

Diplomatic Conference to Conclude a Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities

Marrakech, June 17 to 28, 2013

FIRST REPORT OF THE CREDENTIALS COMMITTEE

Prepared by the Secretariat

1. The Credentials Committee (hereinafter referred to as “the Committee”), established on June 18, 2013, by the Diplomatic Conference to Conclude a Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities, met on June 19, 2013.
2. The Delegations of the following States, elected members of the Committee by the Diplomatic Conference, attended the meeting: Chile, China, Czech Republic, Georgia, Holy See, Republic of Korea.
3. The President of the Committee, elected by the Diplomatic Conference, was Mr. Andres Guggiana (Chile). The Vice-Presidents, elected by the Diplomatic Conference, were Ms. Deng Yuhua (China), and Mr. Shi-Hyeong Kim (Republic of Korea).
4. In accordance with Rule 9(1) of the Rules of Procedure adopted by the Conference on June 18, 2013 (document VIP/DC/2, hereinafter referred to as “the Rules of Procedure”), the Committee examined the credentials, full powers, letters or other documents of appointment presented for the purposes of Rules 6 and 7 by delegations of States members of the World Intellectual Property Organization (hereinafter referred to as “WIPO”), participating in the Conference in accordance with Rule 2(1)(i) of the Rules of Procedure (hereinafter referred to as “Member Delegations”), by the delegation of the European Union participating in the Conference in accordance with Rule 2(1)(ii) of the Rules of Procedure (hereinafter referred to as the

“Special Delegation”), as well as by the representatives of intergovernmental and non-governmental organizations, participating in the Conference in accordance with Rule 2(1)(iv) of the Rules of Procedure (hereinafter referred to as “the Observers”).

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

- (i) as far as any State is concerned, its delegation’s credentials and full powers should be accepted if they were signed by that State’s Head of State, Head of Government or Minister for Foreign Affairs; credentials, but not full powers, should be accepted if they were contained in a note verbale or letter of that State’s Permanent Representative in Geneva or in a note verbale of that State’s Ministry of Foreign Affairs, its Permanent Mission in Geneva or Embassy in Morocco and should not otherwise be accepted; in particular, a communication emanating from a Minister other than the Minister for Foreign Affairs, should not be treated as credentials;
- (ii) as far as any Organization is concerned, its representative’s letter or other document of appointment should be accepted if it was signed by the Head (Director General, Secretary General or President) or Deputy Head or official responsible for external affairs of the Organization;
- (iii) facsimile and electronic communications or hard copies of originals should be accepted if, as to their source, the requirements stated in points (i) and (ii) were fulfilled.

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

7. Accordingly, the Committee found in order

- (a) as far as Member Delegations are concerned,
 - (i) the credentials and full powers (that is, credentials for participating in the Conference and signing the final act, and full powers to also sign the treaty to be adopted by the Diplomatic Conference) of the delegations of the following (31) States:

Austria	Kenya
Bosnia and Herzegovina	Malta
Burkina Faso	Mauritius
Burundi	Poland
Central African Republic	Portugal
Chad	Republic of Moldova
Chile	Senegal
Colombia	Sierra Leone

Congo	Singapore
Costa Rica	Spain
Denmark	Sudan
Ghana	Switzerland
Guinea	Togo
Holy See	Tunisia
Hungary	United Kingdom
Ireland	

- (ii) the *credentials* (without *full powers*) of the delegations of the following (92) States:

Afghanistan	Latvia
Albania	Lebanon
Algeria	Lesotho
Argentina	Libya
Armenia	Lithuania
Australia	Madagascar
Azerbaijan	Malawi
Bangladesh	Malaysia
Belarus	Mali
Belgium	Mexico
Benin	Montenegro
Bhutan	Morocco
Botswana	Mozambique
Brazil	Myanmar
Bulgaria	Nepal
Cameroon	Netherlands
Canada	Nigeria
China	Norway
Côte d'Ivoire	Oman
Cyprus	Pakistan
Czech Republic	Panama
Democratic People's Republic of Korea	Papua New Guinea
Djibouti	Paraguay
Dominican Republic	Philippines
Ecuador	Republic of Korea
Egypt	Russian Federation
El Salvador	Saint Kitts and Nevis
Estonia	Serbia
Ethiopia	Slovakia
Finland	Slovenia
France	South Africa
Gabon	Sweden
Gambia	Tajikistan
Georgia	Thailand
Germany	Tonga
Greece	Trinidad and Tobago
India	Turkey
Indonesia	Uganda
Iran (Islamic Republic of)	Ukraine
Iraq	United Arab Emirates
Israel	United Republic of Tanzania

