

# WIPO



**IAVP/PM/4**

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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

**PREPARATORY COMMITTEE FOR THE WIPO  
DIPLOMATIC CONFERENCE  
ON THE PROTECTION OF AUDIOVISUAL PERFORMANCES**

**Geneva, April 12 and 14, 2000**

LIST OF STATES AND ORGANIZATIONS TO BE INVITED TO THE DIPLOMATIC  
CONFERENCE AND THE TEXTS OF THE DRAFT LETTERS OF INVITATION

*prepared by the Secretariat*

1. Member Delegations: It is proposed that the Member States of WIPO be invited to the Diplomatic Conference as “Member Delegations,” that is, with the right to vote (see the Draft Rules of Procedure of the Diplomatic Conference in document IAVP/PM/3 (“Draft Rules of Procedure”), Rule 2(1)(i)). The list of those States and the draft of the invitation to be addressed to them are attached (Annex A).
2. Special Delegation: It is proposed that the European Community be invited to the Diplomatic Conference as a “Special Delegation,” that is, with the same status as a Member Delegation, except that the European Community could not be a member of the Credentials Committee and would not have the right to vote (see Draft Rules of Procedure, Rules 2(1)(ii), 11(2) and 33(2) and (3)). The draft of the invitation to be addressed to the European Community is attached (Annex B).
3. Observer Delegations: It is proposed that the States members of the United Nations which are not members of WIPO be invited to the Diplomatic Conference as “Observer Delegations,” that is, *inter alia*, without the right to vote (see Draft Rules of Procedure, Rule 2(1)(iii)). The list of those States and the draft of the invitation to be addressed to them are attached (Annex C).
4. Observer Organizations: It is proposed that intergovernmental organizations and non-governmental organizations be invited to the Diplomatic Conference as “Observer Organizations” (see Draft Rules of Procedure, Rule 2(1)(iv)). The lists of those organizations and the draft of the invitation to be addressed to them are attached (Annex D).
5. The proposals set out in the foregoing paragraphs are the same as the corresponding proposals made in respect of the Diplomatic Conference on Certain Copyright and Neighboring Rights Questions (“the 1996 Diplomatic Conference”).

6. *The Preparatory Committee is invited to comment on these proposals.*

[Annexes follow]

ANNEX A

LIST OF STATES PROPOSED TO BE INVITED AS MEMBER DELEGATIONS  
(THAT IS, THE STATES MEMBERS OF WIPO)

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominica, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe (173).

DRAFT OF THE INVITATION PROPOSED TO BE ADDRESSED  
TO EACH MEMBER DELEGATION

The Director General of the World Intellectual Property Organization (WIPO) presents his compliments to the Minister for Foreign Affairs and has the honor to invite His Excellency's Government to be represented as a Member Delegation at the Diplomatic Conference on the Protection of Audiovisual Performances.

The Diplomatic Conference will take place in Geneva, at the [venue], from [dates], and will open at 10:00 a.m. on the first day. Participants may register at the Headquarters of WIPO as from 3 p.m. on [date].

Simultaneous interpretation will be provided in English, Arabic, Chinese, French, Russian and Spanish.

The draft Agenda of the Diplomatic Conference, the draft Rules of Procedure of the Diplomatic Conference and the draft of the Basic Proposal (substantive, administrative and final clauses) of the [Protocol to the WIPO Performances and Phonograms Treaty] [WIPO Treaty on Audiovisual Performances] are enclosed with this Note.

The draft of the substantive clauses and the draft of the administrative and final clauses together constitute the "Basic Proposal" mentioned in Rule 29(1)(a) of the Draft Rules of Procedure.

His Excellency's attention is drawn to the fact that the representatives of His Excellency's Government will need to be provided with credentials, and, for signing the [Protocol to the WIPO Performances and Phonograms Treaty][WIPO Treaty on Audiovisual Performances], with full powers (see Rule 6 of the Draft Rules of Procedure of the Diplomatic Conference, document IAVP/DC/-). The said full powers should be signed by the Head of State, the Head of Government or the Minister for Foreign Affairs.

