

1. General Information

The Asia/Pacific Cultural Centre for UNESCO (ACCU), Mongolian National Commission for UNESCO and the Intellectual Property Office of Mongolia (IPOM) will co-organize the National Workshop for Copyright Awareness and Production and Utilisation of the Mongolian Version of “Asian Copyright Handbook” from 5 to 7 October 2006, in Ulaanbaatar in cooperation with Japan Copyright Office (JCO) of the Agency for Cultural Affairs and UNESCO. Logistical arrangements in Mongolia are provided by Foundation for Protection Historical and Cultural Heritage Mongolia.

1. Background

Copyright is a key driver for developing creativity in the society and at the centre of the cultural and scientific industries – art, music, books, journals, films and video materials. Nowadays, the growth and development of digital technologies and rapid dissemination of cultural works via internet and increasing pressure of globalization have brought copyright to the fore in the modern world.

In this situation, the Asia/Pacific Cultural Centre for UNESCO has been promoting copyright among writers and publishers and other creators in Asian countries. ACCU produced a handbook titled “Asian Copyright Handbook” in English in 2004 and has organized National workshops in Vietnam, Myanmar and Indonesia to disseminate basic information about copyright, to promote copyright awareness and help to produce vernacular versions of the Handbook

The issue of raising public awareness on copyright by disseminating and using “Asian Copyright Handbook” is a topical matter deeply relevant to Mongolia at this time. Since 1990, when Mongolia began transition from a centrally-planned economy to a market economy through democracy and an open policy, cultural, artistic and scientific activities have been encouraged, and copyright has assumed a greater importance. It is only recently that Mongolia began developing copyright legislation to meet international standards. First copyright law came into force in 1993, and was revised in 1996, 1999, and most recently in 2006.

The existing legislation of Mongolia on copyright has not yet been duly implemented in practice and in some cases the rights of authors and other creators have been infringed. The main reason for this situation is the great lack of public awareness and of qualified personnel in Mongolia to work in all infrastructures concerned with copyright

(governmental bodies, courts and cultural enterprises, etc).

2. Objectives

In order to promote better understanding of the concept of copyright through lectures and the Handbook among the people engaged in cultural and scientific activities as well as in related fields in Mongolia, the Workshop aims:

- 1) To promote copyright awareness to all concerned in Mongolia;
- 2) To share information about the current situation and problems regarding copyright in Mongolia and other countries in Asia;
- 3) To introduce and promote better understanding of the handbook by reviewing a draft Mongolian version and to identify points and sections where more explanation would be necessary for the Handbook to be useful in Mongolia;
- 4) To draft an additional explanation for the points and sections identified above, which will be appended as a supplement to the Mongolian version of the Handbook; and
- 5) To develop action plans to promote copyright awareness in Mongolia, including an activity schedule and responsible organization for compilation, publication, distribution and utilisation of the Handbook in Mongolia.

3. Dates and Venue

5 – 7 October 2006

Chinggis Khaan Hotel, Mongolia

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4. Participants

(1) Participants

- Writers, editors, translators, publishers and other creators

- Experts and administrators from organizations concerned such as:

Ministry of Education, Culture and Science

Ministry of Justice and Internal Affairs

Mongolian Union of Writers

Mongolian Union of Artists

Mongolian Union of Composers

National Human Rights Commission of Mongolia

National Police Agency Mongolia

Supreme Court

Prosecutors

Customs organization

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- Representatives from aimags (local administrative units)

Day 1 (Seminar) 50 persons

30 from Ulaanbaatar area

15 from aimags (those who are in charge of CR in governors' offices)

Day 2 & 3 (Seminar and Workshop) 30 to 35 persons

(2) Resource Persons

- 4 international Resource Persons

- 2 or 3 Mongolian Resource Persons

(3) Organizers

- Asia/Pacific Cultural Centre for UNESCO (ACCU)

- Mongolian National Commission for UNESCO

- Intellectual Property Office of Mongolia (IPOM)

(4) Cooperating Bodies

- Japan Copyright Office (JCO)

- UNESCO

5. Preparations by Participants

Each participant is requested to review a draft Mongolian version of the "Asian Copyright Handbook", preparation to share opinions in the workshop regarding points and sections where more explanation would be necessary for the handbook to be useful in Mongolia as well as ideas for effective distribution and better utilisation of the handbook. Participants are also requested to collect as many questions as possible regarding issues related to copyrights in their everyday life, before coming to the Workshop.

