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**Working Party on the
Accession of Ukraine**

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ACCESSION OF UKRAINE

Note to Delegations from the Chairman

The Chairman of the Working Party on the Accession of Ukraine has submitted the following Note to Delegations.

April 23-24, 1999 Kiev Symposium on Protection of Intellectual Property Rights

On 23-24 April 1999 an important symposium on the protection of intellectual property rights was held in Kiev, Ukraine, with a view to discussing recent developments in Ukrainian legislation, policy and practice in this area as well as additional steps which will be necessary to bring Ukraine into full compliance with what will be the country's obligations upon accession to the WTO. In my capacity as Chairman of the Working Party on the Accession of Ukraine to the WTO, I was invited to participate in the programme and took advantage of this opportunity to discuss with other symposium participants TRIPS-related points which had been raised by WTO Members in the course of the Working Party meetings. Participants at the symposium were drawn from Ukraine's Supreme Rada, the Ministry for Foreign Economic Relations and Trade, the State Committee on Science and Intellectual Property, the Ministry for Culture and Arts, the Ministry of Interior (Enforcement), and the former Ukrainian Patent and Copyright Offices. In addition, a variety of outside experts from the private sector played an important role in the meetings. The symposium was organized by the Ukrainian Union of Industrialists and Entrepreneurs, the Authors' Legal Partnership and the Union of Lawyers of Ukraine and was supported by several Ukrainian state agencies and the U.S. Department of Commerce Commercial Law Development Program.

In the course of the meetings, participants were informed that the Ukrainian authorities expected to be in a position within the next two months to accede to the Geneva Convention for the Protection of Producers of Phonograms now that the Supreme Rada's Committee on Science and Intellectual Property had approved (on 21 April 1999) Ukraine's joining the Convention. In addition, it was reported that a draft law is now under consideration relative to Ukraine's joining the Rome Convention and work is underway on legislation to revise the terms of Ukraine's participation in the Berne Convention. The recent publication of the Uruguay Round Agreements, including the TRIPS Agreement, in the Ukrainian language was credited with helping to inform both politicians and the general public on changes which will need to be made in Ukraine's current legal environment prior to WTO Membership.

A significant portion of the symposium was devoted to a discussion of the severe copyright piracy problem in Ukraine. The seriousness of the problem was recognized by Ukrainian law enforcement officials as well as private sector copyright holders and cultural authorities. It was generally accepted by all those present that urgent action is called for to revise enforcement statutes and increase criminal and civil penalties for piracy. Members of the Supreme Rada at the symposium

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who will need to legislate appropriate changes were cognizant of the problem and discussed those elements of the law which would need revisions. In addition, participants considered that there is a need to revise and improve border measures related to protection of intellectual property rights.

Overall, the symposium made an important contribution toward deepening awareness of the current state of intellectual property protection in Ukraine and additional steps which will be needed to bring the country into full compliance with the TRIPS obligations it will need to honour upon accession to the WTO. The progress made at the 23-24 April 1999 symposium will hopefully be supplemented by an upcoming 26 May 1999 TACIS-sponsored seminar on copyright protection techniques.