It would be appreciated if the names and titles of the representatives of His Excellency's Government could be communicated to the Director General of WIPO by [date].

[date]

Enclosures: IAVP/DC/-, - and -

[Annex B follows]

DRAFT OF THE INVITATION PROPOSED TO BE ADDRESSED TO  
THE EUROPEAN COMMUNITY

[date]

Dear President Prodi,

I have the pleasure to invite the European Community to be represented as a Special Delegation at the Diplomatic Conference on the Protection of Audiovisual Performances.

The Diplomatic Conference will take place in Geneva, at the [venue], from [dates], and will open at 10:00 a.m. on the first day. Participants may register at the Headquarters of WIPO as from 3 p.m. on [date].

Simultaneous interpretation will be provided in English, Arabic, Chinese, French, Russian and Spanish.

The draft Agenda of the Diplomatic Conference, the draft Rules of Procedure of the Diplomatic Conference and the draft of the Basic Proposal (substantive, administrative and final clauses) of the [Protocol to the WIPO Performances and Phonograms Treaty][WIPO Treaty on Audiovisual Performances] are enclosed with this Note.

The draft of the substantive clauses and the draft of the administrative and final clauses together constitute the "Basic Proposal" mentioned in Rule 29(1)(a) of the Draft Rules of Procedure.

The Delegation of the European Community will need to be provided with credentials (see Rules 2 and 6 of the Draft Rules of Procedure of the Diplomatic Conference, document IAVP/DC/-). The question of whether the Delegation of the European Community may become party to the [Protocol to the WIPO Performances and Phonograms Treaty][WIPO Treaty on Audiovisual Performances] will be answered by the [Protocol to the WIPO Performances and Phonograms Treaty][WIPO Treaty on Audiovisual Performances] itself whose adoption is expected to take place towards the end of the Conference: if the answer is in the affirmative and the Delegation of the European Community wishes to sign the [Protocol to the WIPO Performances and Phonograms Treaty][WIPO Treaty on Audiovisual Performances], it will need full powers.

I would appreciate it if the names and titles of the persons who will represent the European Community could be communicated to me by [date].

Sincerely yours,

Kamil Idris  
Director General

Enclosures: IAVP/DC/-, - and –

[Annex C follows]

LIST OF STATES PROPOSED TO BE INVITED AS OBSERVER DELEGATIONS  
(THAT IS, THE STATES MEMBERS OF THE UNITED NATIONS  
WHICH ARE NOT MEMBERS OF WIPO)

Afghanistan, Belize, Comoros, Djibouti, Dominican Republic, Iran (Islamic Republic of), Kiribati, Maldives, Marshall Islands, Micronesia (Federated States of), Myanmar, Nauru, Palau, Solomon Islands, Syrian Arab Republic, Tonga, Vanuatu (17).

DRAFT OF THE INVITATION PROPOSED TO BE ADDRESSED TO  
EACH OBSERVER DELEGATION

The Director General of the World Intellectual Property Organization (WIPO) presents his compliments to the Minister for Foreign Affairs and has the honor to invite His Excellency's Government to be represented as an Observer Delegation at the Diplomatic Conference on the Protection of Audiovisual Performances.

The Diplomatic Conference will take place in Geneva, at [venue], from [dates], and will open at 10:00 a.m. on the first day. Participants may register at the Headquarters of WIPO as from 3 p.m. on [date].

Simultaneous interpretation will be provided in English, Arabic, Chinese, French, Russian and Spanish.

The draft Agenda of the Diplomatic Conference, the draft Rules of Procedure of the Diplomatic Conference and the draft of the Basic Proposal (substantive, administrative and final clauses) of the [Protocol to the WIPO Performances and Phonograms Treaty][WIPO Treaty on Audiovisual Performances] are enclosed with this Note.

The draft of the substantive clauses and the draft of the administrative and final clauses together constitute the "Basic Proposal" mentioned in Rule 29(1)(a) of the Draft Rules of Procedure.

His Excellency's attention is drawn to the fact that the representatives of His Excellency's Government will need to be provided with credentials.

It would be appreciated if the names and titles of the representatives of His Excellency's Government could be communicated to the Director General of WIPO by [date].