6. Working Languages

Mongolian and English

7. Financial Arrangements

(1) Travel:

- ACCU will bear travel expenses for resource persons and observers from abroad.

- Mongolian organizers will bear travel expenses for participants and resource persons from inside Mongolia according to its regulations.

(2) Board and Lodging:

- ACCU will bear costs of board and lodging including room charges, meals and other miscellaneous costs for resource persons from abroad.

- Mongolian organizers will bear costs of board and lodging including room charges, meals and other miscellaneous costs for Mongolian participants from outside Ulaanbaatar.

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2. Programme Schedule

Day 1: Thursday, 5 October 2006 (Conference Hall, Chinggis Khaan Hotel)		14:40-15:00	Coffee break
9:00-9:30	Registration	15:00-15:30	Lecture 4: "Copyright and related rights law" (by Ms. E. Myagmardorj, Legal Officer, IPOM)
9:30-10:00	Opening ceremony - Addresses by 1. Mr. Sanjbegz Tumur-Ochir, Vice Minister of Education, Culture and Science 2. Mr. Shiraishi Masaru, President, Asia/Pacific Cultural Centre for UNESCO 3. Ms. Beatrice Kaldun, Programme Specialist for Culture, UNESCO Office Beijing 4. Mr. Akiba Masashi, Director, International Affairs Division, Agency for Cultural Affairs, Japan	15:30-15:40	Q&A
		15:40-16:10	Lecture 5: "Issues of Mongolia's Copyright Protection" (by Mr. Ts. Shinebayar, Director, Division of Copyright, IPOM)
		16:10-16:20	Q&A
		16:20-17:00	Reflections on Day 1
		18:30-20:00	Reception Party hosted by ACCU (at Rest Pub, Chinggis Khaan Hotel)
10:00-10:30	Photo session and coffee break		
10:30-10:45	Mongolian National Commission for UNESCO Presentation (by Mr. Norov Urtnasan, Secretary General, Mongolian National Commission for UNESCO)		
10:45-11:10	Keynote Presentation by UNESCO (by Ms. Beatrice Kaldun)		
11:10-11:30	"ACCU and its Activities in Copyright" and Orientation to the Workshop (by Ms. Sasaki Mariko, Deputy-Director, Culture Division, ACCU)	10:00-10:10	Q&A
11:30-12:00	Lecture 1: "What is Copyright I -Works, Rights and Ownership" (by Ms. Caroline Morgan, General Manager, Corporate Services Division, Copyright Agency Limited, Australia)	10:10-10:15	Orientation to Group Work 1
		10:15-11:00	"Drafting Contracts" <u>Group Work 1</u> : Outlining essential points of a specific contract
12:00-13:20	Lunch break	11:00-11:20	Coffee break
13:20-13:50	Lecture 2: "What is copyright II -Use of and Access to Copyright Works"(by Ms. Caroline Morgan)	11:20-12:00	Plenary session: Sharing Group Work 1 results
13:50-14:00	Q&A	12:00-12:30	Plenary session: Comments by resource persons on Group Work 1 results
14:00-14:30	Lecture 3: "Collective Management of Copyright and Neighbouring Rights" (by Ms. Caroline Morgan)	12:30-13:40	Lunch break
14:30-14:40	Q&A	13:40-14:10	<u>Lecture 7</u> : "Copyright and the Technological Development – Development of Legal Systems to Cope with Technological Changes" (by Mr. Okamoto Kaoru, National Graduate Institute for Policy Studies)
Day 2: Friday, 6 October 2006 (Conference Hall, Chinggis Khaan Hotel)			
		9:30-10:00	<u>Lecture 6</u> : "Parent of Many Children: The Relationship between Author and Publisher and their Mutual Obligations" (by Ms. Jane Palfreyman, Executive Publisher, Vintage, Knopf and Random House)
			Q&A

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14:10-14:30	Q&A	16:10-16:30	Closing session Closing remarks by Ms. Sasaki Mariko, ACCU Mr. Norov Urtnasan, MNCU Mr. Chinbat Namjil, Director General, IPOM
14:30-15:00	<u>Lecture 8</u> : “Copyright and the Technological Development – Implications for Domestic/ International Politics” (by Mr. Okamoto Kaoru)		
15:00-15:20	Q&A	17:00-18:30	Closing party hosted by IPOM at Ulaanbaatar Hotel
15:20-15:40	Coffee break		
15:40-16:40	“Drafting Questions and Answers for Asian Copyright Handbook” <u>Group Work 2</u> : Drawing up questions to be added to the Mongolian version of the Asian Copyright Handbook		
16:40-17:00	Plenary session: Sharing Group Work 2 results		

