxation system there are already special provisions for authors and artists. H.M. Customs and Excise can only act within the framework of European Community regulations in relation to the import and export of works of art and any levy thereon. The United Kingdom is a member of the Berne, Universal Copyright and Rome Conventions, and accordingly provides the protection required of Member States. A general reform of the United Kingdom law on copyright and performers protection is being considered, but it is not yet possible to say what the changes will be or when the legislation will be prepared.

ZAMBIA

1. The above-mentioned Recommendation has been submitted to the competent national authority.
2. The competent national authority is the Ministry of General Education and Culture.
3. This authority has taken steps to give effect to the Recommendation.
4. The steps which have been taken include its widespread distribution to other relevant ministries and government departments and the setting-up of an Ad Hoc Committee to study the implementation of parts of the recommendations which hitherto have not been considered for implementation or not adequately covered by existing legislation.



22 C/22 Add.
19 October 1983
Original: French

Item 23 of the provisional agenda

INITIAL SPECIAL REPORTS SUBMITTED BY MEMBER STATES ON THE ACTION
TAKEN BY THEM UPON THE RECOMMENDATION CONCERNING THE STATUS OF THE ARTIST

SUMMARY

This document reproduces information contained in the initial special reports forwarded by Member States on the action taken by them upon the above-mentioned Recommendation and received after 30 August 1983.

Point for decision: paragraph 12 of document 22 C/22

AUSTRIA

Re paragraph 2 of the guidelines:

The Federal Ministry of Education and the Arts is one of the competent national authorities in matters relating to the status of the artist.

Re paragraph 3 (a):

The Federal Ministry has taken the following steps, and contributed to those taken by other competent authorities, for the purpose of giving effect to the Recommendation:

inclusion in the Constitution, by the derogatory law enacted in 1982, of a provision stipulating that citizens shall be free to practise and teach art;

levying of a duty on the sale of blank magnetic tapes;

granting of an indemnity to authors for each of their works available in public libraries, in the form of a social welfare fund for authors;

regulation, through the enactment of a relevant law, of the curricula of higher schools of art;

(in preparation): establishment of a social welfare fund for composers working as members of a liberal profession;

financing of contributions to optional medical insurance for composers out of the income deriving from the duty on magnetic tapes (see above);

establishment of a society of authors for the plastic arts;

re paragraph 3 (c):

in several fields no further steps needed to be taken, inasmuch as regulations already in force meet the requirements of the Recommendation.

20 OCT. 1983

GERMAN DEMOCRATIC REPUBLIC

In accordance with Article IV, paragraph 4 of the Constitution and with Article 1 of the Rules of Procedure concerning Recommendations to Member States and International Conventions, the Recommendation concerning the Status of the Artist has been submitted to the competent national authority, namely, the Ministry of Culture of the German Democratic Republic.

The Ministry of Culture has had the text of the Recommendation translated into German and circulated it to other appropriate government departments. These include, first and foremost, the respective parliamentary commissions (in the People's Chamber) and in particular the Standing Commission for Cultural Affairs; central government bodies such as the Ministry of Higher and Technical Education, the Ministry of Finance, the Secretariat of State for Labour and Wages, and also state organizations at the local level specifically concerned with cultural affairs.

In addition, the Recommendation has been submitted to the numerous social organizations and institutions including, primarily, the Federation of Artistic and Assimilated Professions affiliated to the Confederation of Free German Trade Unions, the unions of artists, the German Cultural League of the GDR, the Academy of Arts, universities and higher vocational training and scientific institutions.

In view of the fact that the legal and institutional conditions for implementing the provisions of the Recommendation have long existed in the German Democratic Republic, no special legislative measures have been required.