

Diplomatic Conference for the Adoption of a New Act of the Lisbon Agreement for the Protection of Appellations of Origin and Their International Registration

Geneva, May 11 to 21, 2015

FIRST REPORT OF THE CREDENTIALS COMMITTEE

Prepared by the Secretariat

1. The Credentials Committee (hereinafter referred to as “the Committee”), established on May 12, 2015, by the Diplomatic Conference for the Adoption of a new Act of the Lisbon Agreement for the Protection of Appellations of Origin and Their International Registration, met on May 13, 2015.
2. The Delegations of the following States, elected members of the Committee by the Diplomatic Conference, attended the meeting: Burkina Faso, Czech Republic, Georgia, Nicaragua and Portugal.
3. The President of the Committee, elected by the Diplomatic Conference, was Mr. Filipe Ramalheira (Portugal). The Vice-Presidents, elected by the Diplomatic Conference, were Mr. Milan Beránek (Czech Republic) and Ms. Jenny Arana Vizcaya (Nicaragua).
4. In accordance with Rule 9(1) of the Rules of Procedure adopted by the Conference on May 11, 2015 (document LI/DC/2 Prov., hereinafter referred to as “the Rules of Procedure”), the Committee examined the credentials, full powers, letters or other documents of appointment presented for the purposes of Rules 6 and 7 by delegations of States members of the Lisbon Union, participating in the Conference in accordance with Rule 2(1)(i) of the Rules of Procedure (hereinafter referred to as “Member Delegations”), and by the delegations of the African Intellectual Property Organization (OAPI) and the European Union participating in the Conference in accordance with Rule 2(1)(ii) of the Rules of Procedure (hereinafter referred to as the “Special Delegations”). It also examined the credentials, full powers, letters or other

documents of appointment presented by delegations of States members of the World Intellectual Property Organization (hereinafter referred to as "WIPO") which are not members of the Lisbon Union participating in the Conference in accordance with Rule 2(1)(iii) of the Rules of Procedure (hereinafter referred to as "Observer Delegations") as well as by the representatives of intergovernmental and non-governmental organizations, participating in the Conference in accordance with Rule 2(1)(iv) of the Rules of Procedure (hereinafter referred to as "Observers").

5. On the basis of the information provided by the Secretariat as to the practice prevailing in other diplomatic conferences and in particular in diplomatic conferences convened by WIPO, the Committee decided to recommend to the Conference, meeting in Plenary, that the following criteria should be applied by the Committee in its examination of, and should govern the decision of the Conference on, the credentials, full powers, letters or other documents presented for the purposes of Rules 6 and 7 of the Rules of Procedure:

- (i) as far as any State is concerned, its delegation's credentials and full powers should be accepted if they were signed by that State's Head of State, Head of Government or Minister for Foreign Affairs; credentials, but not full powers, should be accepted if they were contained in a note verbale or letter of that State's Permanent Representative in Geneva or in a note verbale of that State's Ministry of Foreign Affairs or its Permanent Mission in Geneva, and should not otherwise be accepted; in particular, a communication emanating from a Minister other than the Minister for Foreign Affairs, should not be treated as credentials;
- (ii) as far as any Organization is concerned, its representative's letter or other document of appointment should be accepted if it was signed by the Head (Director General, Secretary General or President) or Deputy Head or official responsible for external affairs of the Organization;
- (iii) facsimile and electronic communications or hard copies of originals should be accepted if, as to their source, the requirements stated in points (i) and (ii) were fulfilled.

6. Pending a final decision by the Conference, meeting in Plenary, on the said criteria, the Committee decided to apply those criteria to the documents received by it.