Italy	Uruguay
Jamaica	Vanuatu
Japan	Yemen
Jordan	Zambia
Kyrgyzstan	Zimbabwe

(b) as far as the *Special Delegation* is concerned, the *credentials* of the Delegation of the European Union (1).

(c) as far as *Observer Delegations* are concerned, no *credentials* were submitted.

(d) as far as the *Observers* are concerned, the *letters or documents of appointment* of representatives of the following Observers:

- (i) *intergovernmental organizations*: African Regional Intellectual Property Organization (ARIPO), African Union, Arab League Educational, Cultural and Scientific Organization (ALESCO), Islamic Educational, Scientific and Cultural Organization (ISESCO), South Center, World Trade Organization (WTO) (6).
- (ii) *non-governmental organizations*: African Union of the Blind (AFUB), American Intellectual Property Law Association (AIPLA), Association of American Publishers (AAP), Association of European Performer's Organizations (AEPO ARTIS), Australian Copyright Council, Beneficent Technology, inc. (Benetech), Canadian Library Association (CLA), Civil Society Coalition (CSC), Conseil National pour la Promotion de la musique traditionnelle du Congo (CNPMT), Copyright Research and Information Center (CRIC), Daisy Consortium, Electronic Information for Libraries (eIFL.net), European Digital Rights (EDRI), European Federation of Joint Management Societies of Producers for Private Audiovisual Copying (EUROCOPYA), Fundação-Getulio Vargas (FGV), Ibero-Latin-American Federation of Performers (FILAIE), Independent Film and Television Alliance (I.F.T.A), International Association for the Protection of Intellectual Property (AIPPI), International Confederation of Societies of Authors and Composers (CISAC), International Federation of Actors (FIA), International Federation of Film Producers Associations (FIAPF), International Federation of Library Associations and Institutions (IFLA), International Federation of Musicians (FIM), International Federation of the Phonographic Industry (IFPI), International Literary and Artistic Association (ALAI), International Publishers Association (IPA), International Video Federation (IVF), International Federation of Reproduction Rights Organizations (IFRRO), Internet Society (ISOC), Knowledge Ecology International, Inc. (KEI), Latin Artis, Library Copyright Alliance (LCA), Max Plank Institute for Intellectual Property Competition and Tax Law (MPI), Motion Picture Association (MPA), National Federation of the Blind (NFB), Nigeria Association of the Blind (NAB), Perkins School for the Blind, Royal National Institute of Blind People (RNIB), Société civile pour l'administration des droits des artistes et musiciens interprètes (ADAMI), Software and Information Industry Association (SIIA), South African National Council for the Blind (SANCB), Spanish National Organization of the Blind (ONCE), Third World Network (TWN), TransAtlantic Consumer Dialogue (TACD), Union Latinoamericana de Ciegos (ULAC), World Blind Union (WBU) (46).

8. The Committee recommends to the Conference, meeting in Plenary, to accept the credentials and full powers of the delegations mentioned in paragraph (7)(a)(i) and 7(b),

above, the credentials of the delegations mentioned in paragraph 7(a)(ii), above, and the letters or documents of appointment of the representatives of the organizations mentioned in paragraph 7(d), above.

9. The Committee expressed the wish that the Secretariat should bring Rules 6 (“Credentials and Full Powers”), 7 (“Letters of Appointment”) and 10 (“Provisional Participation”) of the Rules of Procedure to the attention of Member Delegations or Observer Delegations not having presented credentials or full powers and of the representatives of Observers not having presented letters or other documents of appointment.

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

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

[End of document]