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UNESCO ACTIVITIES

UNESCO Universal Declaration on Cultural Diversity

The General Conference,

Committed to the full implementation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and other universally recognized legal instruments, such as the two International Covenants of 1966 relating respectively to civil and political rights and to economic, social and cultural rights,

Recalling that the Preamble to the Constitution of UNESCO affirms ‘that the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfil in a spirit of mutual assistance and concern’,

Further recalling Article I of the Constitution, which assigns to UNESCO among other purposes that of recommending ‘such international agreements as may be necessary to promote the free flow of ideas by word and image’,

Referring to the provisions relating to cultural diversity and the exercise of cultural rights in the international instruments enacted by UNESCO,¹

1. Among which, in particular, the Florence Agreement of 1950 and its Nairobi Protocol of 1976, the Universal Copyright Convention of 1952, the Declaration of Principles on International Cultural Co-operation of 1966, the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970), the Convention for the Protection of World Cultural and Natural Heritage of 1972, the UNESCO Declaration on Race and Racial Prejudice of 1978, the Recommendation concerning the Status of the Artist of 1980, and the Recommendation on Safeguarding Traditional and Popular Culture of 1989.

Reaffirming that culture should be regarded as the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs,²

Noting that culture is at the heart of contemporary debates about identity, social cohesion, and the development of a knowledge-based economy,

Affirming that respect for the diversity of cultures, tolerance, dialogue and co-operation, in a climate of mutual trust and understanding are among the best guarantees of international peace and security,

Aspiring to greater solidarity on the basis of recognition of cultural diversity, of awareness of the unity of humankind, and of the development of intercultural exchanges, *Considering* that the process of globalization, facilitated by the rapid development of new information and communication technologies, though representing a challenge for cultural diversity, creates the conditions for renewed dialogue among cultures and civilizations,

Aware of the specific mandate which has been entrusted to UNESCO, within the United Nations system, to ensure the preservation and promotion of the fruitful diversity of cultures,

Proclaims the following principles and adopts the present Declaration:

Identity, diversity and pluralism

Article 1 – Cultural diversity: the common heritage of humanity

Culture takes diverse forms across time and space. This diversity is embodied in the uniqueness and plurality of the identities of the groups and societies making up humankind. As a source of exchange, innovation and creativity, cultural diversity is as necessary for humankind as biodiversity is for nature. In this sense, it is the common heritage of humanity and should be recognized and affirmed for the benefit of present and future generations.

2. This definition is in line with the conclusions of the World Conference on Cultural Policies (MONDIACULT, Mexico City, 1982), of the World Commission on Culture and Development (*Our Creative Diversity*, 1995), and of the Intergovernmental Conference on Cultural Policies for Development (Stockholm, 1998).

Article 2 – From cultural diversity to cultural pluralism

In our increasingly diverse societies, it is essential to ensure harmonious interaction among people and groups with plural, varied and dynamic cultural identities as well as their willingness to live together. Policies for the inclusion and participation of all citizens are guarantees of social cohesion, the vitality of civil society and peace. Thus defined, cultural pluralism gives policy expression to the reality of cultural diversity. Indissociable from a democratic framework, cultural pluralism is conducive to cultural exchange and to the flourishing of creative capacities that sustain public life.

Article 3 – Cultural diversity as a factor in development

Cultural diversity widens the range of options open to everyone; it is one of the roots of development, understood not simply in terms of economic growth, but also as a means to achieve a more satisfactory intellectual, emotional, moral and spiritual existence.

Cultural diversity and human rights

Article 4 – Human rights as guarantees of cultural diversity

The defence of cultural diversity is an ethical imperative, inseparable from respect for human dignity. It implies a commitment to human rights and fundamental freedoms, in particular the rights of persons belonging to minorities and those of indigenous peoples. No one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor to limit their scope.

Article 5 – Cultural rights as an enabling environment for cultural diversity

Cultural rights are an integral part of human rights, which are universal, indivisible and interdependent. The flourishing of creative diversity requires the full implementation of cultural rights as defined in Article 27 of the Universal Declaration of Human Rights and in Articles 13 and 15 of the International Covenant on Economic, Social and Cultural Rights. All persons have therefore the right to express themselves and to create and disseminate their work in the language of their choice, and particularly in their mother tongue; all persons are entitled to quality education and training that fully respect their cultural identity; and all persons have the right to participate in the cultural life of their choice and

conduct their own cultural practices, subject to respect for human rights and fundamental freedoms.

Article 6 – Towards access for all to cultural diversity

While ensuring the free flow of ideas by word and image care should be exercised that all cultures can express themselves and make themselves known. Freedom of expression, media pluralism, multilingualism, equal access to art and to scientific and technological knowledge, including in digital form, and the possibility for all cultures to have access to the means of expression and dissemination are the guarantees of cultural diversity.

Cultural diversity and creativity

Article 7 – Cultural heritage as the wellspring of creativity

Creation draws on the roots of cultural tradition, but flourishes in contact with other cultures. For this reason, heritage in all its forms must be preserved, enhanced and handed on to future generations as a record of human experience and aspirations, so as to foster creativity in all its diversity and to inspire genuine dialogue among cultures.

Article 8 – Cultural goods and services: commodities of a unique kind

In the face of present-day economic and technological change, opening up vast prospects for creation and innovation, particular attention must be paid to the diversity of the supply of creative work, to due recognition of the rights of authors and artists and to the specificity of cultural goods and services which, as vectors of identity, values and meaning, must not be treated as mere commodities or consumer goods.

Article 9 – Cultural policies as catalysts of creativity

While ensuring the free circulation of ideas and works, cultural policies must create conditions conducive to the production and dissemination of diversified cultural goods and services through cultural industries that have the means to assert themselves at the local and global level. It is for each State, with due regard to its international obligations, to define its cultural policy and to implement it

through the means it considers fit, whether by operational support or appropriate regulations.

Cultural diversity and international solidarity

Article 10 – Strengthening capacities for creation and dissemination worldwide

In the face of current imbalances in flows and exchanges of cultural goods and services at the global level, it is necessary to reinforce international co-operation and solidarity aimed at enabling all countries, especially developing countries and countries in transition, to establish cultural industries that are viable and competitive at national and international level.

Article 11 – Building partnerships between the public sector, the private sector and civil society

Market forces alone cannot guarantee the preservation and promotion of cultural diversity, which is the key to sustainable human development. From this perspective, the pre-eminence of public policy, in partnership with the private sector and civil society, must be reaffirmed.

Article 12 – The role of UNESCO

UNESCO, by virtue of its mandate and functions, has the responsibility to:

- (a) Promote the incorporation of the principles set out in the present Declaration into the development strategies drawn up within the various inter-governmental bodies;
- (b) Serve as a reference point and a forum where States, international governmental and non-governmental organizations, civil society and the private sector may join together in elaborating concepts, objectives and policies in favour of cultural diversity;
- (c) Pursue its activities in standard-setting, awareness-raising and capacity-building in the areas related to the present Declaration within its fields of competence;
- (d) Facilitate the implementation of the Action Plan, the main lines of which are appended to the present Declaration.

Main lines of an action plan for the implementation of the UNESCO Universal Declaration on Cultural Diversity

The Member States commit themselves to taking appropriate steps to disseminate widely the ‘UNESCO Universal Declaration on Cultural Diversity’, in particular by co-operating with a view to achieving the following objectives:

1. Deepening the international debate on questions relating to cultural diversity, particularly in respect of its links with development and its impact on policy-making, at both national and international level; taking forward notably consideration of the opportunity of an international legal instrument on cultural diversity.
2. Advancing in the definition of principles, standards and practices, on both the national and the international levels, as well as of awareness-raising modalities and patterns of co-operation, that are most conducive to the safeguarding and promotion of cultural diversity.
3. Fostering the exchange of knowledge and best practices in regard to cultural pluralism with a view to facilitating, in diversified societies, the inclusion and participation of persons and groups from varied cultural backgrounds.
4. Making further headway in understanding and clarifying the content of cultural rights as an integral part of human rights.
5. Safeguarding the linguistic heritage of humanity and giving support to expression, creation and dissemination in the greatest possible number of languages.
6. Encouraging linguistic diversity – while respecting the mother tongue – at all levels of education, wherever possible, and fostering the learning of several languages from the youngest age.
7. Promoting through education an awareness of the positive value of cultural diversity and improving to this end both curriculum design and teacher education.
8. Incorporating, where appropriate, traditional pedagogies into the education process with a view to preserving and making full use of culturally appropriate methods of communication and transmission of knowledge.
9. Encouraging ‘digital literacy’ and ensuring greater mastery of the new information and communication technologies, which should be seen both as educational discipline and as pedagogical tools capable of enhancing the effectiveness of educational services.
10. Promoting linguistic diversity in cyberspace and encouraging universal access through the global network to all information in the public domain.
11. Countering the digital divide, in close co-operation in relevant United Nations

system organizations, by fostering access by the developing countries to the new technologies, by helping them to master information technologies and by facilitating the digital dissemination of endogenous cultural products and access by those countries to the educational, cultural and scientific digital resources available worldwide.

12. Encouraging the production, safeguarding and dissemination of diversified contents in the media and global information networks and, to that end, promoting the role of public radio and television services in the development of audiovisual productions of good quality, in particular by fostering the establishment of co-operative mechanisms to facilitate their distribution.
13. Formulating policies and strategies for the preservation and enhancement of the cultural and natural heritage, notably the oral and intangible cultural heritage, and combating illicit traffic in cultural goods and services.
14. Respecting and protecting traditional knowledge, in particular that of indigenous peoples; recognizing the contribution of traditional knowledge, particularly with regard to environmental protection and the management of natural resources, and fostering synergies between modern science and local knowledge.
15. Fostering the mobility of creators, artists, researchers, scientists and intellectuals and the development of international research programmes and partnerships, while striving to preserve and enhance the creative capacity of developing countries and countries in transition.
16. Ensuring protection of copyright and related rights in the interest of the development of contemporary creativity and fair remuneration for creative work, while at the same time upholding a public right of access to culture, in accordance with Article 27 of the Universal Declaration of Human Rights.
17. Assisting in the emergence or consolidation of cultural industries in the developing countries and countries in transition and, to this end, co-operating in the development of the necessary infrastructures and skills, fostering the emergence of viable local markets, and facilitating access for the cultural products of those countries to the global market and international distribution networks.
18. Developing cultural policies, including operational support arrangements and/or appropriate regulatory frameworks, designed to promote the principles enshrined in this Declaration, in accordance with the international obligations incumbent upon each State.
19. Involving civil society closely in framing of public policies aimed at safeguarding and promoting cultural diversity.
20. Recognizing and encouraging the contribution that the private sector can make to enhancing cultural diversity and facilitating to that end the establishment of forums for dialogue between the public sector and the private sector.

The Member States recommend that the Director-General take the objectives set forth in this Action Plan into account in the implementation of UNESCO's programmes and communicate the latter to institutions of the United Nations system and to other intergovernmental and non-governmental organizations concerned with a view to enhancing the synergy of actions in favour of cultural diversity.

INTERNATIONAL CONVENTIONS

Annual review of States Parties
to the international conventions on intellectual
property adopted under the auspices of UNESCO

Universal Copyright Convention and annexed Protocols

*Universal Copyright Convention adopted at Geneva in 1952 and
annexed Protocols 1, 2 and 3*

State of ratifications, acceptances and accessions up to 15 January 2002

I. ADOPTION

<i>Text</i>	<i>Adopted by</i>
Universal Copyright Convention	Intergovernmental Copyright Conference, Geneva, 18 August to 6 September 1952
Annexed Protocol No. 1 concerning the application of that Convention to the works of stateless persons and refugees	Intergovernmental Copyright Conference, Geneva, 18 August to 6 September 1952
Annexed Protocol No. 2 concerning the application of that Convention to the works of certain international organizations	Intergovernmental Copyright Conference, Geneva, 18 August to 6 September 1952
Annexed Protocol No. 3 concerning the effective date of instruments of ratification or acceptance of, or accession to, that Convention	Intergovernmental Copyright Conference, Geneva, 18 August to 6 September 1952

Universal Copyright Convention and annexed Protocols

II. ENTRY INTO FORCE

<i>Text</i>	<i>Initial entry into force</i>	<i>Subsequent entry into force</i>
Universal Copyright Convention	16 September 1955 in accordance with Article IX, paragraph 1	Three months after deposit of the instrument of ratification, acceptance or accession in accordance with Article IX, paragraph 2
Annexed Protocol No. 1 concerning the application of that Convention to the works of stateless persons and refugees	16 September 1955 in accordance with paragraph 2(b)	Date of deposit of the instrument of ratification, acceptance or accession, subject to the concerned State being a party to the Convention (paragraph 2(b))
Annexed Protocol No. 2 concerning the application of that Convention to the works of certain international organizations	16 September 1955 in accordance with paragraph 2(b)	Date of deposit of the instrument of ratification, acceptance or accession, subject to the concerned State being a party to the Convention (paragraph 2(b))
Annexed Protocol No. 3 concerning the effective date of instruments of ratification or acceptance of, or accession to, that Convention	19 August 1954 in accordance with paragraph 6(b)	Date of deposit of the instrument of ratification, acceptance or accession (paragraph 6(b))

III. RATIFICATIONS, ACCEPTANCES AND ACCESSIONS

(R = Ratification or acceptance; A = Accession; D = Declaration*)

	<i>Date of deposit of instrument</i>				<i>Territorial application of the Convention</i>	
	<i>Convention</i>	<i>Protocol 1</i>	<i>Protocol 2</i>	<i>Protocol 3</i>	<i>Date of receipt of notification</i>	<i>Extension to</i>
Algeria ¹	28.05.1973 A					
Andorra ²	31.12.1952 Ra		31.12.1952 Ra	31.12.1952 Ra		
	22.01.1953 Rb	22.01.1953 Rb	22.01.1953 Rb	22.01.1953 Rb		
Argentina	13.11.1957 R	13.11.1957 R	13.11.1957 R			
Australia	01.02.1969 R	24.07.1969 R	24.07.1969 R	24.07.1969 R		
Austria	02.04.1957 R	02.04.1957 R	02.04.1957 R	02.04.1957 R		
Azerbaijan ³	07.04.1997 D	07.04.1997 D	07.04.1997 D			
Bahamas ⁴	13.07.1976 D					
Bangladesh ⁵	05.05.1975 A	05.05.1975 A				
Barbados ⁶	18.03.1983 A					
Belarus ⁷	29.03.1994 D					

* The symbol 'D' denotes a declaration made by a State recognizing itself bound, as from the date of its independence, by the Convention and/or by annexed Protocols 1, 2 and 3, the application of which had been extended to its territory either by a State then responsible for the conduct of its foreign relations, or by the State from which it separated. The date shown is the date from which the application of the Convention had been extended to the territory of this State or in cases of separation, the date on which the Director-General of UNESCO received from the State notification of succession (see corresponding note).

