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Communication from the Council - Declarations on Council Decision 2000/278/EC on the approval, on behalf of the European Community, of the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty

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(2000/C 103/01)

1. Declaration by the Council and the Member States concerning Article 2

The Council and the Member States will periodically ascertain the stage reached in the procedures for ratifying the WCT and the WPPT in the Member States with a view to ensuring that the instruments of conclusion or ratification of the Community and of its Member States are deposited simultaneously. If there is a serious delay, the Council and the Member States will consider what action is to be taken.

2. Declaration by the Council, the Commission and the representatives of the Governments of the Member States meeting within the Council concerning Article 3

When the Assemblies discuss matters affecting the Contracting Parties' rights and obligations concerning a field where competence is shared between the Member States and the European Community, the Council, the Commission and the representatives of the Governments of the Member States meeting within the Council reiterate their mutual obligation to cooperate closely in accordance with the EC Treaty and the case-law of the Court of Justice.

In order to fulfil this obligation, the Council and the representatives of the Governments of the Member States meeting within the Council will endeavour to reach a common position, acting by common agreement.

In the absence of a common position, opinions expressed by the Member States will not jeopardise the attainment of the objectives of the EC Treaty.