

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**

GENEVA

## **DIPLOMATIC CONFERENCE ON THE PROTECTION OF AUDIOVISUAL PERFORMANCES**

**Geneva, December 7 to 20, 2000**

FIRST REPORT OF THE CREDENTIALS COMMITTEE

*prepared by the Secretariat*

1. The Credentials Committee ("the Committee"), established on December 7, 2000, by the Diplomatic Conference on the Protection of Audiovisual Performances, met on December 8, 2000.
2. The delegation of the following States, elected members of the Committee by the Diplomatic Conference, attended the meeting: Bulgaria, China, Costa Rica, Luxembourg, Malaysia, Morocco and Ukraine.
3. The President of the Committee, elected by the Diplomatic Conference, was Mr. Dimiter Gantchev (Bulgaria). The Vice -Presidents, elected by the Diplomatic Conference, were Ms. Christiane Daleiden-Distefano (Luxembourg) and Mr. Raja Reza Raja Zaib Shah (Malaysia).
4. In accordance with Rule 9(1) of the Rules of Procedure adopted by the Conference on December 7, 2000 (document IAVP/DC/5; "the Rules of Procedure"), the Committee examined the credentials, full powers, letters or other documents of appointment presented for the purposes of Rules 6 and 7 by delegations of the States members of the World Intellectual Property Organization ("WIPO"), participating in the Conference in accordance with Rule 2(1)(i) of the Rules of Procedure ("the Member Delegations"), by the Delegation of the

European Community, participating in the Conference in accordance with Rule 2(1)(ii) of the Rules of Procedure (“the Special Delegation”), and by delegations of States members of the United Nations other than the States members of WIPO, participating in the Conference in accordance with Rule 2(1)(iii) of the Rules of Procedure (“the Observer Delegations”), as well as by the representatives of intergovernmental and non-governmental organizations, participating in the Conference in accordance with Rule 2(1)(iv) of the Rules of Procedure (“the Observer Organizations”).

5. On the basis of the information provided by the Secretariat as to the practice prevailing in other diplomatic conferences, and in particular in diplomatic conferences convened by WIPO, the Committee decided to recommend to the Conference, meeting in Plenary, that the following criteria should be applied by the Committee in its examination of, and should govern the decision of the Conference on, the credentials, full powers, letters or other documents presented for the purposes of Rules 6 and 7 of the Rules of Procedure:

(i) as far as any State is concerned, its delegation’s credentials and full powers should be accepted if they were signed by that State’s Head of State, Head of Government or Minister for Foreign Affairs; credentials, but not full powers, should be accepted if they were contained in a *note verbale* or letter of that State’s Permanent Representative in Geneva or in a *note verbale* of that State’s Ministry of Foreign Affairs or its Permanent Mission in Geneva and should not otherwise be accepted; in particular, a communication emanating from a Minister other than the Minister for Foreign Affairs, or from an official other than the Permanent Representative or Chargé d’affaires a.i. in Geneva, should not be treated as credentials;

(ii) as far as any Organization is concerned, its representative’s letter or other document of appointment should be accepted if it was signed by the Head (Director General, Secretary General or President) or Deputy Head or official responsible for external affairs of the Organization;

(iii) facsimile and telex communications should be accepted if, as to their source, the requirements stated in points (i) and (ii) were fulfilled.

6. Pending a final decision by the Conference, meeting in Plenary, on the said criteria, the Committee decided to apply those criteria to the documents received by it.

7. Accordingly, the Committee found in order

(a) as far as the *Member Delegations* are concerned,

(i) the *credentials* and *full powers* (that is, credentials for participating in the Conference and signing the Final Act of the Conference, and full power to sign the Instrument to be adopted by the Diplomatic Conference) of the delegations of the following 13 States:

Cameroon  
Denmark  
Greece  
Italy  
Kyrgyzstan

Lebanon  
Netherlands  
Portugal  
Slovenia  
Spain

Sudan  
Switzerland

Tunisia

(ii) the *credentials* without full powers (that is, credentials for participating in the Conference and signing the Final Act of the Conference) of the delegations of the following 77 States:

Albania	Ireland
Algeria	Jamaica
Angola	Japan
Argentina	Kazakhstan
Australia	Kenya
Austria	Latvia
Azerbaijan	Liberia
Bangladesh	Libyan Arab Jamahiriya
Barbados	Luxembourg
Belarus	Madagascar
Belgium	Malaysia
Bosnia and Herzegovina	Malta
Brazil	Mauritania
Bulgaria	Mexico
Canada	Morocco
Colombia	Nepal
Congo	Nicaragua
Costa Rica	Nigeria
Côte d'Ivoire	Norway
Croatia	Panama
Czech Republic	Paraguay
Democratic People's Republic of Korea	Peru
Dominican Republic	Philippines
Ecuador	Republic of Korea
Egypt	Republic of Moldova
El Salvador	Romania
Eritrea	Russian Federation
Ethiopia	Singapore
Finland	Slovakia
France	South Africa
Gabon	Sweden
Germany	Thailand
Ghana	Togo
Guatemala	Uganda
Guinea	United Kingdom
Iceland	United Republic of Tanzania
India	United States of America
Indonesia	Uruguay
Iraq	

(b) as far as the *Special Delegation* is concerned, the *credentials* and *full powers* of the European Community (1).

(c) as far as the *Observer Delegations* are concerned, the *credentials* of the delegation of the following State:

Djibouti

(d) as far as the *Observer Organizations* are concerned, the *letters or documents of appointment* of representatives of the following Observer Organizations (listed in the alphabetical order of the name of the organization according to its name in French if it exists or, if it does not exist, according to its name in another language):

(i) *intergovernmental organizations*: International Labour Organization (ILO), United Nations Educational, Scientific and Cultural Organization (UNESCO), International Telecommunication Union (ITU), World Trade Organization (WTO), League of Arab States (LAS), Organization of African Unity (OAU), Organization of the Islamic Conference (OIC) (7);

(ii) *non-governmental organizations*: Asociación Argentina de Intérpretes (AADI), Association of European Performers' Organizations (AEPO), Association of Commercial Television in Europe (ACT), International Association of Broadcasting (IAB), The National Association of Commercial Broadcasters in Japan (NAB-Japan), International Bureau of Societies Administering the Rights of Mechanical Recording and Reproduction (BIEM), Central and Eastern European Copyright Alliance (CEECA), Copyright Research and Information Center (CRIC), Actors, Interpreting Artists Committee (CSAI), International Confederation of Societies of Authors and Composers (CISAC), International Council of Societies of Industrial Design (ICSID), European Film Companies Alliance (EFCA), European Federation of Joint Management Societies of Producers for Private Audiovisual Copying (EUROCOPYA), International Federation of the Phonographic Industry (IFPI), International Video Federation (IVF), International Federation of Actors (FIA), International Federation of Associations of Film Distributors (FIAD), International Federation of Film Producers Associations (FIAPF), International Federation of Journalists (IFJ), International Federation of Musicians (FIM), Inter-American Copyright Institute (IIDA), Max-Planck Institute for Foreign and International Patent, Copyright and Competition Law (MPI), Institute of Intellectual Property (IIP), Media and Entertainment International (MEI), International League of Competition Law (LIDC), Organización Iberoamericana de Derechos de Autor (LATINAUTOR), Performing Arts Employers Associations League Europe (PEARLE), Asia-Pacific Broadcasting Union (ABU), Union of Industrial and Employers' Confederations of Europe (UNICE), European Broadcasting Union (EBU), International Publishers Association (IPA), World Blind Union (WBU), Video Software Dealers Association (VSDA) (33).

8. The Committee recommends to the Conference, meeting in Plenary, to accept the credentials and full powers of the delegations mentioned in paragraph 7(a)(i) and 7(b), above, the credentials of the delegations mentioned in paragraph 7(a)(ii) and 7(c), above, and the letters or documents of appointment of the representatives of the organizations mentioned in paragraph 7(d), above.

9. The Committee expressed the wish that the Secretariat should bring Rules 6 ("Credentials and Full Powers"), 7 ("Letters of Appointment"), 8 ("Presentation of Credentials, etc.") and 10 ("Provisional Participation") of the Rules of Procedure to the attention of the Member Delegations or the Observer Delegations not having presented

credentials or full powers and of the representatives of Observer Organizations not having presented letters or other documents of appointment.

10. The Committee decided that a report on its first meeting should be prepared by the Secretariat and issued as its first report, to be presented by the President of the Committee to the Conference, meeting in Plenary.

11. The Committee decided that it would re-convene to examine any further communications concerning the Member Delegations, the Observer Delegations, or the Observer Organizations which might be received by the Secretariat after the close of its first meeting.

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