	<i>Date of deposit of instrument</i>				<i>Territorial application of the Convention</i>	
	<i>Convention</i>	<i>Protocol 1</i>	<i>Protocol 2</i>	<i>Protocol 3</i>	<i>Date of receipt of notification</i>	<i>Extension to</i>
Belgium	31.05.1960 R	31.05.1960 R	31.05.1960 R	31.05.1960 R	24.01.1961	Ruanda-Burundi
Belize ⁸	01.12.1982 D					
Bolivia ⁹	22.12.1989 A	22.12.1989 A	22.12.1989 A	22.12.1989 A		
Bosnia and Herzegovina ¹⁰	12.07.1993 D	12.07.1993 D	12.07.1993 D	12.07.1993 D		
Brazil	13.10.1959 R	13.10.1959 R	13.10.1959 R	13.10.1959 R		
Bulgaria ¹¹	07.03.1975 A					
Cambodia	03.08.1953 A	03.08.1953 A	03.08.1953 A	03.08.1953 A		
Cameroon ¹²	01.02.1973 A					
Canada	10.05.1962 R			10.05.1962 R		
Chile	18.01.1955 R		18.01.1955 R			
China	30.07.1992 A					
Colombia ¹³	18.03.1976 A					
Costa Rica	07.12.1954 A	07.12.1954 A	07.12.1954 A	07.12.1954 A		
Croatia ¹⁴	06.07.1992 D	06.07.1992 D	06.07.1992 D	06.07.1992 D		
Cuba	18.03.1957 R	18.03.1957 R	18.03.1957 R			
Cyprus ¹⁵	19.09.1990 A	19.09.1990 A				
Czech Republic ¹⁶	26.03.1993 D		26.03.1993 D	26.03.1993 D		
Denmark	09.11.1961 R	09.11.1961 R	09.11.1961 R	09.11.1961 R		
Dominican Republic ¹⁷	08.02.1983 A					
Ecuador	05.03.1957 A	05.03.1957 A	05.03.1957 A			
El Salvador ¹⁸	29.12.1978 A	29.12.1978 A				
Federal Republic of Yugoslavia ¹⁹	27.04.1992 D	27.04.1992 D	27.04.1992 D	27.04.1992 D		
Fiji	13.12.1971 D					
Finland	16.01.1963 R	16.01.1963 R	16.01.1963 R	16.01.1963 R		
France	14.10.1955 R	14.10.1955 R	14.10.1955 R	14.10.1955 R	16.11.1955	Departments of Algeria, Guadeloupe, Martinique, Guiana, Réunion
Germany ²⁰	03.06.1955 R	03.06.1955 R	03.06.1955 R	03.06.1955 R		
Ghana	22.05.1962 A	22.05.1962 A	22.05.1962 A	22.05.1962 A		
Greece	24.05.1963 A	24.05.1963 A	24.05.1963 A	24.05.1963 A		
Guatemala	28.07.1964 R	28.07.1964 R	28.07.1964 R	28.07.1964 R		
Guinea ²¹	13.08.1981 A	13.08.1981 A				
Haiti	01.09.1954 R	01.09.1954 R	01.09.1954 R	01.09.1954 R		
Holy See	05.07.1955 R	05.07.1955 R	05.07.1955 R	05.07.1955 R		
Hungary ²²	23.10.1970 A		23.10.1970 A			
Iceland	18.09.1956 A					
India	21.10.1957 R	21.10.1957 R	21.10.1957 R	21.10.1957 A		
Ireland	20.10.1958 R	20.10.1958 R	20.10.1958 R	20.10.1958 R		
Israel	06.04.1955 R	06.04.1955 R	06.04.1955 R	06.04.1955 R		
Italy	24.10.1956 R	19.12.1966 R	24.10.1956 R	24.10.1956 R		

	<i>Date of deposit of instrument</i>				<i>Territorial application of the Convention</i>	
	<i>Convention</i>	<i>Protocol 1</i>	<i>Protocol 2</i>	<i>Protocol 3</i>	<i>Date of receipt of notification</i>	<i>Extension to</i>
Japan	28.01.1956 R	28.01.1956 R	28.01.1956 R	28.01.1956 R		
Kazakhstan ²⁵	06.08.1992 D					
Kenya	07.06.1966 A	07.06.1966 A	07.06.1966 A	07.06.1966 A		
Lao People's Democratic Republic	19.08.1954 A	19.08.1954 A	19.08.1954 A	19.08.1954 A		
Lebanon	17.07.1959 A	17.07.1959 A	17.07.1959 A	17.07.1959 A		
Liberia	27.04.1956 R	27.04.1956 R	27.04.1956 R	27.04.1956 R		
Liechtenstein	22.10.1958 A	22.10.1958 A	22.10.1958 A			
Luxembourg	15.07.1955 R	15.07.1955 R	15.07.1955 R	15.07.1955 R		
Malawi	26.07.1965 A					
Malta	19.08.1968 A					
Mauritius ²⁴	20.08.1970 D	20.08.1970 D	20.08.1970 D	20.08.1970 D		
Mexico	12.02.1957 R		12.02.1957 R			
Monaco	16.06.1955 R	16.06.1955 R	16.06.1955 R			
Morocco	08.02.1972 A	08.02.1972 A	08.02.1972 A	08.02.1972 A		
Netherlands ^c	22.03.1967 R	22.03.1967 A	22.03.1967 A	22.03.1967 R		
New Zealand	11.06.1964 A	11.06.1964 A	11.06.1964 A	11.06.1964 A	11.06.1964	Cook Islands (including Niue), Tokelau Islands
Nicaragua	16.05.1961 R	16.05.1961 R	16.05.1961 R	16.05.1961 R		
Niger ²⁵	15.02.1989 A	15.02.1989 A				
Nigeria	14.11.1961 A					
Norway	23.10.1962 R	23.10.1962 R	23.10.1962 R	23.10.1962 R		
Pakistan	28.04.1954 A	28.04.1954 A	28.04.1954 A	28.04.1954 A		
Panama	17.07.1962 A	17.07.1962 A	17.07.1962 A	17.07.1962 A		
Paraguay	11.12.1961 A	11.12.1961 A	11.12.1961 A	11.12.1961 A		
Peru	16.07.1963 R	22.04.1985 A				
Philippines ²⁶	19.08.1955 A	19.08.1955 A	19.08.1955 A	19.08.1955 A		
Poland ²⁷	09.12.1976 A	09.12.1976 A				
Portugal	25.09.1956 R	25.09.1956 R	25.09.1956 R	25.09.1956 R		
Republic of Korea ²⁸	01.07.1987 A	01.07.1987 A				
Republic of Moldova ²⁹	26.06.1997 D					
Russian Federation ³⁰	27.02.1973 A					
Rwanda ³¹	10.08.1989 A	10.08.1989 A				
Saint Vincent and the Grenadines ³²	22.01.1985 D					
Saudi Arabia	13.04.1994 A					
Senegal ³³	09.04.1974 A	09.04.1974 A				
Slovakia ³⁴	31.03.1993 D		31.03.1993 D	31.03.1993 D		
Slovenia ³⁵	05.11.1992 D	05.11.1992 D	05.11.1992 D	05.11.1992 D		
Spain	27.10.1954 R			27.10.1954 R ³⁶		
Sri Lanka ³⁷	25.10.1983 A	27.07.1988 A	27.07.1988 A	27.07.1988 A		

	<i>Date of deposit of instrument</i>				<i>Territorial application of the Convention</i>	
	<i>Convention</i>	<i>Protocol 1</i>	<i>Protocol 2</i>	<i>Protocol 3</i>	<i>Date of receipt of notification</i>	<i>Extension to</i>
Sweden	01.04.1961 R	01.04.1961 R	01.04.1961 R	01.04.1961 R		
Switzerland	30.12.1955 R	30.12.1955 R	30.12.1955 R			
Tajikistan ³⁸	28.08.1992 D					
the former Yugoslav Republic of Macedonia ³⁹	30.04.1997 D	30.04.1997 D	30.04.1997 D	30.4.1997 D		
Trinidad and Tobago ⁴⁰	19.05.1988 A					
Tunisia	19.03.1969 A	19.03.1969 A	19.03.1969 A	19.03.1969 A		
Ukraine ⁴¹	17.01.1994 D					
United Kingdom	27.06.1957 R	27.06.1957 R	27.06.1957 R	27.06.1957 R	29.11.1961	Isle of Man, Fiji, Gibraltar, Sarawak
					04.02.1963	Zanzibar, Bermuda, North Borneo ⁴²
					26.04.1963	Bahamas, Virgin Islands
					29.10.1963	Falkland Islands ⁴³
						Kenya, St Helena, Seychelles
					06.10.1964	Mauritius
					08.02.1966	Bechuana-land, Montserrat, Saint Lucia
					15.02.1966	Grenada
					11.03.1966	Cayman Islands
					15.03.1966	British Guiana
					19.07.1966	British Honduras ⁴⁴
					10.08.1967	Saint Vincent
					30.06.1997	Hong Kong ⁴⁵
United States of America	06.12.1954 R	06.12.1954 R	06.12.1954 R	06.12.1954 R	06.12.1954	Alaska, Hawaii, Panama Canal Zone, ⁴⁶

Universal Copyright Convention and annexed Protocols

	<i>Date of deposit of instrument</i>				<i>Territorial application of the Convention</i>	
	<i>Convention</i>	<i>Protocol 1</i>	<i>Protocol 2</i>	<i>Protocol 3</i>	<i>Date of receipt of notification</i>	<i>Extension to</i>
					17.05.1957	Puerto Rico, Virgin Islands Guam
Uruguay ⁴⁷	12.01.1993 R	12.01.1993 R	12.01.1993 R	12.01.1993 R		
Venezuela	30.06.1966 A	30.06.1966 A	30.06.1966 A	30.06.1966 A		
Zambia	01.03.1965 A					

- a. Date upon which an instrument of ratification was deposited on behalf of the Bishop of Urgel, co-Prince of Andorra.
- b. Date upon which an instrument of ratification was deposited on behalf of the President of the French Republic, co-Prince of Andorra.
- c. For the Kingdom in Europe.

Notes

1. The instrument of accession by Algeria to the Universal Copyright Convention as revised at Paris on 24 July 1971 was deposited with the Director-General of UNESCO on 28 May 1973. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; however, if its instrument of accession is deposited before this Convention comes into force, such State may make its accession to the 1952 Convention conditional upon the coming into force of this Convention . . .'. Since Algeria's accession was not made conditional upon the coming into force of the revised Convention, its accession to the 1952 Convention came into force on 28 August 1973.
2. The Director-General of UNESCO received (a) from the French Ministry of Foreign Affairs, in the name of the President of the French Republic, co-Prince of Andorra, a communication dated 17 January 1953 and (b) from His Excellency the Bishop of Urgel, co-Prince of Andorra, a communication dated 10 March 1953, regarding the instrument of ratification deposited on 31 December 1952. These two communications were transmitted to the States concerned by letter CL/806 of 25 July 1953.
3. On 7 April 1997 the Director-General of UNESCO received a communication from the Minister of Foreign Affairs of the Republic of Azerbaijan notifying him that on 7 February 1996 the Milli Majlis (Parliament) adopted the Law No. 20-IQ, signed by the President, according to which the Republic of Azerbaijan considers itself bound by the obligations arising from the Universal Copyright Convention (text adopted on 6 September 1952) from 27 May 1973, date on which this Convention came into force for the former USSR.

4. The Director-General of UNESCO received on 13 July 1976 from the Government of the Bahamas a communication notifying him that it considers itself bound by the Universal Copyright Convention (1952), the application of which had been extended to its territory before the attainment of independence.
5. The instrument of accession by Bangladesh to the Universal Copyright Convention as revised at Paris on 24 July 1971 and annexed Protocols 1 and 2 was deposited with the Director-General of UNESCO on 5 May 1975. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of Bangladesh, the 1952 Convention came into force on 5 August 1975. Paragraph 2(c) of Protocol 1 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 provides: 'On the entry into force of this Protocol in respect of a State not party to Protocol 1 annexed to the 1952 Convention, the latter Protocol shall be deemed to enter into force in respect of such State.' Consequently, in respect of Bangladesh, Protocol 1 annexed to the 1952 Convention entered into force on 5 August 1975.
6. The instrument of accession by Barbados to the Universal Copyright Convention as revised at Paris on 24 July 1971 was deposited with the Director-General of UNESCO on 18 March 1983. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of Barbados, the 1952 Convention came into force on 18 June 1983.
7. On 29 March 1994, the Director-General of UNESCO received from the Permanent Delegate of the Republic of Belarus a letter dated 21 March 1994, transmitting to him the Note of the Ministry of Foreign Affairs and the Declaration of the Republic of Belarus dated 24 February 1994, confirming that this country considers itself bound by the obligations arising from the Universal Copyright Convention, adopted at Geneva on 6 September 1952, from 27 May 1973, date on which this Convention came into force for the former USSR.
8. On 1 December 1982, the Director-General of UNESCO received from the Government of Belize a communication notifying him that it has decided to apply provisionally, and on the basis of reciprocity, the Convention, the application of which had been extended to its territory before the attainment of independence.
9. On 22 December 1989, Bolivia deposited also with the Director-General of UNESCO its instrument of accession to the Universal Copyright Convention as revised at Paris on 24 July 1971.
10. On 12 July 1993, the Director-General of UNESCO received from the Republic of Bosnia and Herzegovina the instrument of succession to the Universal Copyright Convention adopted at Geneva in 1952 and its annexed Protocols 1, 2 and 3, ratified by the Socialist Federal Republic of Yugoslavia on 11 February 1966.
11. The instrument of accession by Bulgaria to the Universal Copyright Convention as revised at Paris on 24 July 1971 was deposited with the Director-General of UNESCO on 7 March 1975. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of Bulgaria, the 1952 Convention entered into force on 7 June 1975. The instrument of accession contained a declaration with respect to Article XIII.

12. Cameroon deposited its instrument of accession to the Universal Copyright Convention as revised at Paris on 24 July 1971 with the Director-General of UNESCO on 1 February 1973. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; however, if its instrument of accession is deposited before this Convention comes into force, such State may make its accession to the 1952 Convention conditional upon the coming into force of this Convention . . .'. Since Cameroon's accession was not made conditional upon the coming into force of the revised Convention, its accession to the 1952 Convention came into force on 1 May 1973.
13. The instrument of accession by Colombia to the Universal Copyright Convention as revised at Paris on 24 July 1971 was deposited with the Director-General of UNESCO on 18 March 1976. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of Colombia, the 1952 Convention came into force on 18 June 1976.
14. On 6 July 1992, the Director-General of UNESCO received from the Minister of Foreign Affairs of the Republic of Croatia, a letter dated 1 July 1992, notifying him that, according to the Croatian Parliament's Constitutional Decision of 25 June 1992 on the sovereignty and independence of the Republic of Croatia 'the international agreements signed and joined by the Socialist Federal Republic of Yugoslavia shall be implemented by the Republic of Croatia in compliance with the principles of the international law governing the succession of States . . .'. Consequently, the Republic of Croatia will continue to apply the Universal Copyright Convention adopted at Geneva in 1952 and its annexed Protocols 1, 2 and 3, ratified by the Socialist Federal Republic of Yugoslavia on 11 February 1966.
15. The instrument of accession by Cyprus to the Universal Copyright Convention as revised at Paris on 24 July 1971 and annexed Protocols 1 and 2 was deposited with the Director-General of UNESCO on 19 September 1990. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of Cyprus, the 1952 Convention came into force on 19 December 1990. Paragraph 2(c) of Protocol 1 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 provides: 'On the entry into force of this Protocol in respect of a State not party to Protocol 1 annexed to the 1952 Convention, the latter Protocol shall be deemed to enter into force in respect of such State.' Consequently, in respect of Cyprus, Protocol 1 annexed to the 1952 Convention entered into force on 19 December 1990.
16. On 1 January 1993, Czechoslovakia separated into two independent States: the Slovak Republic and the Czech Republic. On 26 March 1993, the Director-General of UNESCO received from the Government of the Czech Republic the following notification dated 14 March 1993: '. . . In harmony with the valid principles of international law and to the extent defined by it, the Czech Republic, as a successor State created as a result of the dissolution of the Czech and Slovak Federal Republic, considers itself bound, as of 1 January 1993, i.e. the date of the dissolution of the Czechoslovak Federation, by multilateral international treaties to which the Czech and Slovak Federal Republic was a party on that date, including reservations and statements to their provisions made earlier by Czechoslovakia.'

Of the treaties deposited with UNESCO this applies to the following treaties:

- Universal Copyright Convention, with Appendix Declaration relating to Article XVII and Resolution concerning Article XI (Geneva, 6 September 1952).
 - Protocol 2 annexed to the Universal Copyright Convention, concerning the application of that Convention to the works of certain international organizations (Geneva, 6 September 1952).
 - Protocol 3 annexed to the Universal Copyright Convention, concerning ratification, acceptance or conditional accession (Geneva, 6 September 1952) . . .
17. The instrument of accession by the Dominican Republic to the Universal Copyright Convention as revised at Paris on 24 July 1971 was deposited with the Director-General of UNESCO on 8 February 1983. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of the Dominican Republic, the 1952 Convention came into force on 8 May 1983.
 18. The instrument of accession by El Salvador to the Universal Copyright Convention as revised at Paris on 24 July 1971 and annexed Protocols 1 and 2 was deposited with the Director-General of UNESCO on 29 December 1978. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of El Salvador, the 1952 Convention came into force on 29 March 1979. Paragraph 2(c) of Protocol 1 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 provides: 'On the entry into force of this Protocol in respect of a State not party to Protocol 1 annexed to the 1952 Convention, the latter Protocol shall be deemed to enter into force in respect of such State.' Consequently, in respect of El Salvador, Protocol 1 annexed to the 1952 Convention entered into force on 29 March 1979.
 19. On 11 September 2001, the Director-General of UNESCO received from the Minister of Foreign Affairs of the Federal Republic of Yugoslavia the following notification: ' . . . the Government of the Federal Republic of Yugoslavia decided to accept , as a successor State to the Socialist Federal Republic of Yugoslavia, the Conventions, Agreements and Protocols of the United Nations Educational, Scientific and Cultural Organization . . .'. Listed in the annex attached to the letter were, in particular, the Universal Copyright Convention adopted on 6 September 1952 in Geneva, with Appendix Declaration relating to Article XVII, and Resolution concerning Article XI; the annexed Protocol 1 to the Convention concerning the application of the Convention to works of stateless persons and refugees, Protocol 2 concerning the application of the Convention to the works of certain international organizations and Protocol 3 concerning the effective date of instruments of ratification or acceptance of, or accession to the Convention; Universal Copyright Convention as revised in Paris on 24 July 1971 with Appendix Declaration relating to Article XVII and Resolution concerning Article XI; Convention relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite, adopted on 21 May 1974 in Brussels. The Minister further declared that the Government of the Federal Republic of Yugoslavia ' . . . takes faithfully to perform and carry out the stipulations therein contained as from 27 April 1992, the date upon which the Federal Republic of Yugoslavia assumed responsibility for its international relations'.

