



Capacity Development for Enhancing Enforcement of  
Copyright and Related Rights in the Republic of  
Azerbaijan (CORAZ).  
AZ10/ENP – PCA/TR/16



**D. KALLINIKOU – M. BOTTIS**

**Baku 15-21 July 2012**

**Activity 1.5: Assist in preparing a roadmap for institution building activities described in paragraphs 1.1 to 1.4 (inclusive) and for implementing the recommendation arising there from.**

**I. ROADMAP FOR INSTITUTION BUILDING ACTIVITIES AND DEVELOPING PLAN**

In Activity 1.5, the objective of the Short Term Experts (STE) was concentrated on assisting in preparing a roadmap for institution building activities described in par. 1.1 to 1.4 (inclusive) and for implementing the recommendation arising there from. This objective was part of the more general objective within the framework of Component 1 related to the strengthening of the institutional capacity of the Copyright Agency so as to permit it to integrate the new activities envisaged by the Twinning Project, and enhancing the institutional structures of law enforcement bodies and collective management bodies so as to improve the IPR enforcement framework.

**1. Copyright Agency in Azerbaijan**

**Objective 1: Strengthening the role of the Copyright Agency in Azerbaijan**

The Copyright Agency in Azerbaijan is a central executive body, a State agency situated in Baku. Its aim is to implement government policies in the area of copyright and related rights. As a central governmental institution the Copyright Agency is a legal public entity, established to ensure compliance of Azerbaijan with obligations in relation to the protection of copyrights and related rights. Under Art. 40 of the Azerbaijani statute on the protection of copyrights, one of the instituted state policies connected to the field of copyright and related rights is the organization of state administration in the field of copyright and related rights. Also, as the statute continues, the Copyright Agency shall carry out the state policy and administration in the field of copyright and related rights, shall prepare proposals on improvement of legislation in the field of copyright and related rights, shall control implementation of the legislation on the force in the field of copyright and related rights, represent Azerbaijan at international organizations acting in the field of copyright and related rights and



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organizes cooperation in this area, shall implement the state registration of scientific, literary and artistic works, shall register collective management organizations in accordance with the information received from relevant executive body, and control their activities and shall carry out other functions provided for in legislation on copyright protection.

The Copyright Agency is managed by the Chairman, the Deputy Chairman and the Head of the Apparatus (the Apparatus of the Copyright Agency is the registration of works and the legal department, the international affairs and information supply department, the economy and the finance department and the general sector). The Copyright Agency's total number of employees comes up to 38. The Copyright Agency is financed by the state budget, whereas more funding towards the state budget is expected to arise from the costs of the registration of works, which is optional. The focus of the Copyright Agency has also been on the strengthening and the completion of existing legislation with a view to meet modern requirements of harmonizing with international law, strengthening the market for intellectual property, fighting piracy, strengthening collective management and informing, educating and raising social awareness in relation to issues of intellectual property.

In relation to the Copyright Agency, the steps to be undertaken to achieve the Objective 1 (Strengthening the role of the Copyright Agency in Azerbaijan) are:

1. The improvement of the national legislative framework by updating, transposing and harmonizing with EU norms and international law
2. Developing a study to measure the economic impact the copyright impact that copyright based industries have for the social and economic development of Azerbaijan
3. Strengthen the active role of the Copyright Agency in the improvement of copyright and related rights enforcement
4. High professional staff through a professional development program i.e. participating to international conferences, seminars and courses, study visits at homologue offices
5. Raising public awareness
6. Strengthening the collective management



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The possible verifiable indicators for the Objective 1 (Strengthening the role of the Copyright Agency in Azerbaijan) can be:

1. Harmonizing the existing legislation with the *acquis communautaire* and the international conventions
2. Legal provisions regarding a better protection and enforcement of copyright and related rights drafted
3. Legal approximation with EU standards implemented
4. Economic study drafted
5. Discussions and consultations with different stakeholders organized
6. Organizing and participating to professional development programs
7. Participation to international conferences and seminars in order to improve the knowledge of the staff
8. Informing and educating the public about the concepts of copyright and intellectual property