[date]

Enclosures: IAVP/DC/-, - and -

[Annex D follows]

ANNEX D

LIST OF INTERGOVERNMENTAL ORGANIZATIONS PROPOSED TO BE INVITED  
AS OBSERVER ORGANIZATIONS

United Nations (UN)  
International Labour Organization (ILO)  
United Nations Educational, Scientific and Cultural Organization (UNESCO)  
World Health Organization (WHO)  
International Telecommunication Union (ITU)  
World Meteorological Organization (WMO)  
International Maritime Organization (IMO)  
World Trade Organization (WTO)  
African Intellectual Property Organization (OAPI)  
Arab States Broadcasting Union (ASBU)  
Arab League Educational, Cultural and Scientific Organization (ALECSO)  
Association of South East Asian Nations (ASEAN)  
Caribbean Community (CARICOM)  
Central American Economic Integration Secretariat (SIECA)  
Central American Integration System (SICA)  
Commonwealth Fund for Technical Cooperation (CFTC)  
Commonwealth of Independent States (CIS)  
Commonwealth of Learning (COL)  
Conference of Latin American Authorities on Informatics (CALAI)  
Council of Europe (CE)  
Economic Community of the Great Lakes Countries (CEPGL)  
European Free Trade Association (EFTA)  
General Secretariat of the Andean Community  
International Institute for the Unification of Private Law (UNIDROIT)  
International Criminal Police Organization (INTERPOL)  
International Organization for Standardization (ISO)  
Islamic Educational, Scientific and Cultural Organization (ISESCO)  
Latin American Economic System (SELA)  
Latin American Integration Association (LAIA)  
League of Arab States (LAS)  
Organisation internationale de la francophonie (OIF)  
Organization of African Unity (OAU)  
Organization of American States (OAS)  
Organization of the Islamic Conference (OIC)  
Patent Office of the Cooperation Council for the Arab States of the Gulf  
(GCC Patent Office)  
Southern African Development Community (SADC)  
Southern Common Market (MERCOSUR)  
Union douanière et économique de l'Afrique centrale (UDEAC)

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LIST OF NON-GOVERNMENTAL ORGANIZATIONS PROPOSED TO BE INVITED AS  
OBSERVER ORGANIZATIONS

Actors, Interpreting Artists Committee (CSAI)  
Afro-Asian Book Council (AABC)  
Agence pour la protection des programmes (APP)  
American Bar Association (ABA)  
American Federation of Musicians of the United States and Canada (AFM)  
American Federation of Television and Radio Artists (AFTRA)  
American Film Market Association (AFMA)  
American Intellectual Property Law Association (AIPLA)  
ARTES EEIG (ARTIS)  
ASEAN Intellectual Property Association (ASEAN IPA)  
Asia & Pacific Internet Association (APIA)  
Asia-Pacific Broadcasting Union (ABU)  
Asociación Argentina de Interpretes (AADI)  
Asociación Nacional de Intérpretes (ANDI)  
Associação Portuguesa de Actores (APA)  
Association européenne des éditeurs de journaux (ENPA)  
Association européenne pour la protection des œuvres et services cryptés (AEPOC)  
Association for the International Collective Management of Audiovisual Works (AGICOA)  
Association of Commercial Television in Europe (ACT)  
Association of European Performers' Organizations (AEPO)  
Association of European Radios (AER)  
Australian Copyright Council (ACC)  
Bundesverband Deutscher Unternehmensberater (BDU)  
Business Software Alliance (BSA)  
Canadian Bar Association (CBA) National Intellectual Property Section  
Caribbean Broadcasting Union (CBU)  
Central and Eastern European Copyright Alliance (CEECA)  
Chartered Institute of Patent Agents (CIPA)  
Commercial Internet eXchange Association (CIX)  
Computer and Communications Industry Association (CCIA)  
Computer Users of Europe (CUE)  
Conseil francophone de la chanson (CFC)  
Coordination of European Independent Producers (CEPI)  
Coordination of European Picture Agencies-News and Stock (CEPIC)  
Copyright Research and Information Center (CRIC)  
Digital Media Association (DiMA)  
Digital Video Broadcasting (DVB)  
Educator's Ad Hoc Committee on Copyright Law (ECCL)  
Electronic Industries Association (EIA)  
Electronic Industries Association of Japan (EIAJ)  
European Alliance of Press Agencies (EAPA)  
European Association of Advertising Agencies (EAAA)  
European Association of Manufacturers of Business Machines and Information  
Technology Industry (EUROBIT)  
European Broadcasting Union (EBU)  
European Bureau of Library, Information and Documentation Associations (EBLIDA)