20. The Director-General of UNESCO received from the Permanent Delegate of the Federal Republic of Germany a letter dated 3 October 1990 informing him that ‘through the accession of the German Democratic Republic to the Federal Republic of Germany with effect from 3 October 1990, the two German States have united to form one sovereign State’. This letter was accompanied by a verbal note dated 3 October 1990 informing UNESCO that ‘with regard to the continued application of treaties of the Federal Republic of Germany and the treatment of treaties of the German Democratic Republic following its accession to the Federal Republic of Germany with effect from 3 October 1990, the Treaty of 31 August 1990 between the Federal Republic of Germany and the German Democratic Republic on the establishment of German unity (Unification Treaty) contains the following relevant provisions:

1. Article 11

Treaties of the Federal Republic of Germany

The contracting parties proceed on the understanding that international treaties and agreements to which the Federal Republic of Germany is a contracting party . . . shall retain their validity and that the rights and obligations arising therefrom . . . shall also relate to the territory specified in Article 3 of this Treaty’. (*Länder* of Brandenburg, Mecklenburg-Western Pomerania, Saxe, Saxe-Anhalt and Thuringia as well as the sector of the *Land* of Berlin where the Fundamental Law of the Federal Republic of Germany was not applicable.)

21. The instrument of accession by Guinea to the Universal Copyright Convention as revised at Paris on 24 July 1971 and annexed Protocols 1 and 2 was deposited with the Director-General of UNESCO on 13 August 1981. Article IX(3) of the revised Convention provides: ‘Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .’. Consequently, in respect of Guinea, the 1952 Convention came into force on 13 November 1981. Paragraph 2(c) of Protocol 1 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 provides: ‘On the entry into force of this Protocol in respect of a State not party to Protocol 1 annexed to the 1952 Convention, the latter Protocol shall be deemed to enter into force in respect of such State.’ Consequently, in respect of Guinea, Protocol 1 annexed to the 1952 Convention entered into force on 13 November 1981.
22. The deposit of the instrument of accession by Hungary was effected under cover of a verbal note (No. U/43/1970), dated 22 October 1970, containing the following declaration: ‘. . . the Hungarian Permanent Delegation declares on behalf of the Presidential Council of the Hungarian People’s Republic that the provisions of Article XIII of the said Convention are contrary to the fundamental principle of international law concerning the self-determination of peoples which the United Nations General Assembly also wrote into its resolution 1514(XV) on the granting of independence to colonial countries and peoples . . .’.
23. On 6 August 1992, the Director-General of UNESCO received from the Prime Minister of the Republic of Kazakhstan a letter dated 16 July 1992, notifying him that, ‘in accordance with the Alma-Ata declaration of 21 December 1991, the Member States of the Community [of Independent States] guarantee, in accordance with constitutional procedures, the implementation of the international obligations arising from the treaties and agreements concluded by the former Soviet Union. Consequently, the terms of the Universal Copyright Convention of 6 September 1952 remain in force in the Republic of Kazakhstan.’

24. On 20 August 1970, the Director-General of UNESCO received from the Government of Mauritius a communication notifying that it considers itself bound, as from 12 March 1968, by the Universal Copyright Convention and annexed Protocols 1, 2 and 3, the application of which had been extended to its territory before the attainment of independence.
25. The instrument of accession by Niger to the Universal Copyright Convention as revised at Paris on 24 July 1971 and annexed Protocols 1 and 2 was deposited with the Director-General of UNESCO on 15 February 1989. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of Niger, the 1952 Convention came into force on 15 May 1989. Paragraph 2(c) of Protocol 1 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 provides: 'On the entry into force of this Protocol in respect of a State not party to Protocol 1 annexed to the 1952 Convention, the latter Protocol shall be deemed to enter into force in respect of such State.' Consequently, in respect of Niger, Protocol 1 annexed to the 1952 Convention entered into force on 15 May 1989.
26. On 16 November 1955, the Director-General of UNESCO received from the Government of the Republic of the Philippines a communication dated 14 November 1955 informing him that ' . . . His Excellency the President of the Republic of the Philippines has directed the withdrawal of the instrument of accession of the Republic of the Philippines to the Universal Copyright Convention prior to the date of 19 November 1955, at which the Convention would become effective in respect of the Philippines'. The text of this communication was transmitted to the States concerned by letter ODG/SJ/569.973 of 11 January 1956. Observations received from governments were communicated to the Government of the Philippines and to the other States concerned by letter ODG/SJ/666.278 of 16 April 1957.
27. The instrument of accession by Poland to the Universal Copyright Convention as revised at Paris on 24 July 1971 and annexed Protocols 1 and 2 was deposited with the Director-General of UNESCO on 9 December 1976. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of Poland, the 1952 Convention came into force on 9 March 1977. Paragraph 2(c) of Protocol 1 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 provides: 'On the entry into force of this Protocol in respect of a State not party to Protocol 1 annexed to the 1952 Convention, the latter Protocol shall be deemed to enter into force in respect of such State.' Consequently, in respect of Poland, Protocol 1 annexed to the 1952 Convention entered into force on 9 March 1977.
28. The instrument of accession by the Republic of Korea to the Universal Copyright Convention as revised at Paris on 24 July 1971 and annexed Protocols 1 and 2 was deposited with the Director-General of UNESCO on 1 July 1987. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of the Republic of Korea, the 1952 Convention came into force on 1 October 1987. Paragraph 2(c) of Protocol 1 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 provides: 'On the entry into force of this Protocol in respect of a State not party to Protocol 1 annexed to the 1952 Convention, the latter

Protocol shall be deemed to enter into force in respect of such State.’ Consequently, in respect of the Republic of Korea, Protocol 1 annexed to the 1952 Convention entered into force on 1 October 1987.

29. On 26 June 1997 the Director-General of UNESCO received a communication from the Ministry of Foreign Affairs of the Republic of Moldova notifying him that the Republic of Moldova considers itself bound by the obligations arising from the Universal Copyright Convention (text adopted on 6 September 1952) from 27 May 1973, date on which this Convention came into force for the former USSR.
30. On 26 December 1991, the Permanent Delegate of the Russian Federation transmitted to the Director-General of UNESCO a verbal note from the Ministry of Foreign Affairs of his country, the terms of which are as follows: ‘The Ministry of Foreign Affairs of the Russian Federation . . . has the honour to inform you that the participation of the Union of Soviet Socialist Republics . . . in all the conventions, agreements and other instruments of international law concluded therein or under its auspices is continued by the Russian Federation (RF) and that, to that end, the title “Union of Soviet Socialist Republics” should be replaced within UNESCO by “Russian Federation”’ Consequently, the Russian Federation is bound by the Universal Copyright Convention adopted at Geneva in 1952 since 27 May 1973, the date on which this instrument came into force for the Union of Soviet Socialist Republics.

The instrument of accession of the Union of Soviet Socialist Republics contained the following: ‘In acceding to the Universal (Geneva) Copyright Convention of 1952, the Union of Soviet Socialist Republics declares that the provisions of Article XIII of the Convention are outdated and are contrary to the Declaration of the General Assembly of the United Nations on the granting of independence to colonial countries and peoples (Resolution 1514(XV), 14 December 1960), which proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.’

31. The instrument of accession by Rwanda to the Universal Copyright Convention as revised at Paris on 24 July 1971 and annexed Protocols 1 and 2 was deposited with the Director-General of UNESCO on 10 August 1989. Article IX(3) of the revised Convention provides: ‘Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .’. Consequently, in respect of Rwanda, the 1952 Convention came into force on 10 November 1989. Paragraph 2(c) of Protocol 1 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 provides: ‘On the entry into force of this Protocol in respect of a State not party to Protocol 1 annexed to the 1952 Convention, the latter Protocol shall be deemed to enter into force in respect of such State.’ Consequently, in respect of Rwanda, Protocol 1 annexed to the 1952 Convention entered into force on 10 November 1989.
32. The Director-General of UNESCO received on 22 January 1985 from the Government of Saint Vincent and the Grenadines a communication notifying him that that Government has decided to apply provisionally, and on the basis of reciprocity, multilateral treaties extended to the former British Associated State of Saint Vincent and the Grenadines, and, in particular, the Universal Copyright Convention adopted at Geneva in 1952.
33. The instrument of accession by Senegal to the Universal Copyright Convention as revised at Paris on 24 July 1971 and annexed Protocols 1 and 2 was deposited with the Director-General of UNESCO on 9 April 1974. Article IX(3) of the revised Convention provides: ‘Accession to this Convention by a State not party to the 1952 Convention

shall also constitute accession to that Convention; however, if its instrument of accession is deposited before this Convention comes into force, such State may make its accession to the 1952 Convention conditional upon the coming into force of this Convention . . .'. Since Senegal's accession was not made conditional upon the coming into force of the revised Convention, its accession to the 1952 Convention came into force on 9 July 1974. Paragraph 2(c) of Protocol 1 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 provides: 'On the entry into force of this Protocol in respect of a State not party to Protocol 1 annexed to the 1952 Convention, the latter Protocol shall be deemed to enter into force in respect of such State.' Consequently, in respect of Senegal, Protocol 1 annexed to the 1952 Convention entered into force on 10 July 1974.

34. On 1 January 1993, Czechoslovakia separated into two independent States: the Slovak Republic and the Czech Republic. On 31 March 1993, the Director-General of UNESCO received from the Slovak Republic the following notification dated 10 March 1993: '. . . In accordance with the relevant principles and norms defined by international law, the Slovak Republic – a successor of the former Czech and Slovak Federal Republic – considers itself bound by the multilateral international treaties to which the CSFR was party until 31 December 1992.

This applies to the following treaties deposited with UNESCO:

- Universal Copyright Convention, with Appendix Declaration relating to Article XVII and Resolution concerning Article XI, 6 September 1952.
 - Protocol 2 annexed to the Universal Copyright Convention, concerning the application of that Convention to the works of certain international organizations, 6 September 1952.
 - Protocol 3 annexed to the Universal Copyright Convention, concerning the conditional ratification or acceptance of, or accession to, that Convention, 6 September 1952 . . .'.
35. On 5 November 1992, the Director-General of UNESCO received from the Minister for Foreign Affairs of the Republic of Slovenia, a letter dated 28 October 1992, notifying him that, 'when declaring independence on 25 June 1991, the Parliament of the Republic of Slovenia decided that the international treaties which had been concluded by the Socialist Federal Republic of Yugoslavia and which related to the Republic of Slovenia remained effective on its territory . . .'. Consequently, the Republic of Slovenia will continue to apply the Universal Copyright Convention adopted at Geneva in 1952 and its annexed Protocols 1, 2 and 3, ratified by the Socialist Federal Republic of Yugoslavia on 11 February 1966.
36. The instrument of ratification deposited on behalf of Spain on 27 October 1954 referred to the Convention and the three Protocols annexed thereto. Since Protocols 1 and 3 had not been signed on behalf of Spain, the Director-General of UNESCO, by letter of 12 November 1954, drew the attention of the Government of Spain to this fact. In reply, the Director-General received on 27 January 1955 from the Spanish Government a communication stating that '. . . the Spanish ratification of the Universal Copyright Convention applies solely to the documents in fact signed, viz. the Convention and Protocol No. 2'. This communication was transmitted to the States concerned by letter CL/1030 of 25 March 1955.
37. The instrument of accession by Sri Lanka to the Universal Copyright Convention as

- revised at Paris on 24 July 1971 was deposited with the Director-General of UNESCO on 25 October 1983. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention; . . .'. Consequently, in respect of Sri Lanka, the Convention came into force on 25 January 1984.
38. On 28 August 1992, the Director-General of UNESCO received from the Minister of External Relations of the Republic of Tajikistan, a letter dated 11 August 1992, notifying him, on behalf of his Government, that, in accordance with the provisions of the Alma-Ata declaration adopted on 21 December 1991 by the Community of Independent States, the Universal Copyright Convention adopted at Geneva in 1952, to which the former Union of Soviet Socialist Republics acceded on 27 February 1973, will remain in force in the Republic of Tajikistan.
 39. On 30 April 1997 the Director-General of UNESCO received a communication from the Permanent Delegation of the former Yugoslav Republic of Macedonia enclosing a letter from the Ministry of Foreign Affairs of that State, notifying him that the Republic of Macedonia considers itself bound, from 17 November 1991, by the obligations arising from the Universal Copyright Convention as revised at Paris on 24 July 1971.
 40. The instrument of accession by Trinidad and Tobago to the Universal Copyright Convention as revised at Paris on 24 July 1971 was deposited with the Director-General of UNESCO on 19 May 1988. Article IX(3) of the revised Convention provides: 'Accession to this Convention by a State not party to the 1952 Convention shall also constitute accession to that Convention . . .'. Consequently, in respect of Trinidad and Tobago, the 1952 Convention came into force on 19 August 1988.
 41. On 17 January 1994, the Director-General of UNESCO received from the Government of Ukraine the instrument of succession to the Universal Copyright Convention adopted at Geneva in 1952, which the former Union of Soviet Socialist Republics acceded to on 27 February 1973.
 42. On 3 May 1963, the Director-General of UNESCO received from the Government of the Republic of the Philippines a communication dated 16 April 1963 informing him that the Philippines Government does not recognize the declaration of the Government of the United Kingdom concerning the application of the provisions of the Universal Copyright Convention to North Borneo. The Government of the United Kingdom informed the Director-General of UNESCO by a communication dated 29 August 1963 that: '. . . Her Majesty's Government have no doubt of the validity of the declaration made by the United Kingdom whereby the Convention applies to North Borneo, a territory over which the United Kingdom has full Sovereignty'. These communications were transmitted to the States concerned respectively by letter CL/1652 of 27 May 1963 and letter CL/1678 of 25 September 1963.
 43. On 28 January 1964, the Director-General of UNESCO received from the Government of Argentina a communication dated 28 January 1964 informing him that the Government of Argentina does not recognize the declaration of the Government of the United Kingdom concerning the application of the Convention to the Falkland Islands, South Georgia and the South Sandwich Islands. The Government of the United Kingdom informed the Director-General of UNESCO by a communication dated 12 March 1964 that: '. . . Her Majesty's Government . . . have no doubts as to their Sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and they reserve their

- rights in this matter . . .'. These communications were transmitted to the States concerned respectively by letter CL/1704 of 2 March 1964 and letter CL/1718 of 20 April 1964.
44. On 27 September 1966, the Director-General of UNESCO received from the Government of Guatemala a communication dated 19 September 1966 informing him that this Government contests the inclusion of the territory of Belize within the English colonies and they reserve their rights on this Guatemalan territory. The Government of the United Kingdom informed the Director-General of UNESCO by a communication dated 17 February 1967 that: '. . . Her Majesty's Government . . . have no doubts as to their Sovereignty over the territory of British Honduras and they reserve their rights in this matter . . .'. These communications were transmitted to the States concerned respectively by letter CL/1855 of 22 November 1966 and letter CL/1872 of 11 April 1967.
 45. On 30 June 1997 the Director-General of UNESCO received a letter from the British Embassy in Paris containing the following notification: '. . . in accordance with the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong signed on 19 December 1984, the Government of the United Kingdom will restore Hong Kong to the People's Republic of China with effect from 1 July 1997. The Government of the United Kingdom will continue to have international responsibility for Hong Kong until that date. Therefore, from that date the Government of the United Kingdom will cease to be responsible for the international rights and obligations arising from the application of the Convention and Protocols to Hong Kong . . .'.
 46. On 9 December 1957, the Director-General of UNESCO received from the Government of Panama a communication dated 21 November 1957 contesting the right of the Government of the United States of America to extend the application of the Convention to the Panama Canal Zone. The Government of the United States of America informed the Director-General of UNESCO, by a communication dated 28 February 1958, that such extension was proper under Article 3 of its 1903 treaty with Panama. The communications were transmitted to the States concerned respectively by letter CL/1263 of 13 February 1958 and letter CL/1284 of 22 April 1958.
 47. On 12 January 1993, Uruguay deposited also with the Director-General of UNESCO its instrument of accession to the Universal Copyright Convention as revised at Paris on 24 July 1971.