**TIMETABLE OF ACTIVITIES FOR OBJECTIVE 1**

| Activities  | 2013 |     |     |     | 2014 |     |     |     | 2015 |     |
|---|------|-----|-----|-----|------|-----|-----|-----|------|-----|
|   | Q 1  | Q 2 | Q 3 | Q 4 | Q 1  | Q 2 | Q 3 | Q 4 | Q 1  | Q 2 |
| Improvement of the national legislative framework by updating, transposing and harmonizing with EU norms and international law  |      |     |     |     |      |     |     |     |      |     |
| Developing a study to measure the economic impact the copyright impact that copyright based industries have for the social and economic development of Azerbaijan           |      |     |     |     |      |     |     |     |      |     |
| Strengthen the active role of the Copyright Agency in the improvement of copyright and related rights enforcement   |      |     |     |     |      |     |     |     |      |     |
| High professional staff through a professional development program i.e. participating to international conferences, seminars and courses, study visits at homologue offices |      |     |     |     |      |     |     |     |      |     |
| Raising public awareness  |      |     |     |     |      |     |     |     |      |     |
| Strengthening collective management   |      |     |     |     |      |     |     |     |      |     |



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**2. IP Centre**

The Intellectual Property center, a part of the Copyright Agency, functions under the supervision of the Copyright Agency. The IP center will be supported financially from state funding, donations and funding from interested institutions and individuals in relation to the contribution of the IP center to culture, sciences, informatics and new technologies, finding from international bodies which deal with the problem of piracy and income of the management of intellectual property rights.

The purposes of the IP Centre are:

- Application of control marks systems, including production, selling and distribution of control marks and digital codes;

**Twinning Project Office**

**Government House, entrance 5, 1<sup>st</sup> floor**

**40, U. Hajibeyov str., Baku 1016**

E-mail: [ioannisfr@yahoo.fr](mailto:ioannisfr@yahoo.fr)



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- Administration of Digital Rights Management (DRM) system, including on line licensing and management;
- Creation of a registry of products with control marks and a database library of protected works with digital rights management;
- Information, awareness and education about copyright issues, enforcement of rights (Observatory on piracy)<sup>1</sup>.
- 

The general administrative structure of the IP Centre:

1. Leaders of the IP Centre
    - Director
  2. Departments of the IP Centre
    - Control marks department
    - Digital rights management department
    - Information department
    - Administration and finance department
- *Department of Control Marks Registration System (CMRS):* The department's purpose is the application of control marks, including production, selling and distribution of control marks and digital codes. This department would include a register on products issued with control marks.
- *Department of Digital Right Management (DRM):* The department's purpose is the administration of DRM system, including on line licensing and management, as well as a database library of protected works with DRM.
- *Department of Information and Enforcement:* The department's purpose will be to provide information on issues pertaining to the IPC and enforcement (monitory unit or observatory, inspectors for Internet market). It will include a database information centre including library, exhibition space, training unit, and communication with the public and the media.

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<sup>1</sup> Providing a platform for information exchange and awareness raising concerning the fight against piracy. See European Observatory on Counterfeiting and Piracy, UNESCO Anti-Piracy Observatory. See also WIPO Advisory Committee on Enforcement  
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- *Department of Administration and Finance:* The department's purpose will be the handling of the IP Center's general administrative and financial issues.

In addition, it would be possible to develop and upgrade the IP Centre to a regional centre under WIPO's supervision (i.e. to support neighbor countries with information, statistics etc); in that case the IP Centre would also need a department for creative industry.