Day 3: Saturday, 7 October 2006
(Conference Hall, Chinggis Khaan Hotel)

10:00-11:30	Plenary session: Answers and comments by resource persons to the questions raised on Day 2
11:30-12:15	Plenary session: “Promotion of Copyright Awareness” <u>Case study 1</u> : Copyright education and promotional activities in Japan (by Mr. Tanaka Kentaro, Agency for Cultural Affairs, Japan) <u>Case study 2</u> : Situation of copyright awareness education and promotional activities in Mongolia (by D. Erdenechimeg, Law Department of the Otgontenger University, Mongolia)
12:15-13:30	Lunch break
13:30-13:45	<u>Case study 3</u> : Follow-up activities of ACCU workshops in other Asian countries (by Ms. Sasaki Mariko, ACCU)
13:45-14:30	<u>Group Work 3</u> : “Drawing up action plans to promote copyright awareness”
14:30-14:50	Coffee break
14:50-15:40	Plenary session: Presentation of Group Work 3 results and comments
15:40-16:10	Reflection of Day 2 and 3

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Opening Address by Mr. Sanjbegz Tumur-Ochir, Vice Minister of Education, Culture and Science

Dear Mr. Shiraishi Masaru, President of
Asia/Pacific Cultural Centre for UNESCO,
Ladies and Gentlemen,

Today we are meeting here for an important event
in the cultural life of Mongolia -- the National
Workshop for Copyright Awareness.

First of all, I would like to express my gratitude, on
behalf of the Mongolian writers, artists, and
publishers to the Asia/Pacific Cultural Centre for
UNESCO and its President, Mr. Shiraishi Masaru,
for their enlightening work -- the Asian Copyright
Handbook, which disseminates knowledge of
copyright to the people of Asia.

Copyright is an integral part of the human rights
provided in the Universal Declaration of Human
Rights and it is a key factor for the development of
human talents, intellectual potential and creativity.
It has been recognised worldwide that creating a
novel work and enjoying its benefits are natural
rights of every individual. Thus, countries have
adopted and are implementing laws related to
copyright protection.

The new Constitution of Mongolia, adopted in
1992, laid the foundation for the current copyright
system in Mongolia. It declares that the creative
work of every individual is a specific property of
that individual. This declaration enabled Mongolia
to develop a copyright system in line with
international standards. Within this system the
Mongolian people were granted full freedom of
creativity and freedom of thought, and were
enabled to own not only material properties but
also their intellectual properties.

In line with the provisions of its Constitution,
Mongolia approved its first Copyright Law in 1993.
A new edition of the Copyright Law was adopted
and enacted in 2006. Mongolia ratified the Berne
Convention on Conservation of Works of Literature
and Arts in 1998 and joined the Covenants of the
World Intellectual Property Organization on
Copyrights and on Performances and Sound
Recordings in 2002. The country ratified the
Convention on establishment of the World
Intellectual Property Organization in 1978 and the
Covenant on Trade-Related Intellectual Property
Rights in 1997. Mongolia has been actively
working to implement these covenants.

Consistently participating in the international,
multilateral cooperation on copyright and in the
activities of UN, UNESCO, World Intellectual
Property Organization, and the World Trade
Organization, Mongolia has developed mutual
cooperation in the area of copyright with its
neighbouring and other foreign countries.

The Mongolian traditional music of Morinhuur and
the Mongolian long song were proclaimed with
UNESCO as a Masterpiece of the Oral and
Intangible Cultural Heritage of Humanity. It is a
pleasure to mention that a programme for the
Safeguarding of the Morinhuur Art has been
implemented with UNESCO, and a project for the
Preservation of the Mongolian Folk Arts and
Traditional Knowledge has been implemented with
the World Intellectual Property Organization.

During a time when UNESCO is promoting broad
goals for cultural diversity development, new
challenges for copyright protection have emerged
due to the development of digital communication
technologies enabling multiple copies of cultural
work and their instant dissemination. Therefore, it
is becoming more and more important to develop
copyright protection and awareness-raising in
Mongolia.

