

**NATIONAL IMPLEMENTATION  
OF THE PERFORMANCES AND PHONOGRAMS TREATY**Motivation

This Congress expresses its appreciation of the work carried out by FIM representatives in the struggle at both European and international levels to establish more satisfactory statutory performers' rights. It notes that a further European Directive has now been established and that this will have a significant effect on the development of the 1996 WIPO Performances and Phonograms Treaty. It notes also that attempts to establish an international instrument giving adequate rights in audiovisual performances have not yet been successful.

Motion

In these circumstances, it is highly probable that there will be many changes in national legislation in the foreseeable future. Congress therefore proposes that the FIM Executive should agree and establish official FIM guidelines for the national implementation of the Performances and Phonograms Treaty and, where applicable, the European Directive. Such guidelines should not be limited to the minimum provisions of the above instruments but should encourage the inclusion of matters of substance that remain as objectives of FIM although they have not, as yet, been expressed as mandatory requirements of the instruments.

Congress calls on member Unions to assist in this effort to achieve greater harmonisation of performers' statutory rights as creators.