The IP Centre will offer valuable services to the Azerbaijani cultural market and tackle piracy and also, further  
**Objective 2: Support the expansion of the activities of IP Center**

The steps to be undertaken to achieve the Objective 2:

1. IP Center attached, established and structured under the supervision of the Copyright Agency
2. IP rights registration
3. The establishment of a system of application of control marks (holograms) to IP protected products
4. Setting up a Digital Rights management (DRM) platform for online trade in IP protected works
5. Enforcement of copyright and related rights

### **Possible verifiable indicators for the Objective 2**

The following verifiable indicators can be taken into account:

1. IP Center established and developed under the supervision of the Copyright Agency
2. Registration of authors and works according the international legislation and the *acquis communautaire*
3. Application of the unique identification number
4. Adoption of a holographic labels control and identification codes
5. Online licensing and management of rights
6. Clearance of rights
7. Control marks issued by the copyright agency
8. Labeling of products with control marks
9. Establishment and maintaining a register of control marks receivers
10. Online purchase of protected works

### **Timetable**



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promote understanding of copyright issues among the public.

### **3. Co-operation between the Copyright Agency and the Enforcement Authorities**

**(ΔΑΦΝΗ ΠΑΠΑΔΟΠΟΥΛΟΥ)**

#### **Objective 3: Improve collaboration and co-operation between the Copyright Agency and the Enforcement Authorities**

The steps to be undertaken to achieve the Objective 3:

1. Enhancing efficient enforcement measures
2. Defining the role of each institution and the responsibilities they have as regards copyright and related rights protection
3. Signing up cooperation agreement with the Copyright Agency
4. Setting up cooperative groups with specialized staff from each institution involved in order to consolidate the cooperation and to maintain sustainable development and cooperation cores
5. Exchanging information between the Copyright agency and the Enforcement Authorities in order to fight against the infringements of copyright and related rights
6. Conducting trainings for the Enforcement Authorities involved in the enforcement of copyright and related rights
7. Drafting, approving and implementing working plans for joint actions with Police, Customs and other state institutions involved in the enforcement of copyright and related rights
8. Updating the cooperation agreements signed with the Enforcement Authorities in order to better reflect the priorities, the objectives and the tools to achieve them
9. Establishing an IP Information System and Database/Observatory for Statistics on Piracy regarding copyright and related rights enforcement information in order to ensure a better communication and exchange of data between the Copyright Agency and the Enforcement Authorities.
10. Keep the system up to date including the Database

#### **Possible verifiable indicators for the Objective 3**

European Public Law Center

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**Twinning Project Office**

**Government House, entrance 5, 1<sup>st</sup> floor**

**40, U. Hajibeyov str., Baku 1016**

**E-mail: [ioannisfr@yahoo.fr](mailto:ioannisfr@yahoo.fr)**



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The following verifiable indicators can be taken into account:

1. Cooperation agreements
2. Working plans drafted and approved
3. Working plans implemented
4. Cooperative groups created
5. Actions organized in order to assure a better enforcement of rights
6. The enforcement of copyright and related rights improved
7. Cooperation between the Copyright agency and the Enforcement authorities
8. Database established and updated in order to exchange information regarding the enforcement of rights

#### **Categories of Enforcement Authorities**

1. The Copyright Agency
2. The Courts
3. Prosecutors Office
4. The Customs Authorities
5. State Police/State Border Service
6. The Patent Department
7. State Committee for Standardization and Patents
8. AZE Lawyers Confederation/Bar Association

#### **Timetable**

#### **4. Collective Management Organizations**

##### **4.1. The law of the Republic of Azerbaijan on copyright and related rights**

##### **Article 42. Functions of Collective Management Organizations**

“1. Collective Management Organizations in accordance with their competence shall implement the following functions:

- 1) coordinate with the users of objects of copyright and related rights the amount of remuneration and other conditions during conclusion of a contract;





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- 2) grant licenses to the users for the use of rights assigned for management;
  - 3) coordinate with the users remuneration amount in cases when the organization is entitled to collect such remuneration without granting a license (4th paragraph of 12th Article, 3rd paragraph of Article 17 and 1st paragraph of Article 37);
  - 4) collect remuneration provided for in licenses and (or) on the grounds stipulated in 3rd subparagraph of this paragraph;
  - 5) distribute and pay out collected remuneration to the copyright and (or) related rights holders the rights of whom it manages;
  - 6) perform other legal actions necessary for the protection of the rights managed by the organization;
  - 7) perform other actions in accordance with the competence given by copyright and related rights holders.
2. Collective Management Organizations are entitled to demand presenting the programs and other properly certified documents about the used works and incomes, and also demand payment of remuneration in determined period.”

