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*(Information)*

## COUNCIL

RESOLUTION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF  
THE MEMBER STATES

of 24 July 1984

on measures to combat audio-visual pirating

(84/C 204/01)

THE REPRESENTATIVES OF THE GOVERNMENTS  
OF THE MEMBER STATES,

Whereas the phenomenon of audio-visual pirating  
and of trade in illicitly reproduced works is on the  
increase;

Whereas this causes harm to authors and other  
creative artists, interpreting and performing artists,  
producers of sound and audio-visual works, in  
particular films, and radio and television organi-  
zations and, more generally, to all the theatrical and  
audio-visual professions as also to national treasuries;

Whereas such harm includes defrauding of their  
income those who have invested in the production of  
sound or audio-visual works, which jeopardizes the  
production of new works of quality, in particular  
works where high production costs make it necessary  
to reach a very large audience;

Whereas, furthermore, acts of audio-visual pirating  
entail for consumers the great danger of a fall in the  
quality of the products available to them;

Whereas the detrimental effects of such acts overstep  
national frontiers and whereas, therefore, the problem  
of pirating, has both a Community and an inter-  
national dimension;

Whereas the need to find suitable solutions has been  
recognized repeatedly at international level, in  
particular by the international Copyright Committees  
of the Berne Convention and the Universal  
Convention and at the Colloquia of 25 to 27 March  
1981 and 16 to 18 March 1983; whereas adoption of  
the Rome Convention of 26 October 1961 for the

protection of performers, producers of phonograms  
and broadcasting organizations, the Geneva Con-  
vention of 29 October 1971 for the protection of  
producers of phonograms against unauthorized dupli-  
cation of their phonograms and the Brussels  
Convention of 21 May 1974 relating to the distri-  
bution of programme-carrying signals transmitted by  
satellite testifies to this same concern;

Whereas, nevertheless, the phenomenon of pirating  
has become more and more widespread, and this may  
partly be attributed to the lack of procedures and  
penalties which can be effectively applied to pirates  
and traders in copied material,

HAVE ADOPTED THIS RESOLUTION:

The Member States

1. will endeavour to ratify, quickly, if they have not  
yet done so, those international Conventions  
which they consider likely, by the reciprocal  
provisions which they contain, to facilitate the  
initiation of procedures against acts of audio-visual  
pirating;
2. will, under the international conventions to which  
they have acceded or will accede, strengthen  
where necessary their national legislation, and in  
particular criminal law legislation, so as to provide  
the competent services with all the means  
necessary to seek out and prove acts of counterfeit  
and provide the judicial authorities with the legal  
weapons that are essential for the dissuasive and  
effective repression of such acts;

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3. will consider at the level of the authorities concerned any measures the situation demands to ensure that close cooperation between them in combating audio-visual pirating is instituted and developed;
  4. will implement a systematic policy of cooperation between authorities and members of the professions concerned with a view to following developments in the phenomenon of pirating and constantly adapting to that development the techniques of prevention, detection and repression of acts of fraud;
  5. will, in collaboration with the international intellectual property organizations, pursue a policy of making available to States and copyright holders any information on laws and case law concerning audio-visual pirating;
  6. agree to the examination, in the context of current discussions on copyright and in the appropriate framework, of any proposal of a contractual, legislative or other nature which could help to provide an adequate solution to the problems, and in particular any possibility of improving the effectiveness of the procedures and penalties applicable to pirates and traders in copied material.
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