*Universal Copyright Convention as revised at Paris
 on 24 July 1971 and annexed Protocols 1 and 2*

State of ratifications, acceptances and accessions up to 15 January 2002

I. ADOPTION

<i>Text</i>	<i>Adopted by</i>
Universal Copyright Convention as revised at Paris on 24 July 1971	Conference for Revision of the Universal Copyright Convention, Paris, 5–24 July 1971
Annexed Protocol No. 1 concerning the application of that Convention to the works of stateless persons and refugees	Conference for Revision of the Universal Copyright Convention, Paris, 5–24 July 1971
Annexed Protocol No. 2 concerning the application of that Convention to the works of certain international organizations	Conference for Revision of the Universal Copyright Convention, Paris, 5–24 July 1971

II. ENTRY INTO FORCE

<i>Text</i>	<i>Initial entry into force</i>	<i>Subsequent entry into force</i>
Universal Copyright Convention as revised at Paris on 24 July 1971	10 July 1974 in accordance with Article IX, paragraph 1	Three months after deposit of the instrument of ratification, acceptance or accession, in accordance with Article IX, paragraph 2
Annexed Protocol No. 1 concerning the application of that Convention to the works of stateless persons and refugees	10 July 1974 in accordance with paragraph 2(b)	Date of deposit of the instrument of ratification, acceptance or accession, subject to the concerned State being a party to the Convention (paragraph 2(b))
Annexed Protocol No. 2 concerning the application of that Convention to the works of certain international organizations	10 July 1974 in accordance with paragraph 2(b)	Date of deposit of the instrument of ratification, acceptance or accession, subject to the concerned State being a party to the Convention (paragraph 2(b))

III. RATIFICATIONS, ACCEPTANCES AND ACCESSIONS

(R = Ratification or acceptance; A = Accession; D = Declaration*)

	<i>Date of deposit of instrument</i>			<i>Territorial application of the Convention</i>	
	<i>Convention</i>	<i>Protocol 1</i>	<i>Protocol 2</i>	<i>Date of receipt of notification</i>	<i>Extension to</i>
Algeria ¹	28.05.1973 A				
Australia	29.11.1977 A	29.11.1977 A	29.11.1977 A		
Austria	14.05.1982 A	14.05.1982 A	14.05.1982 A		
Bahamas	27.09.1976 A				
Bangladesh ²	05.05.1975 A	05.05.1975 A	05.05.1975 A		
Barbados	18.03.1983 A				
Bolivia ³	22.12.1989 A				
Bosnia and Herzegovina ⁴	12.07.1993 D				
Brazil	11.09.1975 R	11.09.1975 R	11.09.1975 R		
Bulgaria ⁵	07.03.1975 A				
Cameroon	01.02.1973 A				
China ⁶	30.07.1992 A			09.06.1997	Hong Kong ⁷ Macao ⁸
Colombia	18.03.1976 A				
Costa Rica	07.12.1979 R				
Croatia ⁹	06.07.1992 D				
Cyprus	19.09.1990 A	19.09.1990 A	19.09.1990 A		
Czech Republic ¹⁰	26.03.1993 D			26.03.1993 D	
Denmark	11.04.1979 R	11.04.1979 R	11.04.1979 R		
Dominican Republic	08.02.1983 A				
Ecuador	06.06.1991 A	06.06.1991 A	06.06.1991 A		
El Salvador	29.12.1978 A	29.12.1978 A	29.12.1978 A		
Federal Republic of Yugoslavia ¹¹	27.04.1992 D	27.04.1992 D	27.04.1992 D		
Finland	01.08.1986 R				
France	11.09.1972 R	11.09.1972 R	11.09.1972 R		
Germany ¹²	18.10.1973 R	18.10.1973 R	18.10.1973 R		
Guinea	13.08.1981 A	13.08.1981 A	13.08.1981 A		
Holy See	06.02.1980 R	06.02.1980 R	06.02.1980 R		
Hungary ¹³	15.09.1972 R			15.09.1972 R	
India	07.01.1988 R	07.01.1988 R	07.01.1988 R		
Italy ¹⁴	25.10.1979 R	25.10.1979 R	25.10.1979 R		
Japan	21.07.1977 R	21.07.1977 R	21.07.1977 R		
Kenya	04.01.1974 R	04.01.1974 R	04.01.1974 R		
Liechtenstein	11.08.1999 R	11.08.1999 R	11.08.1999 R		

* The symbol 'D' denotes a declaration made by a State recognizing itself bound, as from the date of its independence, by the Convention and/or by annexed Protocols 1 and 2, the application of which had been extended to its territory either by a State then responsible for the conduct of its foreign relations, or by the State from which it separated. The date shown is the date from which the application of the Convention had been extended to the territory of this State or in cases of separation, the date on which the Director-General of UNESCO received from the State notification of succession (see corresponding note).

	<i>Date of deposit of instrument</i>			<i>Territorial application of the Convention</i>	
	<i>Convention</i>	<i>Protocol 1</i>	<i>Protocol 2</i>	<i>Date of receipt of notification</i>	<i>Extension to</i>
Mexico ¹⁵	31.07.1975 R				
Monaco	13.09.1974 R	13.09.1974 R	13.09.1974 R		
Morocco	28.10.1975 A	28.10.1975 A	28.10.1975 A		
Netherlands	30.08.1985 R	30.08.1985 R	30.08.1985 R		
Niger	15.02.1989 A	15.02.1989 A	15.02.1989 A		
Norway	07.05.1974 R	13.08.1974 R	13.08.1974 R		
Panama	03.06.1980 A				
Peru	22.04.1985 A	22.04.1985 A	22.04.1985 A		
Poland	09.12.1976 A	09.12.1976 A	09.12.1976 A		
Portugal	30.04.1981 A	30.04.1981 A	30.04.1981 A	11.02.2000	Macao ¹⁶
Republic of Korea ¹⁷	01.07.1987 A	01.07.1987 A	01.07.1987 A		
Russian Federation	09.12.1994 A	09.12.1994 A			
Rwanda	10.08.1989 A	10.08.1989 A	10.08.1989 A		
Saint Vincent and the Grenadines ¹⁸	22.01.1985 D	22.01.1985 D	22.01.1985 D		
Saudi Arabia	13.04.1994 A				
Senegal	09.04.1974 A	09.04.1974 A	09.04.1974 A		
Slovakia ¹⁹	31.03.1993 D		31.03.1993 D		
Slovenia ²⁰	05.11.1992 D	16.12.1992 A	16.12.1992 A		
Spain	10.04.1974 R	16.10.1974 R ²¹	10.04.1974 R		
Sri Lanka	25.10.1983 A	27.07.1988 A	27.07.1988 A		
Sweden	27.06.1973 R	27.06.1973 R	27.06.1973 R		
Switzerland	21.06.1993 R	21.06.1993 R	21.06.1993 R		
the former Yugoslav Republic of Macedonia ²²	30.04.1997 D	30.04.1997 D	30.04.1997 D		
Trinidad and Tobago	19.05.1988 A				
Tunisia ²³	10.03.1975 R	10.03.1975 R	10.03.1975 R		
United Kingdom	19.05.1972 R	19.05.1972 R	19.05.1972 R	06.09.1973	British Virgin Islands, Gibraltar, Grenada, Isle of Man, Saint Helena, Saint Lucia, Saint Vincent, Seychelles
				30.06.1997	Hong Kong ²⁴
United States of America	18.09.1972 R	18.09.1972 R	18.09.1972 R	18.09.1972	Guam, Panama Canal Zone, Puerto Rico, Virgin Islands
Uruguay	12.01.1993 A				
Venezuela	11.01.1996 A				

Notes

1. On 11 June 1976, the Government of Algeria deposited with the Director-General of UNESCO a notification by which, in accordance with Article *Vbis*(1) of the Universal Copyright Convention as revised at Paris on 24 July 1971, it declared to avail itself 'of all the exceptions which are provided for in Articles *Vter* and *Vquater* of the Convention and which were drafted for the benefit of developing countries, referring to the right to translate and reproduce literary, artistic and scientific works protected by copyright and introducing compulsory provisions in respect of the granting of licences in favour of such countries'.

On 5 August 1983, the Government of Algeria deposited a new notification with the Director-General of UNESCO, in conformity with Article *Vbis* of the Convention 'in order to avail itself for a second period of ten years of all the exceptions provided for in Articles *Vter* and *Vquater* of the Convention, which were drafted for the benefit of developing countries, referring to the right to translate and reproduce literary, artistic and scientific works protected by copyright and introducing compulsory provisions in respect of the granting of licences in favour of such countries'.

On 5 May 1993 the Director-General of UNESCO received a further notification by the Government of Algeria, deposited for an additional period of ten years, in conformity with the above-mentioned Article *Vbis*.

2. On 4 December 1979, the Government of Bangladesh deposited with the Director-General of UNESCO a notification by which, in accordance with Article *Vbis*(1) of this Convention, it declared that 'being a developing country, the Government of the People's Republic of Bangladesh, having considered all the provisions of Articles *Vbis*, *Vter* and *Vquater* of the aforesaid Convention, do hereby notify in terms of Article *Vbis*(1) that the Government of Bangladesh shall avail itself of all the exceptions provided in the provisions of the above articles and undertake faithfully to carry out the stipulations therein contained'.

On 3 April 1984, the Government of Bangladesh deposited with the Director-General of UNESCO a further notification, in accordance with Article *Vbis* of the Convention, renewing the previous notification for a second ten-year period as from 10 July 1984.

3. The instrument of accession contained the following declaration: 'In accordance with Article *Vbis* of the Convention revised in 1971, I would like to inform you that Bolivia wishes to be considered as a developing country for the purposes of the application of the provisions relating to those countries.'
4. On 12 July 1993, the Director-General of UNESCO received from the Republic of Bosnia and Herzegovina the instrument of succession to the Universal Copyright Convention as revised at Paris on 24 July 1971, ratified by the Socialist Federal Republic of Yugoslavia on 3 July 1973.
5. The instrument of accession contained the following declaration: 'The People's Republic of Bulgaria considers that the provisions of Article XIII of the Universal Copyright Convention as revised at Paris on 24 July 1971 are at variance with the Declaration of the United Nations General Assembly on the granting of independence to colonial countries and peoples adopted by Resolution 1514(XV) of 14 December 1960, which proclaimed

the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.’

6. The instrument of accession was accompanied by a notification stating that the Government of the People’s Republic of China will avail itself of the exceptions provided for in Articles *Vter* and *Vquater* of the Convention.
7. On 9 June 1997 the Director-General of UNESCO received two letters from the Permanent Delegation of the People’s Republic of China to UNESCO containing the following notifications: ‘In accordance with the Joint Declaration of the Government of the People’s Republic of China and the Government of the United Kingdom of Great Britain and Northern Ireland on the Question of Hong Kong signed on 19 December 1984, the People’s Republic of China will resume the exercise of sovereignty over Hong Kong with effect from 1 July 1997. Hong Kong will, with effect from that date, become a Special Administrative Region of the People’s Republic of China and will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People’s Government of the People’s Republic of China The Universal Copyright Convention (adopted on 6 September 1952, and as revised in 1971), to which the instrument of accession was deposited by the Government of the People’s Republic of China on 30 July 1992 (referred to as “the Convention”), which applies to Hong Kong at present, will continue to apply to the Hong Kong Special Administrative Region with effect from 1 July 1997, and meanwhile the Government of the People’s Republic of China states that the statement made by the People’s Republic of China at the time when its instrument of accession was deposited in accordance with the provision of Paragraph 2, Article V of the Convention, applies also to the Hong Kong Special Administrative Region Within the above ambit, responsibility for the international rights and obligations of a Party to the above Convention will be assumed by the Government of the People’s Republic of China. . . . It is provided both in Section XI of Annex I to the Joint Declaration, Elaboration by the Government of the People’s Republic of China of its Basic Policies Regarding Hong Kong’ and Article 153 of the Basic Law of the Hong Kong Special Administrative Region . . . that international agreements to which the People’s Republic of China is not a party but which are implemented in Hong Kong may continue to be implemented in the Hong Kong Special Administration Region The Protocols I and II annexed to the Universal Copyright Convention adopted in 1952 and revised in 1971 (referred to as the “Two Protocols”), which apply to Hong Kong at present, will continue to apply to the Hong Kong Special Administrative Region with effect from 1 July 1997. Within the above ambit, responsibility for the international rights and obligations of a party to the above Convention and the Additional Two Protocols will be assumed by the Government of the People’s Republic of China . . .’.
8. On 2 December 1999, the Director-General of UNESCO received from the Ambassador, Permanent Delegate of the People’s Republic of China, duly empowered by the Minister of Foreign Affairs of China to that effect, the following notification: ‘The Universal Copyright Convention, done at Geneva on 6 September 1952 as revised at Paris on 24 July 1971 (hereinafter referred to as the Convention) to which the Government of the People’s Republic of China deposited the instrument of accession on 30 July 1992, will apply to the Macao Special Administrative Region with effect from 20 December 1999. The government of the People’s Republic of China will assume the responsibility for the

international rights and obligations arising from the application of the Convention to the Macao Special Administrative Region.’

9. On 6 July 1992, the Director-General of UNESCO received from the Minister of Foreign Affairs of the Republic of Croatia, a letter dated 1 July 1992, notifying him that, according to the Croatian Parliament’s Constitutional Decision of 25 June 1992 on the sovereignty and independence of the Republic of Croatia ‘the international agreements signed and joined by the Socialist Federal Republic of Yugoslavia shall be implemented by the Republic of Croatia in compliance with the principles of the international law governing the succession of States . . .’. Consequently, the Republic of Croatia will continue to apply the Universal Copyright Convention as revised at Paris on 24 July 1971, ratified by the Socialist Federal Republic of Yugoslavia on 3 July 1973.
10. On 1 January 1993, Czechoslovakia separated into two independent States: the Slovak Republic and the Czech Republic. On 26 March 1993, the Director-General of UNESCO received from the Government of the Czech Republic the following notification dated 14 March 1993: ‘. . . In harmony with the valid principles of international law and to the extent defined by it, the Czech Republic, as a successor State created as a result of the dissolution of the Czech and Slovak Federal Republic, considers itself bound, as of 1 January 1993, i.e. the date of the dissolution of the Czechoslovak Federation, by multilateral international treaties to which the Czech and Slovak Federal Republic was a party on that date, including reservations and statements to their provisions made earlier by Czechoslovakia.

Of the treaties deposited with UNESCO this applies to the following treaties:

- Universal Copyright Convention as revised at Paris on 24 July 1971 with Appendix Declaration relating to Article XVII and Resolution concerning Article XI (Paris, 24 July 1971).
 - Protocol 2 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 concerning the application of that Convention to the works of certain international organizations (Paris, 24 July 1971) . . .’.
11. On 11 September 2001, the Director-General of UNESCO received from the Minister of Foreign Affairs of the Federal Republic of Yugoslavia the following notification: ‘. . . the Government of the Federal Republic of Yugoslavia decided to accept , as a successor State to the Socialist Federal Republic of Yugoslavia, the Conventions, Agreements and Protocols of the United Nations Educational, Scientific and Cultural Organization . . .’. Listed in the annex attached to the letter were, in particular, the Universal Copyright Convention adopted on 6 September 1952 in Geneva, with Appendix Declaration relating to Article XVII, and Resolution concerning Article XI; the annexed Protocol 1 to the Convention concerning the application of the Convention to works of stateless persons and refugees, Protocol 2 concerning the application of the Convention to the works of certain international organizations and Protocol 3 concerning the effective date of instruments of ratification or acceptance of, or accession to the Convention; Universal Copyright Convention as revised in Paris on 24 July 1971 with Appendix Declaration relating to Article XVII and Resolution concerning Article XI; Convention relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite, adopted on 21 May 1974 in Brussels. The Minister further declared that the Government of the Federal Republic of Yugoslavia ‘. . . takes faithfully to perform and carry out the stipulations therein contained as from 27 April 1992, the date upon which

the Federal Republic of Yugoslavia assumed responsibility for its international relations’.

12. The Director-General of UNESCO received from the Permanent Delegate of the Federal Republic of Germany a letter dated 3 October 1990 informing him that ‘through the accession of the German Democratic Republic to the Federal Republic of Germany with effect from 3 October 1990, the two German States have united to form one sovereign State’. This letter was accompanied by a verbal note dated 3 October 1990 informing UNESCO that ‘with regard to the continued application of treaties of the Federal Republic of Germany and the treatment of treaties of the German Democratic Republic following its accession to the Federal Republic of Germany with effect from 3 October 1990, the Treaty of 31 August 1990 between the Federal Republic of Germany and the German Democratic Republic on the establishment of German unity (Unification Treaty) contains the following relevant provisions:

1. Article 11

Treaties of the Federal Republic of Germany

The contracting parties proceed on the understanding that international treaties and agreements to which the Federal Republic of Germany is a contracting party . . . shall retain their validity and that the rights and obligations arising therefrom . . . shall also relate to the territory specified in Article 3 of this Treaty’. (*Länder* of Brandenburg, Mecklenburg-Western Pomerania, Saxe, Saxe-Anhalt and Thuringia as well as the sector of the *Land* of Berlin where the Fundamental Law of the Federal Republic of Germany was not applicable.)

13. In depositing the instrument of ratification, the Permanent Delegation of Hungary to UNESCO made the following declaration on behalf of the Presidential Council of the Hungarian People’s Republic: ‘The Hungarian People’s Republic declares that the provisions of Article XIII, paragraph 1, of the Universal Copyright Convention signed at Geneva on 6 September 1952 and revised at Paris on 24 July 1971 run counter to the Declaration on the granting of independence to colonial countries and peoples contained in Resolution 1514(XV) which was adopted on 14 December 1960 by the General Assembly of the United Nations.’
14. The deposit of the instrument of ratification by Italy was effected under cover of a letter dated 19 October 1979, containing the following declaration: ‘With reference to Article IV, paragraph 4, of the Universal Copyright Convention as revised at Paris on 24 July 1971, the Italian Government declares that within the Italian Republic protection to a work shall not be granted for a period longer than that fixed for the class of works to which the work belongs, in the case of unpublished works, by the law of the Contracting State of which the author is a national, and, in the case of published works, by the law of the Contracting State in which the work has been first published.’