#### **Article 43. Duties of Collective Management Organizations.**

1. Collective management organizations shall implement the following duties:
  - distribute collected remuneration among copyright and related rights holders and pay out to legal owners; however the organization shall have the right to deduct from the amount of the remuneration collected, a sum intended to cover expenditure actually incurred by it in the collection, distribution and payment of the remuneration, and also a sum payable to a special fund established by it for the benefit of the holders of copyright and related rights that it represents, and on the base of their consent and interests;
  - distribute the remuneration collected, after deduction of the sums referred to in subparagraph 1 of this paragraph, according to actual use of the works and related rights objects and regular payment thereof;
  - together with payment of remuneration, providing copyright and related rights holders with the information on use of their rights;
  - transferring annual payment to the account of the relevant executive body acting in the field of copyright at a rate determined by this body.
2. Copyright and related rights holders who did not assign the powers to manage their rights to collective management organizations including collection of remuneration, shall have the right to demand the payment of such remuneration for use of their works and related rights objects (Article 42, 4th subparagraph of 1st paragraph), as well as to demand withdrawal of their works and related rights objects from the licence issued by this organization.
3. Collective management organization shall provide the relevant executive body acting in the field of copyright with the following information:



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- 1) amendments to the organization's charter, decisions on the sum of remuneration and allocations;
- 2) conclusion by the organization of agreements with other collective management organizations, including foreign ones;
- 3) annual balance sheet, annual report and audit results;
- 4) the persons authorized to represent these organizations persons;
- 5) other documents, which are necessary for checking conformity of activities of such organization with this Law, other legislative acts and with its charter.

#### 4.2. List of collecting societies active in Azerbaijan

Three collecting societies are active and registered with the agency for copyright.

1. *Azerbaijan Authors Society*, founded in 2004.

- It brings together the authors of any works (music, sculpture, design, fine art, photographs, scripts), and also publishers.
- Approximately 600 members
- Member of IFRRO, CISAC to full membership scheduled for next year
- reciprocal representation contracts were signed with 15 foreign sister societies.
- The main problem is that users do not pay the sums due related to the use of protected works

2. *Film Directors Guild of Azerbaijan*, founded in 1999

- It brings together rights holders of audiovisual works, so the filmmakers, but also film music composers, writers, etc.
- Approximately 157 members (plus 23 heirs of authors)
- Member of FERA

3. *A third collecting society manages related rights.???*

About this collecting society, and given the experience of German GVL ([www.gvl.de](http://www.gvl.de)), it should be noted that it is important to ensure that the association of performers and producers (ie employers and first users of the services of performers) does not lead to unfair treatment of the interests of performers. The imposition of allocations between the different categories of rights holders, as the Azeri law the fact about the remuneration for private copying, is a good example of ensuring the protection of the interests of performers.



#### **4.3. Collective Management Organizations and the role of the Azerbaijan Copyright Office**

As within the goal of the Azerbaijan Copyright Office falls the promotion of the role of intellectual property in the country's economy, the development of the intellectual property industry, the promotion and coordination of activities of the CMOs and the control of their activity, it is strongly advisable that the templates of the membership agreements are presented by the relevant CMOs to the Copyright Office for its approval. Accordingly the Azerbaijan Copyright Office will be responsible and will oversee the compliance of CMOs to the general principles and guidelines described above; thus safeguarding their effective operation as well as the interests of the right- holders.

It is also strongly advisable that the templates of the reciprocal representation agreements are presented by the relevant CMOs to the Copyright Office. Relevant negotiations could be hosted and assisted by the Copyright Office as well. Also the Azerbaijan Copyright Office should maintain an archive of all concluded and signed reciprocal agreements thus having a clear overview at all times of the representation of foreign rights in Azerbaijan as well as the representation of local rights abroad. The latter could be very important in disseminating and promoting the Azeri culture to the world. Further to that with the above described overview the Azerbaijan Copyright Office will be in a position to control and promote the effective international operation of CMOs.