7. Accordingly, the Committee found in order

(a) as far as Member Delegations are concerned,

- (i) the credentials and full powers (that is, credentials for participating in the Conference and signing the final act, and full powers to also sign the treaty to be adopted by the Diplomatic Conference) of the delegations of the following (10) States:

Bosnia and Herzegovina
Burkina Faso
Congo
Democratic People's Republic of Korea
Hungary
Nicaragua
Peru

Portugal
The former Yugoslav Republic of Macedonia
Togo

- (ii) the *credentials* (without *full powers*) of the delegations of the following (18) States:

Algeria
Bulgaria
Costa Rica
Cuba
Czech Republic
France
Gabon
Georgia
Haiti
Iran (Republic Islamic of)
Israel
Italy
Mexico
Montenegro
Republic of Moldova
Serbia
Slovakia
Tunisia

(b) as far as the *Special Delegations* are concerned, the *credentials* of the delegations of the African Intellectual Property Organization (OAPI) and the European Union (2).

- (c) as far as *Observer Delegations* are concerned,

- (i) the credentials and full powers of the delegations of the following (2) States:

Mali
Romania

- (ii) the *credentials* (without *full powers*) of the delegations of the following (78) States:

Afghanistan	Jordan
Albania	Latvia
Argentina	Lithuania
Australia	Luxembourg
Austria	Madagascar
Barbados	Mauritania
Belarus	Morocco
Belgium	Mozambique
Benin	Myanmar
Brazil	Netherlands
Burundi	New Zealand
Cabo Verde	Niger
Cameroon	Norway
Canada	Oman
Chile	Pakistan
China	Panama

Colombia	Philippines
Côte d'Ivoire	Qatar
Croatia	Republic of Korea
Democratic Republic of the Congo	Romania
Denmark	Russian Federation
Dominican Republic	San Marino
Ecuador	Saudi Arabia
Egypt	Senegal
El Salvador	Singapore
Estonia	Slovenia
Ethiopia	Spain
Finland	Sri Lanka
Germany	Sweden
Ghana	Switzerland
Greece	Thailand
Guatemala	Turkmenistan
Guinea	Turkey
Honduras	Ukraine
India	United States of America
Indonesia	United Kingdom
Ireland	Uruguay
Jamaica	Viet Nam
Japan	Zimbabwe

(d) as far as the *Observers* are concerned, the *letters or documents of appointment* of representatives of the following *Observers*:

- (i) *intergovernmental organizations*: African Union (AU), Benelux Office for Intellectual Property (BOIP), Organisation internationale de la francophonie (OIF), South Center (SC), World Trade Organization (WTO) (5).
- (ii) *non-governmental organizations*: Association of European Trademark Owners (MARQUES), Brazilian Association of Intellectual Property (ABPI), Center for International Intellectual Property Studies (CEIPI), Consortium for Common Food Names (CCFN), European Law Students' Association (ELSA INTERNATIONAL), Health and Environment Program (HEP), Inter-American Association of Industrial Property (ASIFI), International Association for the Protection of Intellectual Property (AIPPI), International Center for Trade and Sustainable Development (ICSTD), International Federation of Intellectual Property Attorneys (FICPI), International Society for the Development of Intellectual Property (ADALPI), International Trademark Association (INTA), International Wine Law Association (AIDV), Knowledge Ecology International (KEI), Organisation for an International Geographical Indications Network (oriGIn) (15).

8. The Committee recommends to the Conference, meeting in Plenary, to accept the credentials and full powers of the delegations mentioned in paragraph 7(a)(i) and 7(c)(i), above, the credentials of the delegations mentioned in paragraph 7(a)(ii), 7(b) and 7(c)(ii), above, and the letters or documents of appointment of the representatives of the organizations mentioned in paragraph 7(d), above.

9. The Committee expressed the wish that the Secretariat should bring Rules 6 (“Credentials and Full Powers”), 7 (“Letters of Appointment”) and 10 (“Provisional Participation”) of the Rules of Procedure to the attention of Member Delegations or Observer Delegations not having presented credentials or full powers and of the representatives of Observers not having presented letters or other documents of appointment.

10. The Committee decided that a report on its meeting should be prepared by the Secretariat and issued as its report, to be presented by the President of the Committee to the Conference, meeting in Plenary.

11. The Committee decided that it would re-convene to examine any further communications concerning Member Delegations, the Special Delegations, Observer Delegations, or Observers which might be received by the Secretariat after the close of its meeting.

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