‘If the law of any Contracting State grants two or more terms of protection, and a specified work is not protected by such State during the second or any subsequent term for any reason, that work shall not be granted protection within the Italian Republic during the second or any subsequent term.’

15. On 21 November 1975, the Government of Mexico deposited with the Director-General of UNESCO a notification by which, in accordance with Article *Vbis*(1) of the Universal Copyright Convention as revised at Paris on 24 July 1971, it declared that it wished Mexico ‘to be regarded as a developing country for the purpose of the provisions which

refer to such countries'. On 19 August 1985, the Director-General of UNESCO received from the Government of Mexico a communication dated 14 August 1985 informing him that that Government intended to renew, for a second ten-year period, its previous notification under Article *Vbis* of the aforementioned Convention by which it had availed itself of the exceptions provided for in Articles *Vter* and *Vquater* of the Convention. The Mexican authorities were informed by UNESCO that their notification had not been presented within the time-limit prescribed by Article *Vbis*, paragraph 2, of the Convention. Subsequently, the Mexican authorities placed the matter before the Intergovernmental Copyright Committee, which discussed it during its seventh ordinary session (June 1987). The Committee agreed: (a) that the question raised by Mexico was within the Committee's competence under Article XI of the Universal Copyright Convention which provides that the Committee may study the problems concerning the application and operation of the Convention; (b) that Mexico was and is a developing country within the meaning of the Convention as far as the advantages established for the benefit of developing countries were concerned; (c) that it was up to each State party to the Universal Convention to determine for itself, in the final analysis, the question of the timeliness and consequences, if any, of Mexico's notice of renewal under Article *Vbis*(2) of the Convention. Pursuant to the request of the Committee, the text of the notification of the Government of Mexico was transmitted to the States concerned by letter LA/STD/87/100 of 20 October 1987.

16. On 11 February 2000, the Director-General of UNESCO received from the Minister of Foreign Affairs of Portugal, the following notification: 'In accordance with the Joint Declaration of the Government of the Portuguese Republic and the Government of the People's Republic of China on the Question of Macau signed on 13 April 1987, the Portuguese Republic will continue to have international responsibility for Macau until 19 December 1999 and from that onwards the People's Republic of China will resume the exercise of sovereignty over Macau on 20 December 1999. From 20 December onwards the Portuguese Republic will cease to be responsible for the international rights and obligations arising from the application of the Convention to Macau.'
17. On 5 November 1987, the Government of the Republic of Korea deposited with the Director-General of UNESCO a notification by which, in accordance with Article *Vbis* of the Convention, it declares that it shall avail itself of all the exceptions provided for in Articles *Vter* and *Vquater* of the said Convention.
18. The Director-General of UNESCO received on 22 January 1985 from the Government of Saint Vincent and the Grenadines a communication notifying him that that Government has decided to apply provisionally, and on the basis of reciprocity, multilateral treaties extended to the former British Associated State of Saint Vincent and the Grenadines, and, in particular, the Universal Copyright Convention as revised at Paris on 24 July 1971 and the annexed Protocols 1 and 2.
19. On 1 January 1993, Czechoslovakia separated into two independent States: the Slovak Republic and the Czech Republic. On 31 March 1993, the Director-General of UNESCO received from the Slovak Republic the following notification dated 10 March 1993: '... In accordance with the relevant principles and norms defined by international law, the Slovak Republic – a successor of the former Czech and Slovak Federal Republic – considers itself bound by the multilateral international treaties to which the CSFR was party until 31 December 1992.

This applies to the following treaties deposited with UNESCO:

- Universal Copyright Convention as revised at Paris on 24 July 1971 with Appendix Declaration relating to Article XVII and Resolution concerning Article XI, 24 July 1971.
 - Protocol 2 annexed to the Universal Copyright Convention as revised at Paris on 24 July 1971 concerning the application of that Convention to the works of certain international organizations, 24 July 1971 . . .’.
20. On 5 November 1992, the Director-General of UNESCO received from the Ministry for Foreign Affairs of the Republic of Slovenia, a letter dated 28 October 1992, notifying him that, ‘when declaring independence on 25 June 1991, the Parliament of the Republic of Slovenia decided that the international treaties which had been concluded by the Socialist Federal Republic of Yugoslavia and which related to the Republic of Slovenia remained effective on its territory. . .’. Consequently, the Republic of Slovenia will continue to apply the Universal Copyright Convention as revised at Paris on 24 July 1971, ratified by the Socialist Federal Republic of Yugoslavia on 3 July 1973.
 21. The instrument of ratification contained the following declaration: ‘Ratification by Spain of this Protocol shall in no way signify acceptance of the definition of refugee established in the IRO Constitution and maintained in Article 1, paragraph A.1, of the Convention relating to the status of refugees, of 28 July 1951, and Article 1 of the New York Protocol of 31 January 1967.’
 22. On 30 April 1997 the Director-General of UNESCO received a communication from the Permanent Delegation of the former Yugoslav Republic of Macedonia enclosing a letter from the Ministry of Foreign Affairs of that State, notifying him that the Republic of Macedonia considers itself bound, from 17 November 1991, by the obligations arising from the Universal Copyright Convention as revised at Paris on 24 July 1971.
 23. The instrument of ratification contained the following notification: ‘Considering that Article *Vbis* of the said Convention permits any Contracting State regarded as a developing country in conformity with the established practice of the General Assembly of the United Nations, by a notification deposited with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to avail itself, at the time of its ratification, of any or all of the exceptions provided for in Articles *Vter* and *Vquater*;
Notifies as well, in accordance with Article *Vbis* of the Convention, that Tunisia intends to avail itself of all the exceptions provided for in Articles *Vter* and *Vquater*.’
On 18 January 1984, the Government of Tunisia deposited a new notification with the Director-General of UNESCO, in conformity with Article *Vbis* of the Convention, ‘in order to avail itself for a second period of ten years of all the exceptions provided for in Articles *Vter* and *Vquater* of the Convention, which were drafted for the benefit of developing countries’.
 24. On 30 June 1997 the Director-General of UNESCO received a letter from the British Embassy in Paris containing the following notification: ‘. . . in accordance with the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People’s Republic of China on the Question of Hong Kong signed on 19 December 1984, the Government of the United Kingdom will restore Hong Kong to the People’s Republic of China with effect from 1 July 1997. The Government of the United Kingdom will continue to have international responsibility for

Hong Kong until that date. Therefore, from that date the Government of the United Kingdom will cease to be responsible for the international rights and obligations arising from the application of the Convention and Protocols to Hong Kong . . .’.

International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations

State of ratifications, acceptances and accessions up to 15 January 2002

I. ADOPTION

The Convention was adopted by the Diplomatic Conference on the International Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome, 10–26 October 1961).

II. ENTRY INTO FORCE

1. Initial entry into force: 18 May 1964, in accordance with Article 25, paragraph 1.
2. Subsequent entry into force for a particular State: three months after the date of deposit of the instrument of ratification, acceptance or accession, in accordance with Article 25, paragraph 2.

III. RATIFICATIONS, ACCEPTANCES AND ACCESSIONS^a

(R = Ratification or acceptance; A = Accession; D = Declaration*)

	<i>Date of deposit of instrument</i>	<i>Territorial application</i>		<i>Decla- rations^b</i>
		<i>Date of receipt of notification</i>	<i>Extension to</i>	
Albania	1 June 2000	A		
Argentina	2 December 1991	R		
Australia	30 June 1992	A		×
Austria	9 March 1973	R		×
Barbados	18 June 1983	A		
Belgium	2 July 1999	R		×

* The symbol 'D' denotes a declaration made by a State recognizing itself bound, as from the date of its independence, by the Convention, the application of which had been extended to its territory by the State from which it separated. The date shown is the date on which the Secretary-General of the United Nations has received from the State notification of succession.

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	<i>Date of deposit of instrument</i>	<i>Territorial application</i>		<i>Decla- rations^b</i>
		<i>Date of receipt of notification</i>	<i>Extension to</i>	
Bolivia	24 August 1993	A		
Brazil	29 June 1965	R		
Bulgaria	31 May 1995	A		×
Burkina Faso	14 October 1987	A		
Canada	4 March 1998	A		×
Cape Verde	3 April 1997	A		
Chile	5 June 1974	R		
Colombia	17 June 1976	A		
Congo	29 June 1962	A		×
Costa Rica	9 June 1971	A		
Croatia	20 January 2000			
Czech Republic ¹	30 September 1993	D		×
Denmark	23 June 1965	R		×
Dominica	7 May 1999	A		
Dominican Republic	27 October 1986	A		
Ecuador	19 December 1963	R		
El Salvador	29 March 1979	A		
Estonia	28 January 2000	A		
Fiji	11 January 1972	A		×
Finland	21 July 1983	R		×
France	3 April 1987	R		×
Germany ²	21 July 1966	R		×
Greece	6 October 1992	A		
Guatemala	14 October 1976	A		
Honduras	16 November 1989	A		
Hungary	10 November 1994	A		
Iceland	15 March 1994	A		×
Ireland	19 June 1979	R		×
Italy	8 January 1975	R		×
Jamaica	27 October 1993	A		
Japan	26 July 1989	A		×
Latvia	20 May 1999	A		×
Lebanon	12 May 1997	R		
Lesotho	26 October 1989	A		×
Liechtenstein	12 July 1999	A		×
Lithuania	22 April 1999	A		×
Luxembourg	25 November 1975	A		×
Mexico	17 February 1964	R		
Monaco	6 September 1985	R		×
Netherlands ^c	7 July 1993	A		×
Nicaragua	10 May 2000	A		
Niger	5 April 1963	A		×
Nigeria	29 July 1993	A		×
Norway	10 April 1978	A		×
Panama	2 June 1983	A		
Paraguay	26 November 1969	R		
Peru	7 May 1985	A		
Philippines	25 June 1984	A		
Poland	13 March 1997	A		×
Republic of Moldova	5 September 1995	A		×

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	Date of deposit of instrument	Territorial application		Decla- rations ^b
		Date of receipt of notification	Extension to	
Romania	22 July 1998 A			×
Saint Lucia	17 May 1996 A			×
Slovakia ³	28 May 1993 D			×
Slovenia	9 July 1996 A			×
Spain	14 August 1991 R			×
Sweden	13 July 1962 R			
Switzerland	24 June 1993 A			×
The former Yugoslav Republic of Macedonia	2 December 1997 A			×
United Kingdom	30 October 1963 R	20.12.1966	Gibraltar (with declarations)	×
		10.03.1970	Bermuda (with declarations)	×
Uruguay	4 April 1977 A			
Venezuela	30 October 1995 A			

- a. This document is compiled from information communicated by the Secretary-General of the United Nations in his capacity as depositary of the Convention.
- b. See below, for the text of Declarations.
- c. For the Kingdom in Europe.

Declarations

Australia. The instrument of accession contained the following declarations:

Declaring that Australia, pursuant to Article 5(3), will not apply the criterion of publication;

Declaring that Australia, pursuant to Article 6(2), will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State;

Declaring that Australia, pursuant to Article 16(1)(a), will not, as regards Article 12, apply the provision of that Article; and

Declaring that Australia, pursuant to Article 16(1)(b), will not, as regards Article 13, apply item (d) of that Article.

Austria. 1. In accordance with Article 16, paragraph 1(a)(iii), of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, that [Austria] . . . will not apply the provisions of Article 12 in respect of phonograms the producer of which is not a national of a Contracting State.

2. In accordance with Article 16, paragraph 1(a)(iv), of the Convention, that, as regards phonograms the producer of which is a national of another Contracting State, it will limit the protection provided for by Article 12 to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by an Austrian national.

3. In accordance with Article 16, paragraph 1(b), of the Convention, that it will not apply Article 13(d).

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Belgium. The instrument includes the following declaration:

1. Pursuant to Article 5, paragraph 3 of the Rome Convention, Belgium will not apply the criterion of publication.
2. Pursuant to Article 6, paragraph 2, of the Rome Convention, Belgium will protect broadcasts only if the headquarters of the broadcasting organization is situated in another contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State;
3. Pursuant to Article 16, paragraph 1(a)(iii), of the Rome Convention, Belgium will not apply the provisions of Article 12 in respect of phonograms the producer of which is not a national of a Contracting State;
4. Pursuant to Article 16, paragraph 1(a)(iv), of the Rome Convention, as regards phonograms the producer of which is a national of another Contracting State, Belgium will limit the protection provided for by that article to the extent to which and to the term for which, the latter State grants protection to phonograms first fixed by a national of the State making the declaration; however, the fact that the Contracting State of which the producer is a national does not grant the protection to the same beneficiary or beneficiaries as the State making the declaration shall not be considered as a difference in the extent of the protection.

Bermuda. 1. In respect of Article 5(1)(b) and in accordance with the provisions of Article 5(3) of the said Convention, Bermuda will not apply, in respect of phonograms, the criterion of fixation.

2. In respect of Article 6(1) and in accordance with the provisions of Article 6(2) of the said Convention, Bermuda will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

3. In respect of Article 12 and in accordance with the provisions of Article 16 of the said Convention:

- (a) Bermuda will not apply the provisions of Article 12 in respect of the following uses: (i) the causing of a phonogram to be heard in public at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein where a special charge is made for admission to the part of the premises where the phonogram is to be heard; (ii) the causing of a phonogram to be heard in public as part of the activities of, or for the benefit of, a club, society or other organization which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, except where a charge is made for admission to the place where the phonogram is to be heard, and any of the proceeds of the charge are applied otherwise than for the purpose of the organization;
- (b) as regards phonograms the producer of which is not a national of another Contracting State or as regards phonograms the producer of which is a national of a Contracting State which has made a declaration in accordance with the provisions of Article 16(1)(a)(i) stating that it will not apply the provisions of Article 12, Bermuda will not grant the protection provided for by Article 12, unless, in either event, the phonogram has been first published in a Contracting State which has made no such declaration.

Bulgaria. 1. The Republic of Bulgaria declares in accordance with Article 16, paragraph

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1(a)(iii), that it will not apply the provisions of Article 12 in respect of phonograms, the producer of which is not a national of another Contracting State.

2. The Republic of Bulgaria declares in accordance with Article 16, paragraph 1(a)(iv), that as regards phonograms the producer of which is a national of another Contracting State, it will limit the protection provided for by Article 12 to the extent to which, and to the term for which the latter State grants protection to phonograms first fixed by a national of the Republic of Bulgaria.

Canada. 1. In respect of Article 5(1)(b) and pursuant to Article 5(3) of the Convention, as regards the Right of Reproduction for Phonogram Producers (Article 10), Canada will not apply criterion of fixation.

2. In respect of Article 5(1)(c) and pursuant to Article 5(3) of the Convention, as regards the Secondary Uses of Phonograms (Article 12), Canada will not apply criterion of publication.

3. In respect of Article 6(1) and pursuant to Article 6(2) of the Convention, Canada will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

4. In respect of Article 12 and pursuant to Article 16(1)(a)(iv) of the Convention, as regards phonograms the producer of which is a national of another Contracting State, Canada will limit the protection provided for by Article 12 to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a national of Canada.

Congo. By a communication received on 16 May 1964, the Government of the Congo has notified the Secretary-General of the United Nations that it has decided to make its accession subject to the following declarations:

1. Article 5, paragraph 3: the 'criterion of publication' is excluded.
2. Article 16: the application of Article 12 is completely excluded.

Czech Republic. With reservations set forth in Article 16, paragraph 1, subparagraph (a)(iii) and (iv), of the Convention.

Denmark. 1. With regard to Article 6, paragraph 2: protection will be granted to broadcasting organizations only if their headquarters is situated in another Contracting State and if their broadcasts are transmitted from a transmitter situated in the same Contracting State.

2. With regard to Article 16, paragraph 1(a)(ii): the provisions of Article 12 will be applied solely with respect to use for broadcasting or for any other communication to the public for commercial purposes.

3. With regard to Article 1, paragraph 1(a)(iv): as regards phonograms the producer of which is a national of another Contracting State, the protection provided for in Article 12 will be limited to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a Danish national.

4. With regard to Article 17: Denmark will grant the protection provided for in Article 5 only if the first fixation of the sound was made in another Contracting State (the criterion of fixation) and will apply for the purposes of paragraph 1(a)(iii) and (iv) of Article 16 the said criterion instead of the criterion of nationality.

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Fiji. The instrument of accession deposited by the Government of Fiji on 11 January 1972 contained the following declarations:

1. In respect of Article 5(1)(b) and in accordance with Article 5(3) of the Convention, Fiji will not apply, in respect of phonograms, the criterion of fixation.
2. In respect of Article 6(1) and in accordance with Article 6(2) of the Convention, Fiji will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.
3. In respect of Article 12 and in accordance with Article 16(1) of the Convention:
 - (a) Fiji will not apply the provisions of Article 12 in respect of the following uses:
 - (i) the causing of a phonogram to be heard in public at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein except where a special charge is made for admission to the part of the premises where the phonogram is to be heard;
 - (ii) the causing of a phonogram to be heard in public as part of the activities of, or for the benefit of, a club, society or other organization which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, except where a charge is made for admission to the place where the phonogram is to be heard, and any of the proceeds of the charge are applied otherwise than for the purpose of the organization;
 - (b) as regards phonograms the producer of which is not a national of another Contracting State or as regards phonograms the producer of which is a national of a Contracting State which has made a declaration under Article 16(1)(a)(i) stating that it will not apply the provisions of Article 12, Fiji will not grant the protection provided for by Article 12, unless, in either event, the phonogram has been first published in a Contracting State which has made no such declaration.