It seems very convenient that the Copyright Agency implements different Registers of works and licenses, providing the collecting management bodies the corresponding databases, the required softwares in accordance to the international standards developed by collecting management organisations, as well as its associations and other entities, such as CISAC, IFFRO, ARROW, ISAN.

The role of the Azerbaijan Copyright Office is very important as it concerns the steps to be undertaken to strengthen the activities of collecting societies. Key elements are: a) the transparency and the improved governance of collective management by the accreditation of collecting societies, the publication of the accreditation to the Official Gazette, the supervision of the activities, the eventual suspension or revocation of the accreditation, the publication of the tariffs in the Official Gazette b) the effective management of rights by providing and distributing the proper remuneration to right holders c) the improvement of regulations and procedures regarding the functioning of the collecting societies.

It is to be noted that the objective 4 to strengthen the activities of collecting societies is in conformity with the objectives of the proposed Directive on the collective management of copyright and related rights (COM 2012 372/2), mainly as it concerns the transparency and efficiency.

#### **Objective 4: Strengthen the activities of collecting societies**



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The steps to be undertaken to achieve the Objective 4:

1. Developing an efficient and transparent collective management system by:
  - 1.1. The accreditation of collecting societies, if they are fulfilling the legal requirements
  - 1.2. Publishing in the Official Gazette the accreditation decision
  - 1.3. Supervision of the activities of collecting societies
  - 1.4. Reviewing the activities of collecting societies once a year
  - 1.5. Preparing a report of the results of each review of the activities of collecting societies
  - 1.6. Depending on the circumstances, suspending or revoking the accreditation granted to the collecting societies, if they do not fulfill their obligations according to the law
  - 1.7. Publishing in the Official Gazette the fact that the accreditation of a collecting society is suspended or revoked
  - 1.8. Publishing in the Official Gazette the generally applicable amounts of remuneration (tariffs) and licensing conditions agreed upon by the parties concerned or established as a result of negotiation or mediation procedure
  - 1.9. The tariffs posted on the website of the Copyright Agency and on the website of the collecting societies
  - 1.10. Training of the staff of collecting societies
2. Support the activities of collecting societies in order to assure an effective management of rights and provide the proper remuneration of the copyright and related rights holders by collecting and distributing the remunerations to them
3. Improve the regulations and procedures regarding the functioning of the collecting societies

#### **Possible verifiable indicators of the Objective 4**

The following verifiable indicators can be taken into account:

1. Accreditation of the collecting societies
2. Review of the activities of collecting societies
3. Report of the results of each review of the activities of collecting societies
4. Suspending or revoking the accreditation granted to collecting societies, if the case may be
5. Publishing in the Official Gazette the accreditation decision of the collecting societies, the fact that the accreditation of a collecting society is suspended or revoked, the generally applicable amounts of



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remuneration (tariffs) and licensing conditions agreed upon by the parties concerned or established as a result of the negotiation or mediation procedure

6. The tariffs posted on the website of the Copyright Agency and on the website of collecting societies
7. Trainings performed for the staff of collecting societies

Objective 4: Strengthen the activities of the collecting societies-timetables

| 4. Strengthen the activities of collecting societies                 | The steps to be undertaken to achieve Objective 4  |
|--|--|
| 1. Develop an efficient and transparent collective management system | <p>1. Developing an efficient and transparent collective management system by:</p> <p>1.1 The accreditation of collecting societies, if the collecting societies are fulfilling the legal requirements provided by the Law on copyright and related rights.</p> <p>1.2 Publishing in the Official Gazette the accreditation decision.</p> <p>1.3 Supervision of the activities of the collecting societies.</p> <p>1.4 Reviewing the activities of the collecting societies once a year.</p> <p>1.5 Preparing a report of the results of each review of the activities of collecting societies</p> <p>1.6 Depending on the circumstances, suspending or revoking the accreditation granted to the collecting societies, if they do not fulfill their obligations according the law</p> |