Although the new edition of the Copyright Law of
Mongolia creates a wider scope of opportunities to
regulate copyright issues in Mongolia, extensive
awareness-raising of the law among the general
public is required. Furthermore, it is necessary to
develop a public attitude of respect for intellectual
works as the property of their creators.

We firmly believe that this national training
workshop will make a considerable contribution to
elevating the value of intellectual work and to the
development of copyright protection in Mongolia.
On behalf of the Ministry of Education, Culture
and Science of Mongolia, I am honoured to express
deep gratitude for the organization of this national
training workshop to the Asia/ Pacific Cultural
Centre for UNESCO, Intellectual Property Office
of Mongolia, the Mongolian National Commission
for UNESCO, UNESCO Office Beijing and other
bodies and individuals that have assisted in the full
performance.

Let noble deeds flourish!

**Opening Address by Mr. Shiraishi Masaru,
President, Asia/Pacific Cultural Centre for
UNESCO (ACCU)**

It is my great honour to say a few words, on behalf of the Asia/Pacific Cultural Centre for UNESCO, on the occasion of the opening of the National Workshop for Copyright Awareness and Production and Utilisation of the Mongolian Version of “Asian Copyright Handbook”.

First of all, I should like to express my deep appreciation to the Mongolian National Commission for UNESCO and Intellectual Property Office of Mongolia for co-organizing with us this very important initiative in Mongolia. My thanks also go to UNESCO, Japan Copyright Office and Foundation for Protection Historical and Cultural Heritage Mongolia for their strong support.

Asia/Pacific Cultural Centre for UNESCO, or ACCU for short, is a non-profit organization located in Tokyo, Japan. Among the various programmes it undertakes in the field of culture, education and personnel exchange, ACCU has been conducting promotion of copyright awareness from its very beginning.

As you may well know, copyright is intended to protect cultural works. Copyright offers financial support and respect to creators, and it encourages them to concentrate on their creative activities. In the interest of fostering copyright protection, it is essential that each and every citizen has awareness and deep understanding of copyright issues.

In 2004, ACCU and the Japan Copyright Office produced an introductory book on copyright entitled “Asian Copyright Handbook”. Then, a series of workshops was held to facilitate utilisation of the vernacular versions of the Handbook, and also to foster copyright awareness. I am happy that this programme corresponds with the needs in Mongolia and the Workshop has been realized.

I understand Mongolia recently began developing copyright legislation to meet international standards and that the latest revision of the copyright law was made early this year. I believe this Workshop will be a great opportunity to enhance implementation of the law in practice for the general public in Mongolia.

This is an on-the-spot Workshop catering to the local needs and situation. I wish to encourage your active participation, which is the key to success. It would be our great pleasure if this Workshop

contributed to the improvement of the copyright situation in your country.

Thank you for your attention.

**Opening Address by Ms. Beatrice Kaldun
UNESCO Programme Specialist for Culture,
UNESCO Office Beijing**

I am very pleased and honoured to be here today to address the opening of this National Workshop for Copyright Awareness and the Production and Utilisation of the Mongolian Version of the “Asian Copyright Handbook”. I would like to take this opportunity to express UNESCO’s sincere gratitude to the Asia/Pacific Cultural Centre for UNESCO (ACCU), the Mongolian National Commission for UNESCO, the Intellectual Property Office of Mongolia (IPOM) and all partners involved, for their timely initiative and effort in organizing this workshop.

As a traditional and useful tool for encouraging creativity and innovation, copyright has served as a foundation and assistance for cultural advancement. Copyright relies on balancing the interests of protecting created works and their creators and guaranteeing the public interest and fundamental freedoms. This balance derives precisely from one of the fundamental principles of copyright, which is to promote progress in the arts and sciences and to spread culture.

One of UNESCO’s aims, as stated in its Constitution, is to promote the free flow of ideas by word and image, and to facilitate the access to all people to printed and published materials produced by all. UNESCO encourages governments to adopt measures to promote creativity and increase the production of national literacy, scientific, musical and artistic works. As long as copyright protection serves as an important means of encouraging creativity, innovation and cultural development, it has been an integral part of UNESCO’s mandate since its inception.