On 12 June 1972, the Secretary-General of the United Nations received a communication according to which the Government of Fiji declared: ‘. . . the Government of Fiji, having reconsidered the said Convention, hereby withdraws its declaration in respect of certain provisions of Article 12 and in substitution thereof declares in accordance with Article 16(1) of the said Convention that Fiji will not apply the provisions of Article 12’.

Finland. On 10 February 1994, the Secretary-General of the United Nations received from the Government of Finland a communication regarding a partial withdrawal of reservations and a modification of a reservation made upon the deposit of its instrument of ratification, on 21 July 1983, as follows:

1. [withdrawn]
2. [maintained] *With regard to Article 16, paragraph 1(a)(i):* The provisions of Article 12 will not be applied with respect to phonograms acquired by a broadcasting organization before 1 September 1961.
3. [modified] *With regard to Article 16, paragraph 1(a)(ii):* The provisions of Article 12 will be applied solely with respect to broadcasting as well as to any other communication to the public which is carried out for profit-making purposes.
4. [maintained] *With regard to Article 16, paragraph 1(a)(iv):* As regards phonograms first fixed in another Contracting State, the protection provided for in Article 12 will be lim-

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ited to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed in Finland.

5. [withdrawn]

6. [maintained] *With regard to Article 17:* Finland will apply, for the purposes of Article 5, the criterion of fixation alone and, for the purposes of Article 16, paragraph 1(a)(iv), the criterion of fixation instead of the criterion of nationality.

France. The instrument of ratification contained the following reservations:

Article 5

The Government of the French Republic declares, in conformity with Article 5, paragraph 3, of the Convention, concerning the protection of phonograms, that it rejects the criterion of first publication in favour of the criterion of first fixation.

Article 12

The Government of the French Republic declares, first that it will not apply the provisions of this article to all phonograms the producer of which is not a national of a Contracting State, in conformity with the provisions of Article 16, paragraph 1(a)(iii), of this Convention.

Secondly, the Government of the French Republic declares that, with regard to phonograms the producer of which is a national of another Contracting State, it will limit the extent and duration of the protection provided in this article (Article 12), to those which the latter Contracting State grants to phonograms first fixed by French nationals.

Germany. The Federal Republic of Germany makes use of the following reservations provided for in Article 5, paragraph 3, and Article 1, paragraph 1(a)(iv), of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations:

1. As regards the protection of producers of phonograms it will not apply the criterion of fixation referred to in Article 5, paragraph 1(b), of the Convention.
2. As regards phonograms the producer of which is a national of another Contracting State, it will limit the protection provided for by Article 12 of the Convention to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a German national.

Gibraltar. 1. In respect of Article 5(1)(b) and in accordance with Article 5(3) of the Convention, Gibraltar will not apply, in respect of phonograms, the criterion of fixation.

2. In respect of Article 6(1) and in accordance with Article 6(2) of the Convention, Gibraltar will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

3. In respect of Article 12 and in accordance with Article 16 of the Convention:

- (a) Gibraltar will not apply the provisions of Article 12 in respect of the following uses: (i) the causing of a phonogram to be heard in public at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein except where a special charge is made for admission to the part of the premises where the phonogram is to be heard; (ii) the causing of a phonogram to be heard in public as part of the activities of, or for the benefit of, a club, society or other organization which is not established or conducted for profit and whose main objects are charitable or are oth-

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erwise concerned with the advancement of religion, education or social welfare, except where a charge is made for admission to the place where the phonogram is to be heard, and any of the proceeds of the charge are applied otherwise than for the purposes of the organization;

- (b) as regards phonograms the producer of which is not a national of another Contracting State or as regards phonograms the producer of which is a national of a Contracting State which has made a declaration under Article 16(1)(a)(i) stating that it will not apply the provisions of Article 12, Gibraltar will not grant the protection provided for by Article 12, unless, in either event, the phonogram has been first published in a Contracting State which has made no such declaration.

Iceland. Iceland, pursuant to Article 5, paragraph 3, will not apply the criterion of fixation.

Iceland, pursuant to Article 6, paragraph 2, will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and if the broadcast was transmitted from a transmitter situated in the same Contracting State.

Iceland, pursuant to Article 16, paragraph 1(a)(i), will not apply Article 12 with respect to the use of phonograms published before 1 September 1961.

Iceland, pursuant to Article 16, paragraph 1(a)(ii), will apply Article 12 solely with respect to use for broadcasting or for any other communication to the public for commercial purposes.

Iceland, pursuant to Article 16, paragraph 1(a)(iii), will not apply Article 12 as regards phonograms the producer of which is not a national of another Contracting State.

Iceland, pursuant to Article 16, paragraph 1(a)(iv), will, as regards phonograms the producer of which is a national of another Contracting State, limit the protection provided for in Article 12 to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed in Iceland.

Ireland. 1. With regard to Article 5, paragraph 1, and in accordance with Article 5, paragraph 3, of the Convention: Ireland will not apply the criterion of fixation.

2. With regard to Article 6, paragraph 1, and in accordance with Article 6, paragraph 2, of the Convention: Ireland will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

3. With regard to Article 12, and in accordance with Article 16, paragraph 1(a)(ii): Ireland will not protect broadcasts heard in public (a) at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein unless a special charge is made for admission to the part of the premises where the recording is to be heard or (b) as part of the activities of, or for the benefit of, a club, society or other organization which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, unless a charge is made for admission to the part of the premises where the recording is to be heard and any of the proceeds of the charge are applied otherwise than for the purposes of the organization.

Italy. 1. With regard to Article 6, paragraph 1, and in accordance with Article 6, paragraph 2, of the Convention: Italy will protect broadcasts only if the headquarters of the broadcasting

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organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

2. With regard to Article 12 and in accordance with Article 16, paragraph 1(a), of the Convention:

- (a) Italy will apply the provisions of Article 12 to use for broadcasting or for any other communication to the public for commercial purposes, with the exception of cinematography;
- (b) it will apply the provisions of Article 12 only to phonograms fixed in another Contracting State;
- (c) with regard to phonograms fixed in another Contracting State, it will limit the protection provided for by Article 12 to the extent to which, and to the term for which, that Contracting State grants protection to phonograms first fixed in Italy; however, if that State does not grant the protection to the same beneficiary or beneficiaries as Italy, that fact will not be considered as a difference in the extent of the protection.

3. With regard to Article 13 and in accordance with Article 16, paragraph 1(b), of the Convention, Italy will not apply the provisions of Article 13(d).

4. With regard to Article 5 and in accordance with Article 17 of the Convention, Italy will apply only the criterion of fixation for the purposes of Article 5; the same criterion, instead of the criterion of nationality, will be applied for the purposes of the declarations provided for in Article 16, paragraph 1(a)(iii) and (iv), of the Convention.

Japan. The instrument of accession contained the following declarations:

1. Pursuant to Article 5, paragraph 3, of the Convention, the Government of Japan will not apply the criterion of publication concerning the protection of producers of phonograms.
2. Pursuant to Article 16, paragraph 1(a)(ii), of the Convention, the Government of Japan will apply the provisions of Article 12 of the Convention in respect of uses for broadcasting or for wire diffusion.
3. Pursuant to Article 16, paragraph 1(a)(iv), of the Convention:
 - (i) as regards phonograms the producer of which is a national of a Contracting State which has made a declaration under Article 16, paragraph 1(a)(i), of the Convention, stating that it will not apply the provisions of Article 12 of the Convention, the Government of Japan will not grant the protection provided for by the provisions of Article 12 of the Convention;
 - (ii) as regards phonograms the producer of which is a national of another Contracting State which applies the provisions of Article 12 of the Convention, the Government of Japan will limit the term of the protection provided for by the provisions of Article 12 of the Convention to the term for which that State grants protection to phonograms first fixed by a Japanese national.

Latvia. The instrument includes the following declaration:

In accordance with paragraph 1 of Article 16 of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations of 1961, the Republic of Latvia declares that it will not apply Article 12 of the Convention on phonograms the producer of which is not a national of another Contracting State.

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Lesotho. The instrument of accession contained the following reservations:

Pursuant to Article 12 of the said Convention, the Government of the Kingdom of Lesotho declares that the provisions of this Article will not apply in respect of broadcasts made for non-profit-making purposes or where communication to the public in public places is not the result of a purely commercial activity.

Pursuant to Article 13, the Government of the Kingdom of Lesotho declares that it does not consider itself bound by the provisions of item (d).

Liechtenstein. The instrument includes the following reservations:

Reservation to Article 5: The Principality of Liechtenstein declares, in accordance with Article 5, paragraph 3 of the Convention, that it rejects the criterion of first fixation. It will therefore apply the criterion of first publication.

Reservations to Article 12: In accordance with the provisions of Article 16, paragraph 1 of the Convention, the Principality of Liechtenstein declares that it will not apply the provisions of Article 12 as regards phonograms the producer of which is not a national of another Contracting State.

The Principality of Liechtenstein also declares, as regards phonograms the producer of which is a national of another Contracting State, that it will limit the protection provided for by Article 12 to the extent to which, and to the terms for which, the latter State grants protection of phonograms first fixed by a Liechtenstein national, in accordance with the provisions of Article 16, paragraph 1(a)(iv), of the Convention.

Lithuania. The instrument includes the following declaration:

In accordance with subparagraph (a)(iii) of paragraph 1 of Article 16 of the said Convention, the Republic of Lithuania declares that as regards phonograms the producer of which is not a national or a legal person of another Contracting State, it will not apply the provisions of Article 12 of the above-mentioned Convention.

Luxembourg. 1. With regard to the protection of producers of phonograms, Luxembourg will not apply the criterion of publication but only the criteria of nationality and fixation, in accordance with Article 5, paragraph 3, of the Convention.

2. With regard to the protection of phonograms, in accordance with Article 17, paragraph 1(a)(i), of the Convention, Luxembourg will not apply any of the provisions of Article 12.

3. With regard to broadcasting organizations, in accordance with Article 16, paragraph 1(b), of the Convention, Luxembourg will not apply the protection envisaged in Article 13(d) against communication to the public of their television broadcasts.

Monaco. The instrument of ratification contained the following reservations:

1. By virtue of the provisions of Article 5, paragraph 3, not the criterion of publication but only the criteria of nationality and fixation shall be applied with regard to the protection of producers of phonograms.
2. As it is authorized by Article 16, paragraph 1(a)(i), none of the provisions of Article 12 shall be applied with regard to the protection of phonograms.
3. As it is authorized by Article 16, paragraph 1(b), the provisions of Article 13(d) relating to the protection against communication to the public of television broadcasts shall not be applied with regard to broadcasting organizations.

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Netherlands. The instrument of accession contained the following reservations:

... the Convention ... shall be observed subject to the following reservations, provided for in Article 16, paragraph 1(a)(iii) and (iv), of the Convention:

- the Kingdom of the Netherlands will not apply Article 12 to phonograms the producer of which is not a national of another Contracting State;
- as regards phonograms the producer of which is a national of another Contracting State, it will limit the protection provided for by Article 12 to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a national of the Kingdom of the Netherlands.

Niger. By a communication received on 25 June 1963, the Government of Niger has notified the Secretary-General of the United Nations that it has decided to make its accession subject to the following declarations:

1. Article 5, paragraph 3: the 'criterion of publication' is excluded.
2. Article 16: the application of Article 12 is completely excluded.

Nigeria. The instrument of accession contained the following declarations:

1. With regard to Article 5, paragraph 3, the Federal Republic of Nigeria will not apply the criteria of publication under Article 5, paragraph 1(c).
2. With regard to Article 6, paragraph 2, the Federal Republic of Nigeria will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and if the broadcast is transmitted from a transmitter situated in the same Contracting State.
3. With regard to Article 16, paragraph 1(a):
 - (i) the provisions of Article 12 will not be applied in case of communication to the public of phonograms (a) at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein unless a special charge is made for admission to the part of the premises where the phonogram is to be heard or (b) as part of the activities of, or for the benefit of a club, society or other organization which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, unless a charge is made for admission to the part of the premises where the phonogram is to be heard and any of the proceeds of the charge are applied otherwise than for the purposes of the organization;
 - (ii) the provisions of Article 12 will not apply as regards phonograms the producer of which is not a national of another Contracting State; and
 - (iii) as regards phonograms the producer of which is a national of another Contracting State, the Federal Republic of Nigeria will limit the protection provided for in Article 12 to the extent to which, and to the term for which, that Contracting State grants protection to phonograms first fixed by nationals of the Federal Republic of Nigeria.

Norway. The instrument of accession contained the following reservations:

- (a) pursuant to Article 16, paragraph 1, item (a)(ii), reservation is made to the effect that Article 12 shall not apply in respect of use other than for the purpose of economic gain;
- (b) pursuant to Article 16, paragraph 1, item (a)(iii), reservation is made to the effect that

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Article 12 shall not be applicable if the producer is not a national of another Contracting State;

- (c) pursuant to Article 16, paragraph 1, item (a)(iv), reservation is made to the effect that the extent and duration of the protection provided for under Article 12 for phonograms which are produced by a national in another Contracting State shall not be more comprehensive than the protection granted by that State to phonograms first produced by a Norwegian national;
- (d) pursuant to Article 6, paragraph 2, reservation is made to the effect that broadcasts are only protected if the headquarters of the broadcasting organization is situated in another Contracting State, and the broadcast is transmitted from a transmitter in the same Contracting State.

Upon depositing the instrument of accession, the Government of Norway made the following declaration:

‘The Norwegian Act of 14 December 1956 concerning a Levy on the Public Presentation of Recordings of Artists’ Performances, etc., establishes rules for the disbursement of that levy to producers and performers of phonograms.

‘A portion of the annual revenue from this levy devolves, as of right, to producers of phonograms as a group, without distinction as to nationality, in remuneration for the public use of phonograms.

‘Under the terms of the Act, contributions from the levy may be made to Norwegian performing artists and their survivors on the basis of individual needs. This benevolent arrangement falls entirely outside the scope of the Convention.

‘The regime established by the said Act, being fully consistent with requirements of the Convention, will be maintained.’

In a communication received on 30 June 1989, the Government of Norway notified the Secretary-General of the United Nations of its decision to substitute item (a) of the reservation of 10 April 1978 by a new item (a) which should read as follows: ‘(a) Pursuant to Article 16, paragraph 1, item (a)(ii), reservation is made to the effect that Article 12 shall not apply in respect of use other than use of phonograms in broadcast transmissions.’

Poland. 1. As regards Article 5, paragraph 3:

The Republic of Poland will not apply the criterion of publication.

2. As regards Article 6, paragraph 2:

The Republic of Poland will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

3. As regards Article 16, paragraph 1, item (a) (i), (iii) and (iv), the Republic of Poland:

- (i) with regard to broadcasters – will not apply the provisions of Article 12 of the Convention in respect of the uses of a published phonogram referred to therein;
- (iii) with regard to schools – will not apply the provisions of Article 12 of the Convention as regards phonograms the producer of which is not a national of another Contracting State;
- (iv) with regard to schools – will not apply the provisions of Article 12 of the Convention as regards phonograms the producer of which is a national of another Contracting State; the extent and term of protection provided for by this Article shall be limited to the extent and period of protection granted by this Contracting State to phonograms first fixed by a national of the Republic of Poland.

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4. As regards Article 16, paragraph 1, item (b), the Republic of Poland will not apply the provisions of item (d) of Article 13 of the Convention so as to exclude the rights of broadcasting organizations in respect of the communication of their broadcasts made in places accessible to the public against payment of an entrance fee.

Republic of Moldova. 1. In accordance with Article 5, paragraph 3, the Republic of Moldova declares that it will not apply the criteria of fixation under Article 5, paragraph 1(b).

2. In accordance with Article 6, paragraph 2, the Republic of Moldova declares that it will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

3. With reference to Article 16, paragraph 1(a), the Republic of Moldova declares that:
- (a) it will not apply the provisions of Article 12 in the case of communications to the public of phonograms as part of the activities or for the benefit of a club, society or other organization which has been established or is being administered on a non-commercial basis, the purpose of which, generally speaking, is charitable or concerned with the advancement of education, the promotion of the public good and the dissemination of religion, unless a charge is made for admission to the part of the premises where the phonogram is to be heard and any of profit thus obtained is used for purposes which differ from those of the organization;
 - (b) it will not apply the provisions of Article 12 as regards phonograms the producer of which is not a national of another Contracting State;
 - (c) it will limit the protection stipulated in Article 12 for phonograms the producer of which is a national of another Contracting State to the extent to which and as long as that Contracting State grants protection to phonograms which were originally fixed by a national of the Republic of Moldova.