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| <p><b>2. Support the activities of collecting societies in order to assure an effective management of rights and provide the proper remuneration of the copyright and related rights holders by collecting and distributing the remunerations to them</b></p> | <p>1.7. Publishing in the Official Gazette the fact that the accreditation of a collecting society is suspended or revoked</p> <p>1.8. Publishing in the Official Gazette the generally applicable amounts of remuneration (tariffs) and licensing conditions agreed upon the parties concerned or established as a result of negotiation or mediation procedure</p> <p>1.9. The tariffs posted on the website of the Copyright Agency and on the website of the collecting societies</p> <p>1.10. Training of the staff of collecting societies</p> |
|   |  |
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**TIMETABLE OF ACTIVITIES FOR OBJECTIVE 4**

| Activities | 2013 | 2014 | 2015 |
|------------|------|------|------|
|------------|------|------|------|



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|   | Q<br>1 | Q<br>2 | Q<br>3 | Q<br>4 | Q<br>1 | Q<br>2 | Q<br>3 | Q<br>4 | Q<br>1 | Q<br>2 |
|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 1. Developing an efficient and transparent collective management system by:   |        |        |        |        |        |        |        |        |        |        |
| 1.1 The accreditation of collecting societies, if the collecting societies are fulfilling the legal requirements provided by the Law on copyright and related rights. |        |        |        |        |        |        |        |        |        |        |
| 1.2 Publishing in the Official Gazette the accreditation decision.  |        |        |        |        |        |        |        |        |        |        |
| 1.3 Supervision of the activities of the collecting societies.  |        |        |        |        |        |        |        |        |        |        |
| 1.4 Reviewing the activities of the collecting societies once a year.   |        |        |        |        |        |        |        |        |        |        |
| 1.5 Preparing a report of the results of each review of the activities of collecting societies  |        |        |        |        |        |        |        |        |        |        |
| 1.6 Depending on the circumstances, suspending or revoking the  |        |        |        |        |        |        |        |        |        |        |



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| accreditation granted to the collecting societies, if they do not fulfill their obligations according the law  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <b>1.7.</b> Publishing in the Official Gazette the fact that the accreditation of a collecting society is suspended or revoked   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 1.8. Publishing in the Official Gazette the generally applicable amounts of remuneration (tariffs) and licensing conditions agreed upon the parties concerned or established as a result of negotiation or mediation procedure                         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 1.9. The tariffs posted on the website of the Copyright Agency and on the website of the collecting societies  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 1.10. Training of the staff of collecting societies  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <b>2. Support the activities of collecting societies in order to assure an effective management of rights and provide the proper remuneration of the copyright and related rights holders by collecting and distributing the remunerations to them</b> |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <b>3. Improve the regulations and procedures regarding the functioning of the collecting societies</b>   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |





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## 5. Effective awareness

Objective 5: Carry out effective awareness on copyright and related rights for the public and other bodies

The steps to be undertaken to achieve the Objective 5:

1. Setting up a new Department of Public Relations in the Copyright Agency
2. Developing and implementing a communication strategy in order to raise awareness specifying the target groups, the methods of communication and the actions to be taken
3. Developing training programs for the competent authorities involved in copyright and related rights protection (judges, policemen, customs staff)
4. Organizing training seminars for the copyright and related rights attorneys for the purpose of enhancing the quality of the law application
5. Organizing seminars and round tables for University students
6. Organizing seminars for small and medium sized enterprises (SMEs)
7. Increasing the teaching of copyright and related rights
8. Publishing informative materials and brochures concerning copyright and related rights
9. Publishing an annual report regarding Copyright Agency's activities
10. Publishing an annual report concerning the activities of collecting societies
11. Organizing and developing campaigns and other awareness activities in order to inform the public on the importance of observing and respecting copyright and related rights activities
12. Strengthening the cooperation between the Copyright Agency and the enforcement authorities
13. Raising the visibility of the Copyright Agency's activity to media and newspapers
14. Operating the Copyright Agency's website with information regarding copyright and related rights issues
15. Creation of the Observatory for Piracy