European Cable Communications Association (ECCA)  
European Committee for Interoperable Systems (ECIS)  
European Computer Manufacturers Association (ECMA)  
European Council of American Chambers of Commerce (ECACC)  
European Federation of Agents of Industry in Industrial Property (FEMIP)  
European Federation of Joint Management Societies of Producers for Private  
Audiovisual Copying (EUROCOPYA)  
European Film Companies Alliance (EFCA)  
European Publishers Council (EPC)  
European Sound Directors Association (ESDA)  
European Tape Industry Council (ETIC)  
European Writers' Congress (EWC)  
Federation of European Audiovisual Directors (FERA)  
Ibero-American Television Organization (OTI)  
Ibero-Latin-American Federation of Performers (FILAIE)  
Independent Film Producers International Association (IFPIA)  
Information Technology Association of America (ITAA)  
Information Technology Industry Council (ITI)  
Institute of Intellectual Property (IIP)  
Intellectual Property Brazilian Association (ABPI)  
Intellectual Property Institute (CLIP)  
Intellectual Property Owners (IPO)  
Inter-American Copyright Institute (IIDA)  
Interactive Software Federation of Europe (ISFE)  
International Advertising Association (IAA)  
International Affiliation of Writers' Guilds (IAWG)  
International Air Transport Association (IATA)  
International Alliance of Orchestra Associations (IAOA)  
International Anticounterfeiting Coalition, Inc. (IACC)  
International Association for Mass Communication Research (IAMCR)  
International Association for the Advancement of Teaching and Research  
in Intellectual Property (ATRIP)  
International Association for the Protection of Industrial Property (AIPPI)  
International Association of Audio-Visual Writers and Directors (AIDAA)  
International Association of Entertainment Lawyers (IAEL)  
International Association of Art (IAA)  
International Association of Authors of Comics and Cartoons (AIAC)  
International Association of Broadcasting (IAB)  
International Association of Conference Interpreters (AIIC)  
International Bar Association (IBA)  
International Bureau of Societies Administering the Rights of Mechanical Recording  
and Reproduction (BIEM)  
International Centre for Humanitarian Reporting (ICHR)  
International Chamber of Commerce (ICC)  
International Commission of Jurists (ICJ)  
International Communications Round Table (ICRT)  
International Confederation of Free Trade Unions (ICFTU)  
International Confederation of Music Publishers (ICMP)  
International Confederation of Professional and Intellectual Workers (CITI)  
International Confederation of Societies of Authors and Composers (CISAC)  
International Copyright Society (INTERGU)