Romania. 1. With regard to article 5, paragraph 3, Romania declares that it will not apply the criterion of fixation.

2. With regard to article 6, paragraph 2, Romania declares that it will protect radio and television broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

3. With reference to article 16, paragraph 1(a)(iii) and (iv):
- (iii) Romania will not apply any of the provisions of article 12, as regards phonograms the producer of which is not a national of another Contracting State.
 - (iv) For the producers of phonograms who are nationals of another Contracting State, the scope and length of the protection provided for in article 12 shall be limited to the extent to which and as long as that Contracting State grants protection to phonograms which were originally fixed by a national of Romania.

Saint Lucia. The instrument of accession contained the following declarations:

‘The Government of Saint Lucia declares that as regards Article 5 it will not apply the criterion of publication contained in Article 5(1)(c).

‘The Government of Saint Lucia declares that as regards Article 12 it will not apply that article in relation to phonograms the producer of which is not a national of another Contracting State.’

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Slovakia. With reservations set forth in Article 16, paragraph 1, subparagraph (a)(iii) and (iv), of the Convention.

Slovenia. The instrument of accession was accompanied by the following reservations:

1. In respect of Article 5, paragraph 1(c) and in accordance with Article 5, paragraph 3 of the Convention, the Republic of Slovenia will not apply the criterion of publication.
2. In accordance with Article 16, paragraph 1(a)(i) of the Convention, the Republic of Slovenia will not apply the provisions of Article 12 until 1 January 1998.

Spain. The instrument of ratification contained the following declarations:

Article 5

The Government of Spain, in conformity with Article 5, paragraph 3, of the Convention for the Protection of Phonograms, declares that it will not apply the criterion of first publication and will apply instead the criterion of first fixation.

Article 6

The Government of Spain, in conformity with Article 6, paragraph 2, of the Convention, declares that it will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

Article 16

The Government of Spain, in conformity with the provisions of Article 16, paragraph 1, of the Convention, and in relation to Article 12 of the Convention, declares that:

Firstly, in conformity with the provisions of Article 16, paragraph 1(a)(iii), of the Convention, it will not apply the provisions of Article 12 as regards phonograms the producer of which is not a national of a Contracting State.

Secondly, the Spanish Government, as regards phonograms the producer of which is a national of another Contracting State, will reduce the scope and duration of the protection provided in Article 12 in so far as the Contracting State does likewise with respect to phonograms whose fixations were first made by nationals of Spain, in conformity with the provisions of Article 16, paragraph 1(a)(iv), of the Convention.

Switzerland. The instrument of accession contained the following declarations:

Article 5

The Swiss Government declares, in accordance with Article 5, paragraph 3, of the Convention, that it rejects the criterion of first fixation. It will therefore apply the criterion of first publication.

Article 12

In accordance with the provisions of Article 16, paragraph 1, of the Convention, the Swiss Government declares that it will not apply the provisions of Article 12 as regards phonograms the producer of which is not a national of another Contracting State.

The Swiss Government also declares, as regards phonograms the producer of which is a national of another Contracting State, that it will limit the protection provided for by Article 12 to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a Swiss national, in accordance with the provisions of Article 16, paragraph 1(a)(iv), of the Convention.

The former Yugoslav Republic of Macedonia. 1. According to the Article 5, paragraph 3, of

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this Convention, the Republic of Macedonia shall not apply the criterion of publication, provided under Article 5, paragraph 1(c).

2. According to the Article 16, paragraph 1(a)(i) of this Convention, the Republic of Macedonia shall not apply the provisions of the Article 12.

United Kingdom. 1. In respect of Article 5(1)(b) and in accordance with Article 5(3) of the Convention, the United Kingdom will not apply, in respect of phonograms, the criterion of fixation.

2. In respect of Article 6(1) and in accordance with Article 6(2) of the Convention, the United Kingdom will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State.

3. In respect of Article 12 and in accordance with Article 16(1) of the Convention:

- (a) the United Kingdom will not apply the provisions of Article 12 in respect of the following uses: (i) the causing of a phonogram to be heard in public at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein except where a special charge is made for admission to the part of the premises where the phonogram is to be heard; (ii) the causing of a phonogram to be heard in public as part of the activities of, or for the benefit of, a club, society or other organization which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, except where a charge is made for admission to the place where the phonogram is to be heard, and any of the proceeds of the charge are applied otherwise than for the purposes of the organization;
- (b) as regards phonograms the producer of which is not a national of another Contracting State or as regards phonograms the producer of which is a national of a Contracting State which has made a declaration under Article 16(1)(a)(i) stating that it will not apply the provisions of Article 12, the United Kingdom will not grant the protection provided for by Article 12, unless, in either event, the phonogram has been first published in a Contracting State which has made no such declaration.

Notes

1. Czechoslovakia, which had deposited on 13 May 1964, with the Secretary-General of the United Nations, its instrument of accession to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, adopted at Rome on 26 October 1961, with the reservations set forth in Article 16, paragraph 1, subparagraph (a)(iii) and (iv), of the Convention, separated into two independent States, the Slovak Republic and the Czech Republic, on 1 January 1993.

On 30 September 1993, the Secretary-General of the United Nations received from the Government of the Czech Republic a declaration of succession concerning the application of this Convention with effect from 1 January 1993.

2. The Director-General of UNESCO received from the Permanent Delegate of the Federal Republic of Germany a letter dated 3 October 1990 informing him that ‘through the

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accession of the German Democratic Republic to the Federal Republic of Germany with effect from 3 October 1990, the two German States have united to form one sovereign State'. This letter was accompanied by a verbal note dated 3 October 1990 informing UNESCO that 'with regard to the continued application of treaties of the Federal Republic of Germany and the treatment of treaties of the German Democratic Republic following its accession to the Federal Republic of Germany with effect from 3 October 1990, the Treaty of 31 August 1990 between the Federal Republic of Germany and the German Democratic Republic on the establishment of German unity (Unification Treaty) contains the following relevant provisions:

1. Article 11

Treaties of the Federal Republic of Germany

The contracting parties proceed on the understanding that international treaties and agreements to which the Federal Republic of Germany is a contracting party . . . shall retain their validity and that the rights and obligations arising therefrom . . . shall also relate to the territory specified in Article 3 of this Treaty'. (*Länder* of Brandenburg, Mecklenburg-Western Pomerania, Saxe, Saxe-Anhalt and Thuringia as well as the sector of the *Land* of Berlin where the Fundamental Law of the Federal Republic of Germany was not applicable.)

3. Czechoslovakia, which had deposited on 13 May 1964, with the Secretary-General of the United Nations, its instrument of accession to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, adopted at Rome on 26 October 1961, with the reservations set forth in Article 16, paragraph 1, subparagraph (a)(iii) and (iv), of the Convention, separated into two independent States, the Slovak Republic and the Czech Republic, on 1 January 1993.

On 28 May 1993, the Secretary-General of the United Nations received from the Government of Slovakia a declaration of succession concerning the application of this Convention.

Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms

State of ratifications, acceptances and accessions up to 15 January 2002

I. ADOPTION

The Convention was adopted by the International Conference of States on the Protection of Phonograms which was held in Geneva from 18 to 29 October 1971.

II. ENTRY INTO FORCE

1. Initial entry into force: 18 April 1973, in accordance with Article 11, paragraph 1.
2. Subsequent entry into force for a particular State: three months after the date on which the Director-General of the World Intellectual Property Organization informs the States referred to in Article 9, paragraph 1, of the deposit, in accordance with Article 13, paragraph 4, of the instrument of ratification, acceptance or accession of the State in question.

III. RATIFICATIONS, ACCEPTANCES AND ACCESSIONS^a

(R = Ratification or acceptance; A = Accession; D = Declaration*)

	<i>Date of entry into force</i>	<i>Territorial application</i>		<i>Notifications^b</i>
		<i>Date at which notification takes effect</i>	<i>Extension to</i>	
Argentina	30 June 1973	A		
Australia	22 June 1974	A		
Austria	21 August 1982	R		
Azerbaijan	1 September 2001	A		

* The symbol 'D' denotes a declaration made by a State recognizing itself bound, as from the date of its independence, by the Convention, the application of which had been extended to its territory by the State from which it separated. The date shown is the date of deposit of the instrument of ratification, acceptance or accession made by the State from which this State separated.

Protection of Producers of Phonograms against Unauthorized Duplication |

	<i>Date of entry into force</i>	<i>Territorial application</i>		<i>Notifications^b</i>
		<i>Date at which notification takes effect</i>	<i>Extension to</i>	
Barbados	29 July 1983 A			
Bulgaria	6 September 1995 A			
Brazil	28 November 1975 R			
Burkina Faso	30 January 1988 A			
Chile	24 March 1977 A			
China	30 April 1993 A	1 July 1997	Hong Kong ¹	
Colombia	16 May 1994 R			
Costa Rica	17 June 1982 A			
Croatia	30 April 2000 A			
Cyprus	30 September 1993 A			
Czech Republic ²	1 January 1993 D			
Democratic Republic of the Congo	29 November 1977 A			
Denmark	24 March 1977 R			
Ecuador	14 September 1974 R			
Egypt	23 April 1978 A			×
El Salvador	9 February 1979 A			
Estonia	28 May 2000 A			
Fiji	18 April 1973 A			
Finland	18 April 1973 R			×
France	18 April 1973 R			
Germany ³	18 May 1974 R			
Greece	9 February 1994 A			
Guatemala	1 February 1977 A			
Holy See	18 July 1977 R			
Honduras	6 March 1990 A			
Hungary	28 May 1975 A			×
India	12 February 1975 R			
Israel	1 May 1978 R			
Italy	24 March 1977 R			×
Jamaica	11 January 1994 A			
Japan	14 October 1978 R			
Kazakhstan	3 August 2001 A			
Kenya	21 April 1976 R			
Latvia	23 August 1997 A			
Liechtenstein	12 October 1999 R			
Lithuania	27 January 2000 A			
Luxembourg	8 March 1976 R			
Mexico	21 December 1973 R			
Monaco	2 December 1974 R			
Netherlands ^c	12 October 1993 A			
New Zealand	13 August 1976 A			
Nicaragua	10 August 2000 A			
Norway	1 August 1978 R			
Panama	29 June 1974 R			
Paraguay	13 February 1979 A			
Peru	24 August 1985 A			

Protection of Producers of Phonograms against Unauthorized Duplication |

	<i>Date of entry into force</i>	<i>Territorial application</i>		<i>Notifi-cations^b</i>
		<i>Date at which notification takes effect</i>	<i>Extension to</i>	
Republic of Korea	10 October 1987 A			
Republic of Moldova	17 July 2000 A			
Romania	1 October 1998 A			
Russian Federation	13 March 1995 A			
Saint Lucia	2 April 2001 A			
Slovakia ⁴	1 January 1993 D			
Slovenia	15 October 1996 A			
Spain	24 August 1974 R			
Sweden	18 April 1973 R			×
Switzerland	30 September 1993 R			
the former Yugoslav Republic of Macedonia	2 March 1998 A			
Trinidad and Tobago	1 October 1988 A			
Ukraine	18 February 2000 A			
United Kingdom	18 April 1973 R	4 March 1975	Bermuda, British Virgin Islands, Cayman Islands, Gibraltar, Isle of Man, Hong Kong, ⁵ Montserrat, Saint Lucia, Seychelles	
United States of America	10 March 1974 R			
Uruguay	18 January 1983 R			
Venezuela	18 November 1982 A			

- a. This document is compiled from information communicated by the Secretary-General of the United Nations and by the Director-General of the World Intellectual Property Organization.
- b. See below, for the text of Notifications.
- c. For the Kingdom in Europe.

Notifications

Egypt. The instrument of accession contained the declaration that the accession of the Arab Republic of Egypt ‘does not imply any recognition of Israel, or entering into any relationship with Israel governed by the provisions of the Convention’.

Protection of Producers of Phonograms against Unauthorized Duplication |

Finland. On 2 January 1973, the Government of Finland deposited with the Director-General of the World Intellectual Property Organization a notification dated 22 December 1972 declaring that, in accordance with Article 7(4) of the Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms, adopted at Geneva on 29 October 1971, it will apply the criterion according to which it affords protection to producers of phonograms solely on the basis of the place of first fixation instead of the criterion of the nationality of the producer.

Hungary. At the time of the deposit of the instrument of accession with the Secretary-General of the United Nations, the Hungarian Government made the following declarations: 'In the opinion of the Hungarian People's Republic, Article 9, paragraphs (1) and (2), of the Convention have a discriminatory character. The Convention is a general, multilateral one and therefore every State has the right to be a party to it, in accordance with the basic principles of international law.'

'The Hungarian People's Republic declares that the provisions of Article 11, paragraph (3), of the Convention are inconsistent with the principles of the independence of colonial countries and peoples, formulated, *inter alia*, also in Resolution No. 1514(XV) of the United Nations General Assembly.'

Italy. On 20 January 1977, the Government of Italy deposited with the Director-General of the World Intellectual Property Organization a notification declaring that, in accordance with Article 7(4) of the Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms, adopted at Geneva on 29 October 1971, it will apply the criterion according to which it affords protection to producers of phonograms solely on the basis of the place of first fixation instead of the criterion of the nationality of the producer.

Sweden. On 11 January 1973, the Government of Sweden deposited with the Director-General of the World Intellectual Property Organization a notification dated 28 December 1972 declaring that, in accordance with Article 7(4) of the Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms, adopted at Geneva on 29 October 1971, it will apply the criterion according to which it affords protection to producers of phonograms solely on the basis of the place of first fixation instead of the criterion of the nationality of the producer.

According to a notification dated 30 June 1986, the Government of Sweden declared that, with effect on 1 July 1986, it withdraws its declaration, made at the time of the deposit of its instrument of ratification of the Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms, that it will apply the criterion according to which it affords protection to producers of phonograms solely on the basis of the place of first fixation instead of the criterion of the nationality of the producer.

Notes

1. The English translation of a letter, dated 17 June 1997, was transmitted to the Secretary-General of the United Nations by the Acting Permanent Representative of the People's Republic of China to the United Nations at New York containing the following notification: 'In accordance with the Joint Declaration of the Government of the People's Republic of China and the Government of the United Kingdom of Great Britain and Northern Ireland on the Question of Hong Kong signed on 19 December 1984, the People's Republic of China will resume the exercise of sovereignty over Hong Kong with effect from 1 July 1997. Hong Kong will, with effect from that date, become a Special Administrative Region of the People's Republic of China and will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibility of the Central People's Government of the People's Republic of China . . .

'The Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms (hereinafter referred to as "the Convention"), to which the Government of the People's Republic of China acceded on 5 January 1993, will apply to the Hong Kong Special Administrative Region with effect from 1 July 1997.

'The Government of the People's Republic of China will assume responsibility for the international rights and obligations arising from the application of the Convention to the Hong Kong Special Administrative Region . . . '.

2. Czechoslovakia, which had deposited on 15 January 1985, with the Secretary-General of the United Nations, its instrument of accession to the Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms, adopted at Geneva on 29 October 1971, separated into two independent States, the Slovak Republic and the Czech Republic, on 1 January 1993.

On 30 September 1993, the Secretary-General of the United Nations received from the Government of the Czech Republic a declaration of succession concerning the application of this Convention.

3. The Director-General of UNESCO received from the Permanent Delegate of the Federal Republic of Germany a letter dated 3 October 1990 informing him that 'through the accession of the German Democratic Republic to the Federal Republic of Germany with effect from 3 October 1990, the two German States have united to form one sovereign State'. This letter was accompanied by a verbal note dated 3 October 1990 informing UNESCO that 'with regard to the continued application of treaties of the Federal Republic of Germany and the treatment of treaties of the German Democratic Republic following its accession to the Federal Republic of Germany with effect from 3 October 1990, the Treaty of 31 August 1990 between the Federal Republic of Germany and the German Democratic Republic on the establishment of German unity (Unification Treaty) contains the following relevant provisions:

1. 1. Article 11

Treaties of the Federal Republic of Germany

The contracting parties proceed on the understanding that international treaties and agreements to which the Federal Republic of Germany is a contracting party . . . shall retain their validity and that the rights and obligations arising therefrom . . . shall also relate to the territory specified in Article 3 of this Treaty'. (*Länder of Brandenburg,*

Protection of Producers of Phonograms against Unauthorized Duplication |

Mecklenburg-Western Pomerania, Saxe, Saxe-Anhalt and Thuringia as well as the sector of the *Land* of Berlin where the Fundamental Law of the Federal Republic of Germany was not applicable.)

4. Czechoslovakia, which had deposited on 15 January 1985, with the Secretary-General of the United Nations, its instrument of accession to the Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms, adopted at Geneva on 29 October 1971, separated into two independent States, the Slovak Republic and the Czech Republic, on 1 January 1993.

On 28 May 1993, the Secretary-General of the United Nations received from the Government of Slovakia a declaration of succession concerning the application of this Convention.

