



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 15 May 2013

9563/13

**Interinstitutional File:
2013/0065 (NLE)**

**PI 72
AUDIO 58
CULT 54
OC 294**

"I/A" ITEM NOTE

from: General Secretariat
to Permanent Representatives Committee/Council
No. Cion prop.: 7489/13 PI 40 AUDIO 16 CULT 23
No. previous doc.: 8923/13 PI 60 AUDIO 41 CULT 39
Subject: Draft Council Decision on the signing, on behalf of the Union, of the WIPO Treaty on Audiovisual Performances
- Adoption
COMMON GUIDELINES
Consultation deadline for Croatia: 28.5.2013

1. On 4 March 2013, the Commission submitted to the Council a proposal for the above mentioned Council Decision.
2. At its meeting on 29 April 2013, the Working Party on Intellectual Property (Copyright) reached agreement¹ on the text of the Council Decision on the basis of a Presidency compromise proposal.²
3. The Permanent Representatives Committee is therefore invited to :

¹ The only remaining scrutiny reservations by UK and PL have been lifted in the meantime.
² 8923/13.

- confirm the agreement reached within the Working Party and
- invite the Council to :
 - adopt the Decision set out in document 9188/13 AUDIO 49 CUL 44 OC 275 PI 65 (text revised by the legal-linguistic experts),
 - decide to enter in its Minutes the joint Council/Commission statement set out in the Annex to this Note

under the “A” items of one of its forthcoming meetings.

**Statement by the Council and the Commission
to be entered in the Minutes of the Council**

Before concluding the WIPO Beijing Treaty on Audiovisual Performances, the EU and the Member States will examine together to which extent it is necessary to make a reservation as provided for in Article 11(3) and to deposit a notification as provided for in Article 11(2) and Article 19(2) of that Treaty, taking into consideration the financial consequences for European performers and users.

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