International Council of Graphic Design Associations (ICOGRADA)  
International Council for Science Unions (ICSU)  
International Council of Societies of Industrial Design (ICSID)  
International Council on Archives (ICA)  
International Dance Council (IDC)  
International DOI Foundation (IDF)  
International Federation for Information and Documentation (FID)  
International Federation of Reproduction Rights Organizations (IFRRO)  
International Federation of Actors (FIA)  
International Federation of Associations of Film Distributors (FIAD)  
International Federation of Commercial Arbitration Institutions (IFCAI)  
International Federation of Computer Law Associations (IFCLA)  
International Federation of Film Producers Associations (FIAPF)  
International Federation of Interior Architects/Interior Designers (IFI)  
International Federation of Journalists (IFJ)  
International Federation of Library Associations and Institutions (IFLA)  
International Federation of Musicians (FIM)  
International Federation of Press Clipping and Media Monitor Bureaus (FIBEP)  
International Federation of the Periodical Press (FIPP)  
International Federation of the Phonographic Industry (IFPI)  
International Federation of Translators (FIT)  
International Franchise Association (IFA)  
International Group of Scientific, Technical and Medical Publishers (STM)  
International Hotel Association (IHA)  
International Institute of Communications (IIC)  
International Intellectual Property Alliance (IIPA)  
International Law Association (ILA)  
International League of Competition Law (LIDC)  
International Literary and Artistic Association (ALAI)  
International Music Council (IMC)  
International Organization of Hotel and Restaurant Associations (HoReCa)  
International Organization of Journalists (IOJ)  
International P.E.N.  
International Publishers Association (IPA)  
International Theatre Institute (ITI)  
International Union against Cancer (UICC)  
International Union of Architects (UIA)  
International Union of Cinemas (UNIC)  
International Video Federation (IVF)  
International Writers Guild (IWG)  
Internet Alliance (I@)  
Japan Compact Disk Rental Commerce Trade Association (JCD)  
Japan Electronic Industry Development Association (JEIDA)  
Latin American Federation of Music Publishers (FLADEM)  
Latin American Institute for Advanced Technology, Computer Science and Law (ILATID)  
Law Association for Asia and the Pacific (LAWASIA)  
Max-Planck Institute for Foreign and International Patent, Copyright and Competition Law  
Media and Entertainment International (MEI)  
National Association of Broadcasters (NAB)  
National Music Publishers' Association (NMPA)  
North American Broadcasters Association (NABA)

Organización Iberoamericana de Derechos de Autor-Latinautor Inc.  
Pearle\* Performing Arts Employers Associations League Europe  
Scandinavian Patent Attorney Society (PS)  
Sociedad de Autores y Compositores de Música (SACM)  
Société civile pour l'administration des droits des artistes et musiciens  
interprètes (ADAMI)  
Software & Information Industry Association (SIIA)  
Software Information Center (SOFTIC)  
Southern African Broadcasting Association (SABA)  
The Chartered Institute of Arbitrators (CIArb)  
The National Association of Commercial Broadcasters in Japan (NAB-Japan)  
Union of African Journalists (UAJ)  
Union of European Practitioners in Industrial Property (UEPIP)  
Union of Industrial and Employers' Confederations of Europe (UNICE)  
Union of National Radio and Television Organizations of Africa (URTNA)  
Video Software Dealers Association (VSDA)  
World Association for Small & Medium Enterprises (WASME)  
World Association of Newspapers (WAN)  
World Blind Union (WBU)  
World Federation of Advertisers (WFA)  
World Self Medication Industry (WSMI)  
World Union of Professions (WUP)  
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and such other international non-governmental organizations as the Director General may invite.

DRAFT OF THE INVITATION PROPOSED TO BE ADDRESSED TO  
EACH OBSERVER ORGANIZATION

[date]

Madam,  
Sir,

I have the pleasure to invite your organization to be represented in an observer capacity at the Diplomatic Conference on the Protection of Audiovisual Performances.

The Diplomatic Conference will take place in Geneva, [venue], from [date], and will open at 10:00 a.m. on the first day. Participants may register at the Headquarters of WIPO as from 3 p.m. on [date].

Simultaneous interpretation will be provided in English, Arabic, Chinese, French, Russian and Spanish.

The draft Agenda of the Diplomatic Conference, the Draft Rules of Procedure of the Diplomatic Conference and the draft of the Basic Proposal (substantive, administrative and final clauses) of the [Protocol to the WIPO Performances and Phonograms Treaty][WIPO Treaty on Audiovisual Performances] are enclosed with this Note.

The draft of the substantive clauses and the draft of the administrative and final clauses together constitute the "Basic Proposal" mentioned in Rule 29(1)(a) of the Draft Rules of Procedure.

Your attention is drawn to the fact that your representatives will need to be provided with letters of appointment (see Rule 7 of the Draft Rules of Procedure of the Diplomatic Conference, document IAMP/DC/-). The said letters of appointment should be signed by the Executive Head of your organization.

I would appreciate it if the names and titles of the persons who will represent your organization could be communicated to me by [date].

Sincerely yours,

Kamil Idris  
Director General

Enclosures: IAMP/DC/-, - and -

[End of Annex D and of document]