5. On 10 June 1997, the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations at New York sent a letter to the Secretary-General of the United Nations concerning the 'treaties' which apply to Hong Kong at present, including the Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms, notifying him of the following: '. . . in accordance with the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong signed on 19 December 1984, the Government of the United Kingdom will restore Hong Kong to the People's Republic of China with effect from 1 July 1997. The Government of the United Kingdom will continue to have international responsibility for Hong Kong until that date. Therefore, from that date the Government of the United Kingdom will cease to be responsible for the international rights and obligations arising from the application of the "Treaties" to Hong Kong . . . '.

Convention relating to the Distribution of Programme-carrying Signals Transmitted by Satellite

State of ratifications, acceptances and accessions up to 15 January 2002

I. ADOPTION

The Convention was adopted by the International Conference of States on the Distribution of Programme-carrying Signals Transmitted by Satellite which was held in Brussels from 6 to 21 May 1974.

II. ENTRY INTO FORCE

1. Initial entry into force: 25 August 1979, in accordance with Article 10, paragraph 1.
2. Subsequent entry into force for a particular State: three months after the date of deposit of the instrument of ratification, acceptance or accession, in accordance with Article 10, paragraph 2.

III. RATIFICATIONS, ACCEPTANCES AND ACCESSIONS^a

(R = Ratification or acceptance; A = Accession; D = Declaration*)

	<i>Date of deposit of instrument</i>	<i>Declarations</i>
Armenia	13 September 1993	A
Australia	26 July 1990	A
Austria	6 May 1982	R
Bosnia and Herzegovina ¹	12 January 1994	D
Costa Rica	25 March 1999	A
Croatia ²	26 July 1993	D
Federal Republic of Yugoslavia ³	27 April 1992	D
Germany ⁴	25 May 1979	R
Greece	22 July 1991	A

* The symbol 'D' denotes a declaration made by a State recognizing itself bound, as from the date of its independence, by the Convention, the application of which had been extended to its territory by the State from which it separated. The date shown is the date on which the Secretary-General of the United Nations received from the State notification of succession.

Distribution of Programme-carrying Signals Transmitted by Satellite

	<i>Date of deposit of instrument</i>	<i>Declarations</i>
Italy	7 April 1981 R	
Jamaica	12 October 1999 A	
Kenya	6 January 1976 R	
Mexico	18 March 1976 R	
Morocco	31 March 1983 R	
Nicaragua	1 December 1975 A	
Panama	25 June 1985 A	
Peru	7 May 1985 A	
Portugal	11 December 1995 A	
Russian Federation ⁵	20 October 1988 A	
Slovenia ⁶	3 November 1992 D	
Switzerland	24 June 1993 R	
the former Yugoslav Republic of Macedonia ⁷	2 September 1997 D	
Trinidad and Tobago ⁸	1 August 1996 A	
United States of America	7 December 1984 R	

a. This document is compiled from information communicated by the Secretary-General of the United Nations in his capacity as depositary of the Convention.

Notes

1. On 12 January 1994, the Secretary-General of the United Nations received from the Government of Bosnia and Herzegovina the instrument of succession relating to the Distribution of Programme-carrying Signals Transmitted by Satellite, adopted at Brussels on 21 May 1974, ratified by the Socialist Federal Republic of Yugoslavia on 29 December 1976.
2. On 26 July 1993, the Secretary-General of the United Nations received from the Government of Croatia the instrument of succession to the Convention relating to the Distribution of Programme-carrying Signals Transmitted by Satellite, adopted at Brussels on 21 May 1974, ratified by the Socialist Federal Republic of Yugoslavia on 29 December 1976.
3. On 11 September 2001, the Director-General of UNESCO received from the Minister of Foreign Affairs of the Federal Republic of Yugoslavia the following notification: '... the Government of the Federal Republic of Yugoslavia decided to accept, as a successor State to the Socialist Federal Republic of Yugoslavia, the Conventions, Agreements and Protocols of the United Nations Educational, Scientific and Cultural Organization...'. Listed in the annex attached to the letter were, in particular, the Universal Copyright Convention adopted on 6 September 1952 in Geneva, with Appendix Declaration relating to Article XVII, and Resolution concerning Article XI; the annexed Protocol 1 to the Convention concerning the application of the Convention to works of stateless persons and refugees, Protocol 2 concerning the application of the Convention to the works of certain international organizations and Protocol 3 concerning

Distribution of Programme-carrying Signals Transmitted by Satellite

the effective date of instruments of ratification or acceptance of, or accession to the Convention; Universal Copyright Convention as revised in Paris on 24 July 1971 with Appendix Declaration relating to Article XVII and Resolution concerning Article XI; Convention relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite, adopted on 21 May 1974 in Brussels. The Minister further declared that the Government of the Federal Republic of Yugoslavia ‘...takes faithfully to perform and carry out the stipulations therein contained as from 27 April 1992, the date upon which the Federal Republic of Yugoslavia assumed responsibility for its international relations’.

4. The Director-General of UNESCO received from the Permanent Delegate of the Federal Republic of Germany a letter dated 3 October 1990 informing him that ‘through the accession of the German Democratic Republic to the Federal Republic of Germany with effect from 3 October 1990, the two German States have united to form one sovereign State’. This letter was accompanied by a verbal note dated 3 October 1990 informing UNESCO that ‘with regard to the continued application of treaties of the Federal Republic of Germany and the treatment of treaties of the German Democratic Republic following its accession to the Federal Republic of Germany with effect from 3 October 1990, the Treaty of 31 August 1990 between the Federal Republic of Germany and the German Democratic Republic on the establishment of German unity (Unification Treaty) contains the following relevant provisions:

1. Article 11

Treaties of the Federal Republic of Germany

The contracting parties proceed on the understanding that international treaties and agreements to which the Federal Republic of Germany is a contracting party . . . shall retain their validity and that the rights and obligations arising therefrom . . . shall also relate to the territory specified in Article 3 of this Treaty’. (*Länder* of Brandenburg, Mecklenburg-Western Pomerania, Saxe, Saxe-Anhalt and Thuringia as well as the sector of the *Land* of Berlin where the Fundamental Law of the Federal Republic of Germany was not applicable.)

5. On 26 December 1991, the Permanent Delegate of the Russian Federation transmitted to the Director-General of UNESCO a verbal note from the Ministry of Foreign Affairs of his country, the terms of which are as follows: ‘The Ministry of Foreign Affairs of the Russian Federation . . . has the honour to inform you that the participation of the Union of Soviet Socialist Republics . . . in all the conventions, agreements and other instruments of international law concluded therein or under its auspices is continued by the Russian Federation (RF) and that, to that end, the title “Union of Soviet Socialist Republics” should be replaced within UNESCO by “Russian Federation”. . . .’ Consequently, the Russian Federation is bound by the Convention relating to the Distribution of Programme-carrying Signals Transmitted by Satellite since 20 January 1989, the date on which this instrument came into force for the Union of Soviet Socialist Republics.
6. On 3 November 1992, the Secretary-General of the United Nations received from the Government of the Republic of Slovenia the instrument of succession to the Convention relating to the Distribution of Programme-carrying Signals Transmitted by Satellite, ratified by the Socialist Federal Republic of Yugoslavia on 29 December 1976.
7. On 2 September 1997, the instrument of succession of the former Yugoslav Republic of

Distribution of Programme-carrying Signals Transmitted by Satellite

Macedonia to the Convention relating to the Distribution of Programme-carrying Signals Transmitted by Satellite adopted in Brussels on 21 May 1974, was received by the Secretary-General of the United Nations.

8. The instrument of accession contained the following declaration: 'The Government of the Republic of Trinidad and Tobago has decided that the duration of time referred to in Article 2 of the said Convention shall be twenty (20) years.'

Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties and Additional Protocol

State of ratifications, acceptances and accessions up to 15 January 2002

I. ADOPTION

The Convention was adopted by the International Conference of States on the Double Taxation of Copyright Royalties Remitted from One Country to Another which was held in Madrid from 26 November to 13 December 1979.

II. ENTRY INTO FORCE

In accordance with Article 13(1), the Convention will enter into force three months after the deposit of the tenth instrument of ratification, acceptance or accession.

III. RATIFICATIONS, ACCEPTANCES AND ACCESSIONS^a

(R = Ratification or acceptance; A = Accession; D = Declaration*)

	<i>Date of deposit of instrument</i>		<i>Reservations^b</i>
	<i>Convention</i>	<i>Protocol</i>	
Czech Republic ¹	30 September 1993 D	30 September 1993 D	
Egypt	11 February 1982 A		
Ecuador	26 October 1994 A		
India	31 January 1983 A		×
Iraq	15 July 1981 A		
Peru	15 April 1988 A		
Slovakia ¹	28 May 1993 D	28 May 1993 D	

a. This document is compiled from information communicated by the Secretary-General of the United Nations in his capacity as depositary of the Convention.

b. See below, for the text of Reservations.

* The symbol 'D' denotes a declaration made by a State recognizing itself bound, as from the date of its independence, by the Convention, the application of which had been extended to its territory by the State from which it separated. The date shown is the date on which the Secretary-General of the United Nations received from the State notification of succession.

Reservations

India. ‘The Government of India does not consider itself bound by Articles 1 to 4 and 17 of the Convention.’

Note

1. Czechoslovakia, which had deposited on 24 September 1981, with the Secretary-General of the United Nations, its instrument of ratification of the Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties, adopted at Madrid on 13 December 1979, as well as the instrument of accession to the Additional Protocol to this Convention, separated into two independent States, the Slovak Republic and the Czech Republic, on 1 January 1993.

On 28 May 1993, the Secretary-General of the United Nations received from the Government of Slovakia a declaration of succession concerning the application of this Convention, as well as of its Additional Protocol.

On 30 September 1993, the Secretary-General of the United Nations received from the Government of the Czech Republic a declaration of succession concerning the application of this Convention, as well as of its Additional Protocol.

BIBLIOGRAPHY

International Encyclopaedia of Laws (General editor, Professor Dr R. Blanpain): *Intellectual Property* (Editor, Hendrik Vanhees), Kluwer Law International, 2001, 202 pages.

Intellectual property rights play an extremely important part in the development of the national intellectual potential and in both national and international trade. The latter implies that the practitioner of intellectual property law cannot restrict himself to the mere knowledge of his national legislation. He also has to be acquainted with the intellectual property law in other countries, or at least with the international instruments and conventions in this domain.

The *International Encyclopaedia of Intellectual Property* is divided into three parts. The first part contains national monographs, the second part is devoted to international conventions in the field of intellectual property and the third part is devoted to intellectual property within the European Union.

The first part consists of monographs on national legislation. For each country a national expert in this domain gives a survey of the rules concerning intellectual property rights which exist in that country. This survey is given according to a fixed structure and to a fixed, preconceived scheme.

In the second part of the *Encyclopaedia* the international conventions in the domain of intellectual property are discussed. These conventions are thoroughly analysed and explained by prominent specialists. After a profound discussion of the agreement on trade-related aspects of intellectual property rights (TRIPS) and the Paris Convention for the protection of industrial property, the existing conventions for each intellectual property right are commented on.

Finally, in the third part of the *Encyclopaedia* the intellectual property law within the European Union is treated. The different legal instruments for each intellectual property right which have already been established within the European Union will be studied. One monograph will also be devoted to the free movement of goods within the European Union and intellectual property, and to the problems within the European Union of intellectual property and the European competition rules.

BOOKS AND DOCUMENTS

UNESCO publications and selected documents in the field of copyright

Publications

These UNESCO sales publications are available from the national distributors of UNESCO publications listed at the end of most issues of the *Bulletin*. In case of difficulty, write to: Promotion and Sales Division, UNESCO Publishing, 1, rue Miollis, 75732 Paris Cedex 15. Tel.: (+33) 01 45 68 10 00.

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Internet: <http://www.unesco.org/publishing>

The ABC of Copyright (UNESCO, Paris, 1981) in Arabic, English, French and Spanish.

A Russian edition has been published jointly with Youridicheskaya Literatura, Ul. Kachalova 14, Moscow 121069, Russian Federation.

A Japanese edition has been published by the Copyright Research Institute, 2-12-8 Shimbashi, Minato-ku, Tokyo, Japan.

A Hungarian edition has been published by Országos Műszaki Információs Központ és Könyvtár, Reviczky u.6, H-1428 Budapest, Hungary.

A Hindi edition has been published by the Ministry of Education and Social Welfare, Shastri Bhavan, New Delhi, India.

A Bengali edition has been published by Sri Bimal Kumar Dhar, Academic Publishers, 5A Bhawani Datta Lane, Calcutta-73, India.

A Chinese edition has been published jointly with the China Translation and Publishing Corporation, 4 Tai Ping Qiao Street, Beijing, China.

A Portuguese edition has been published by Editorial Presença, rua Augusta Gil, 35 A, 1000 Lisbon, Portugal.

A Dutch edition has been published by VUGA Uitgeverij B.V., Zeestraat 65 d/, P.O. Box 16400, 2500 BK 's-Gravenhage, Netherlands.

A Korean edition has been published by the Korean National Commission for UNESCO, UNESCO House, 50-16 2 Ka, Myung-Dong, Choong-Gu, C.P.O. Box 64, Seoul, Republic of Korea.

A Turkish edition has been published by the Kültür ve Turizm Bankaligi, Fikir ve Sanat Eserleri Dairesi Baskanligi, Ankara, Turkey.

A Polish edition has been published by Stowarzyszenie Autorów (ZAIKS), 2 rue Hipoteczna, 00-092 Warsaw, Poland.

Derecho de autor y derechos conexos, by Delia Lipszyc (Paris/Bogotá/Buenos Aires, UNESCO Publishing/CERLALC/Zavalía, 1993). Spanish, French, English and Chinese version; Russian is to be published in 2000. Arabic version is in preparation.

Grands principes du droit d'auteur et des droits voisins dans le monde, by Claude Colombet (Paris, UNESCO, 1992). French, Spanish.

Records of the Conference for Revision of the Universal Copyright Convention (UNESCO, Paris, 1973). English, French, Spanish.

Records of the International Conference of States on the Protection of Phonograms (Paris/Geneva, UNESCO/WIPO, 1975). English, Spanish (French out of stock).

Records of the International Conference of States on the Distribution of Programme-carrying Signals Transmitted by Satellite (Paris/Geneva, UNESCO/WIPO, 1977). English, French, Russian and Spanish.

Video cassette

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Documents

These documents are available free of charge on request to the above address.

INTERNATIONAL CONVENTIONS AND RECOMMENDATIONS

Universal Copyright Convention adopted at Geneva in 1952 and revised at Paris on 24 July 1971. (Original texts in English, French and Spanish; official translations in Arabic, German, Portuguese and Russian.)

International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome, 1961). (Original texts in English, French and Spanish.)

Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of their Phonograms (Geneva, 1971). (Original texts in English, French, Russian and Spanish.)

Convention Relating to the Distribution of Programme-carrying Signals Transmitted by Satellite (Brussels, 1974). (Original texts in English, French, Russian and Spanish; official translations in German, Italian and Dutch.)

Recommendation on the Legal Protection of Translators and Translations and the Practical Means to Improve the Status of Translators (Nairobi, 1976). (Original texts in Arabic, English, French, Russian and Spanish.)

Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties (Madrid, 1979). (Original texts in Arabic, English, French, Russian and Spanish; official translation in Italian.)

Recommendation concerning the Status of the Artist (Belgrade, 1980). (Original texts in Arabic, Chinese, English, French, Russian and Spanish.)

Recommendation on the Safeguarding of Traditional Culture and Folklore (Paris, 1989). (Original texts in Arabic, Chinese, English, French, Russian and Spanish.)

MODEL LAWS

Tunis Model Law on Copyright for Developing Countries (1976). (Arabic, English, French, Portuguese and Spanish.)

Model Law Concerning the Protection of Performers, Producers of Phonograms and Broadcasting Organizations with Commentary (1974). (English, French and Spanish.)

Model Domestic Provisions to Implement the Convention Relating to the Distribution of Programme-carrying Signals Transmitted by Satellite (Brussels Convention of 21 May 1974) (1983). (Arabic, English, French, Russian and Spanish.)

Model Provisions for National Laws on the Protection of Expressions of Folklore Against Illicit Exploitation and Other Prejudicial Actions (1985). (English, French and Spanish.)

MODEL CONTRACTS, ACCOMPANIED BY COMMENTARIES

Publication of a Reproduction of an Edition of a Work. (English, French and Spanish.)

Publication of a Translation of a Work. (English, French and Spanish.)

Licensing of Rights in a Work for the Purpose of Sound Recording. (English, French and Spanish.)

Licensing of Motion-Picture Rights. (English, French and Spanish.)

Guidelines for the Preparation of Contracts for Translation, Reproduction and Other Rights Required by Developing Countries. (English, French and Spanish.)

OTHER DOCUMENTS

Guide to the Collective Administration of Authors' Rights.

Brochure on the Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties. Origin – Analysis – Scope. (English, French and Spanish.)

Visit also the following UNESCO website on copyright matters:

<http://www.unesco.org/culture/copyright>