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16. Issue an electronic Newsletter appearing on the website of the Copyright Agency

**Possible verifiable indicators for the objective 5**

The following verifiable indicators can be taken into account:

1. The attributions of the Public relations Department drafted and approved
2. Communication strategy drafted, approved and implemented
3. Training programs developed
4. Seminars and round tables organized
5. Informative materials and brochures published
6. Annual reports published
7. Public awareness campaigns organized
8. Press releases issued
9. The awareness on copyright and related rights raised
10. The Newsletter released
11. The observatory for Piracy created
12. The teaching of copyright increased

**TIMETABLE OF ACTIVITIES FOR OBJECTIVE 1**

| Activities   | 2013 |     |     |     | 2014 |     |     |     | 2015 |     |
|--|------|-----|-----|-----|------|-----|-----|-----|------|-----|
|  | Q 1  | Q 2 | Q 3 | Q 4 | Q 1  | Q 2 | Q 3 | Q 4 | Q 1  | Q 2 |
| 1. Setting up a new Department of Public Relations in the Copyright Agency   |      |     |     |     |      |     |     |     |      |     |
| 2. Developing and implementing a communication strategy in order to raise awareness specifying the target groups, the methods of communication and the actions to be taken |      |     |     |     |      |     |     |     |      |     |
| 3. Developing training programs for the competent authorities involved in copyright and related rights protection (judges, policemen, customs staff)                       |      |     |     |     |      |     |     |     |      |     |



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|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| 4. Organizing training seminars for the copyright and related rights attorneys for the purpose of enhancing the quality of the law application   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 5. Organizing seminars and round tables for University students  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 6. Organizing seminars for small and medium sized enterprises (SMEs)   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 7. Increasing the teaching of copyright and related rights   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 8. Publishing informative materials and brochures concerning copyright and related rights  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 9. Publishing an annual report regarding Copyright Agency’s activities   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 10. Publishing an annual report concerning the activities of collecting societies  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 11. Organizing and developing campaigns and other awareness activities in order to inform the public on the importance of observing and respecting copyright and related rights activities |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 12. Strengthening the cooperation between the Copyright Agency and   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |



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| the enforcement authorities   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 13. Raising the visibility of the Copyright Agency’s activity to media and newspapers                       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 14. Operating the Copyright Agency’s website with information regarding copyright and related rights issues |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 15. Creation of the Observatory for Piracy  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 16. Issue and electronic Newsletter appearing on the website of the Copyright Agency                        |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

Generally, the following actions should be conducted:

- ✓ Conduct campaigns on local level
- ✓ Operate web site, extremely essential tool:



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- Be translated in Russian and English
- Directives of the European Union to be translated to Azerbaijani
- An electronic library to be created
- Create an Observatory for Piracy
- Upload and distribute all informative publications
- ✓ Invite local media for workshop
- ✓ Evaluate results from local campaigns and set framework for best practice campaigns
- ✓ Encouraging regular communication between stakeholders on the public awareness best practices by means of regional seminars and workshops
- ✓ Developing local partnerships with stakeholders of the sector
- ✓ Organizing communication platforms (such as workshops) on regular basis, national and regional level, with specific stakeholders on the topic in order to debate priorities, best practices and lessons to be learned
- ✓ Developing a network of NGOs (Internet also) able to cooperate, to initiate different types of projects and to help municipalities with this kind of project
- ✓ Issue a Newsletter
  - Electronic one which will appear periodically on the Copyright Agency's website
  - Helps to keep in touch and build relationships with the target groups and inform the recipients about the international and local developments
  - Newsletter's content should emphasize in:
    - WIPO treaties, committees and activities
    - European Union legislation, strategies, public consultations
    - Decisions of the European Court of Justice
    - New Azerbaijani legislation
    - Commentaries on Azerbaijani court decisions
    - Policies and activities of the Azerbaijani Copyright Agency
    - Newsworthy topics on copyright from all over the world
- ✓ Publications and guides
  - National Law on Copyright and Related Rights