However the development of digital technology and the growth of piracy have posed new challenges for copyright and neighbouring rights. Prevention of piracy and fight against unauthorized exploitation of protected works is a priority area for development of creativity, cultural industries and sustainable development. Important initiatives in this regard are developed by UNESCO particularly in the framework of the UNESCO Global Alliance for Cultural Diversity. Conscious of the challenges and of the importance of education and information in the field of copyright

ANNEX

and neighbouring rights, UNESCO has given priority to supporting the teaching of these subjects at university level and to encouraging research in this field. UNESCO's focus in the area of copyright can generally be divided into four categories: information and awareness-building, training and teaching, studies and research as well as enforcement and management of rights. Later today I shall have opportunity to enter into more details concerning international protection of copyright and related Rights and UNESCO copyright activities.

The Asia/Pacific Cultural Centre for UNESCO (ACCU) has been a most long standing partner of UNESCO in various domains including the copyright area. The Asian Copyright Handbook produced by ACCU in 2004, and our point of reference during this workshop, expounds the universal philosophy of copyright. The unique feature of the Handbook is that the English master version serves as an incentive to produce national or vernacular versions of the Handbook to serve local needs in the quest for awareness raising for copyright.

I understand that Mongolia has already an existing legislation on copyright and the workshop will provide valuable opportunity to bring to a wider audience a better understanding of copyright and to discuss ways and means to achieve awareness and implementation of copyright in practice.

I wish the workshop every success.

Thank you.

**Opening Address by Mr. Akiba Masashi,
Director, International Affairs Division, Japan
Copyright Office (JCO), Agency for Cultural
Affairs, Government of Japan**

I am Akiba Masashi, Director of International Affairs Division of Japan Copyright Office in the Agency for Cultural Affairs. It is my great honour to make an opening remark on behalf of the Japanese Government at the beginning of "National Workshop for Copyright Awareness and Production and Utilisation of the Mongolian Version of "Asian Copyright Handbook".

First of all, I would like to express my sincere gratitude for Intellectual Property Office of Mongolia, accepting Japanese offer to hold this workshop here in Ulaanbaatar. I also appreciate the most dedicated effort in preparation of this workshop by ACCU. Without contribution and cooperation of ACCU, this could not be realized.

Recently, it became an international common view that the protection and exploitation of copyright are essential for the advancement of culture as well as the economic development in each country.

Supporting authors', musicians' and artists' economic profit and their dignity, copyright stimulates and encourages their new creative activities.

In order to foster copyright protection, it is extremely important that every citizen has an awareness and basic understanding of copyright. Every citizen's respect for copyright helps to develop the country's cultural activity.

Protection of copyright is important not only for creators but also for every ordinary people because, through the good protection of the creators, citizens can enjoy their life with literature, music, art and all other forms of culture and that will enrich their quality of life.

From that point of view, Japan Copyright Office carries out variety of programs aimed at raising copyright awareness of Japanese people and other countries', including this program.

Like most of Japanese people, I feel special affinity of Mongolia. Mongolia is a country of History and Culture.

I have heard that this year is "the 800th Anniversary of Great Mongolian States" and I think it is timely to hold the workshop at this occasion.

Mongolian music culture, such as khoomii and playing of matouqin, is great and getting more popular in Japan. As you may know, many Mongolian sumo wrestlers are very active in Japan, including the grand champion, Asashoryu.

I sincerely hope that this program could be fruitful for you and be some help for the enhancement of active creation and circulation of modern Mongolian culture.

To conclude my words, I would like to express my appreciation to all participants in this National Workshop. Based on the lectures and discussion of this workshop, I hope all of you will be a good disseminator of copyright in this country from now on.

Thank you for your attention.

5. Photographs

Participants, Organizers and Resource Persons



Opening Address



Mr. S. Tumur-Ochir.
Vice Minister of Education Culture and
Science of Mongolia



Mr. Shiraishi Masaru
President of ACCU



Ms. Beatrice Kaldun
Programme Specialist for Culture
UNESCO Office Beijing



Mr. Akiba Masashi, Director of
International Affairs Division
Agency for Cultural Affairs, Japan

Resource Persons



Dr. Norov Urtnasan



Ms. Caroline Morgan



Ms. D Myagmardorj



Ms. Jane Palfreyman



Mr. Okamoto Kaoru



Mr. Tanaka Kentaro



Ms. D Erdenechimeg



Ms. Sasaki Mariko

Plenary Session (Day 1)



Group Works (Day 2 & 3)



Group A



Group B



Group C



Group D

At Welcome Dinner



Workshop Organizers



(From left, Dr. N.Urtnasan, Secretary-General, MNCU, Mr. Shiraiishi.M, President, ACCU and Mr. N.Chinbat, Director-General, IPOM)