

BURKINA FASO

Unity – Progress – Justice

**Decree No. 2001-259/PRES/PM/MAC
on the Establishment, Composition and
Responsibilities of the National Committee to Combat
Piracy of Literary and Artistic Works (CNLPOLA).
(English version)¹**

THE PRESIDENT OF FASO,

PRESIDENT OF THE COUNCIL OF MINISTERS,

- Having regard to** the Constitution;
- Having regard to** Decree No. 2000-526/PRES of November 6, 2000, on the Appointment of the Prime Minister;
- Having regard to** Decree No. 2000-527/PRES/PM of November 12, 2000, on the Composition of the Government of Burkina Faso;
- Having regard to** Decree No. 97-468/PRES/PM of October 31, 1997, on the Responsibilities of Members of Government;
- Having regard to** Decree No. 99-444/PRES/PM/MCA of December 2, 1999, on the Organization of the Ministry of Culture and the Arts;
- Having regard to** Decree No. 2000-149/PRES/PM/MCA on the Establishment of the National Copyright Office of Burkina Faso (BBDA);
- Having regard to** Law No. 032/99/AN of December 22, 1999, on the Protection of Literary and Artistic Property;
- On** the report of the Ministry of Culture and the Arts;

The Council of Ministers heard at its session of May 9, 2001;

DECREES

Chapter I – ESTABLISHMENT

¹ Courtesy translation provided by WIPO.

Article 1: A body is hereby created to combat the piracy of literary and artistic works, known as the National Committee to Combat Piracy of Literary and Artistic Works (CNLPOLA).

Chapter II – RESPONSIBILITIES

Article 2: The National Committee to Combat Piracy of Literary and Artistic Works shall be responsible for:

- carrying out national policy to combat the piracy of literary and artistic works as defined by the Government;
- informing and raising the awareness of the public as to respect for legislation on literary and artistic property;
- performing checks and undertaking legal actions against those who infringe the Law on the Protection of Literary and Artistic Property.

Article 3: The Committee shall have the authority to monitor, conferred to the various monitoring bodies by the legislation in force.

Chapter III - COMPOSITION

Article 4: The Committee which is attached to the Office of the Minister of Culture shall be placed under the authority of a Chair.

Article 5: The Chair of the Committee shall be an officer of public order, of moral integrity and shall swear an oath.

The Chair of the Committee shall be appointed by Decree of the Council of Ministers on a proposal of the Minister of Culture.

In performing his duties, the Chair of the Committee may call on the assistance of law-enforcement agencies.

Chapter IV – ORGANIZATION AND OPERATION

Article 6: The Committee is composed of the following eighteen (18) members, representing the Administration and professional organizations:

- the National Copyright Office of Burkina Faso : 02 representatives
- the Directorate-General of Customs : 01 representative
- the Directorate-General of Industrial Development : 01 representative
- the National Gendarmerie : 01 representative

- the National Police Force : 01 representative
- the General Inspectorate of Economic Affairs : 01 representative
- the Ministry of Culture : 01 representative
- the Ministry of Justice : 01 representative
- Artists : 03 representatives
 - including: one (01) representative of musicians
 - one (01) representative of the visual arts
 - one (01) representative of literary authors
- Publishers : 02 representatives
 - including: one (01) representative of music publishers
 - one (01) representative of literary publishers
- Producers : 02 representatives
- Distributors : 01 representative
- Cultural journalists : 01 representative

The Chair of the Committee may call on any natural or legal person, any service or any competent institution if required.

Article 7: The Committee shall have an Executive Secretariat responsible for implementing the decisions of the Committee and coordinating anti-piracy activities.

The Executive Secretariat shall be led by the Director General of the National Copyright Office of Burkina Faso.

Article 8: The members of the Committee shall be appointed by Decree on a proposal of the Minister of Culture for a term of office of three years, renewable once. The role of Chair and of member of the Committee shall be remunerated during sessions.

Article 9: The Committee shall organize discussions on the fight against piracy every quarter and whenever required.

Article 10: The resources of the Committee shall comprise:

- contributions from professional organizations,
- donations and bequests, and
- other resources.

Article 11: The organization and operation of the National Committee to Combat Piracy of Literary and Artistic Works shall be notified by order of the Minister of Culture.

Article 12: The Minister of Culture and the Arts, the Minister of Economy and Finance, the Minister of Trade, Enterprise Promotion and Handicrafts, the Minister of Defense, the Minister of Security and the Minister of Justice and the Promotion of Human Rights shall be responsible, each as far as it is concerned, for the implementation of this Decree which shall be published in the Official Journal of Burkina Faso.

Ouagadougou, June 6, 2001.

The President of Burkina Faso
Blaise COMPAORE
(signed and stamped)

The Prime Minister
Paramanga Ernest YONLI
(signed)

The Minister of Trade, Enterprise
Promotion and Handicrafts
Bédouma Alain YODA (signed)

For the Minister of Culture and the
Arts on Mission, the Minister of
Trade, Enterprise Promotion and
Handicrafts
Bédouma Alain YODA
(signed)

The Minister of Security
Djibril Yipènè BASSOLE (signed)

For the Minister of Economy
and Finance and by order, the
Minister (Delegate) of Economic
Development
Anne Konate (signed)

The Minister of Defense
Kouamé LOUGUE (signed)

For the Minister of Justice and the
Promotion of Human Rights on Mission,
the Secretary of State for the Promotion
of Human Rights
Monique ILBOUDO
(signed)