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- Basic guide on Copyright
- Guide on collective management
- Guide for SMEs
- Guide for Teachers
- Guide for Pupils
- Guide for Students
- Guide for High School students
- Guide for University Students

And leaflets, brochures

## 5.2, Recommendations

Our suggestions would conclude to the preparation of the following:

- a) One to three Guides, and more specifically, “Basic Guide on Copyright”, “Guide on Collective Management” and/or “Guide for SMEs”.
- b) Three thousand (3.000) leaflets
- c) One thousand (1.000) brochures
- d) Ten (10) Banners
- e) Radio and TV Spot (if sponsorship is achieved)
- f) Case Study Video
- g) Message and Logo



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## 6. International scene of Copyright

The field of copyright and related rights is associated with cultural, social and technological aspects providing an incentive for the creation and investment of new works and other protected matter. The economic impact of copyright is important because copyright industries involve media, cultural and knowledge industries. The task of the EU is to further advance the *acquis communautaire* and adapt the protection to new technologies. International Conventions provide complete and modern protection for authors, performers and other right holders. Azerbaijan is a member of the following Conventions and Treaties: the Berne Convention for the protection of literary and artistic works, the Rome Convention for the protection of performers, producers of phonograms and broadcasting organizations, the Universal Copyright Convention, the Convention for the protection of producers of phonograms against unauthorized duplication of their phonograms, the WIPO Copyright Treaty and the WIPO Performance and Phonograms Treaty. Azerbaijan has not incorporated the TRIPS Agreement but negotiations in the field of the World Trade Organization are ongoing. The organization of international conferences and the continuous participation of the Copyright Agency to international activities will place Azerbaijan in a position to fully participate in the rapidly expanding global **3.2.**

### Objective 6: Consolidation of Azerbaijan's profile on the international scene of Copyright

1. Strengthen and consolidating the cooperation with EU, WIPO, UNESCO, WTO and others international organizations
2. Participating in different international activities (seminars, conferences, workshops) organized by EU, WIPO, UNESCO, WTO and other international organizations
3. Continuous representation of Azerbaijan in all the international and regional activities
4. Participation of the staff of the Copyright Agency in seminars, conferences and courses in order to become aware of the new problems and be able to implement the best practices
5. Continuous identification of other international, European and regional partners
6. Setting up the International and European Affairs Department
7. Subscription in publications dealing with copyright and related rights issues
8. Promotion of the initiatives of the Copyright Agency
9. Promotion of the Azerbaijani copyright and related products abroad

### Possible verifiable indicators for the Objective 6

The following indicators can be taken into account:

European Public Law Center

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Twining Project Office

Government House, entrance 5, 1<sup>st</sup> floor

40, U. Hajibeyov str., Baku 1016

E-mail: [ioannisfr@yahoo.fr](mailto:ioannisfr@yahoo.fr)





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1. Participation to international activities concerning copyright and related rights
2. The attribution of the International European Affairs Department drafted and approved
3. Organizing seminars and conferences

#### **Timetable**

#### **I. Concluding remarks**

#### **Annexes:**

1. **Administrative structure and Board of the Copyright Agency**
2. **Organizational chart of the IP Centre**
3. **Organizational chart of the IP Centre's personnel**
4. **Illustration of DRM workflow**
5. **Illustration of CRMS workflow**
6. **Enforcement Bodies**
7. **List of Collective Management Organizations**
8. **Basic Guide on Copyright** (or Report with recommendations for improving the Copyright Agency website and platform)
9. **List of Copyright Laws and International Conventions ratified by Azerbaijan**



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**Twinning Project Office**

**Government House, entrance 5, 1<sup>st</sup> floor**

**40, U. Hajibeyov str., Baku 1016**

**E-mail: [ioannisfr@yahoo.fr](mailto:ioannisfr@yahoo.fr)**