

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

GOVERNING BODIES OF WIPO AND THE UNIONS ADMINISTERED BY WIPO

Twenty-Ninth Series of Meetings
Geneva, September 23 to October 2, 1996

MATTERS CONCERNING THE PROTECTION OF FOLKLORE

Memorandum of the Director General

1. The Committee of Experts on a Possible Protocol to the Berne Convention and the Committee of Experts on a Possible Instrument for the Protection of the Rights of Performers and Producers of Phonograms, at their sixth and fifth sessions, respectively, jointly held in Geneva from February 1 to 9, 1996, adopted the following recommendation:

“The Committees of Experts,

“*considering* that the matters concerning expressions of folklore were, according to the decisions of the Governing Bodies of WIPO, subject to deliberations in the regional consultation meetings dealing with matters on the Possible Protocol to the Berne Convention and the Possible Instrument for the Protection of the Rights of the Performers and Producers of Phonograms, organized by the WIPO prior to the present sessions of the two Committees, and taking into consideration the proposals which were resulting from these regional consultation meetings,

“*considering* the comments and suggestions made on these issues in the present sessions of the two Committees,

“unanimously agreed on the following recommendation on the matters concerning the expression of folklore:

“Recommendation

“The Committees recommend to the Governing Bodies of WIPO that provision should be made for the organization of an international forum in order to explore issues concerning the preservation and protection of expressions of folklore, intellectual property aspects of folklore, and the harmonization of the different regional interests.” (See document BCP/CE/VI/16-INR/CE/V/14, paragraph 269.)

2. After the adoption of the recommendation, the Delegation of Nigeria expressed the view that, due to the subject matter of the proposed forum, the involvement of Unesco would be desirable (see the same document, paragraph 270).
3. The Director General of WIPO stated that WIPO would be glad to offer to Unesco to cooperate with it in that matter, and the representative of Unesco attending the said joint sessions of the Committees approved the idea of cooperation between WIPO and Unesco in that field (see the same document, paragraphs 271 and 274).
4. The Director General of the Department of Intellectual Property, Ministry of Commerce of Thailand, still before the adoption of the above-quoted recommendation, in a letter addressed to the Director General of WIPO and dated January 5, 1996, indicated the readiness of the Government of Thailand to host a WIPO World Forum on the protection of folklore. This was confirmed after the adoption of the above-quoted recommendation by a letter addressed to the Director General of WIPO and dated June 4, 1996; the letter also contained specific alternative proposals concerning the venue and dates.
5. In June 1996, the representatives of WIPO and Unesco agreed on the joint organization of the “Unesco/WIPO World Forum on the Protection of Folklore” which will deal with the issues mentioned in the above-quoted recommendation. On the basis of a proposal of the Government of Thailand, it was agreed that the World Forum would be held in Phuket from April 8 to 10, 1997.
6. The program of the World Forum will be finalized, and the letters of invitation—addressed to the Governments of the member States of WIPO and Unesco and to the interested intergovernmental and non-governmental organizations—will be mailed, by the end of October 1996.

7. The WIPO General Assembly and the Berne Union Assembly are invited to note the information contained in this document.

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