

**Under the patronage of the Minister of Culture  
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The Classical Arabic Music Institution and the Faculty  
of Music at the Holy Spirit University present**

**The Conference of Arab Resurgence and Music: The  
Choice of Original Renewal**

**Arab Music as a means of developing and promoting  
Arab culture**

**By  
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Ladies and Gentlemen:

I'm honored to be able to address you today, firstly because this project really deserves the utmost appreciation, and also because I have a taste for fine music. And although I appreciate great music, I cannot claim to be an expert in the field, although I wish I was. But I do have a reason for being here, as one cannot discuss music or other artistic activities, without also mentioning intellectual property (IP). As it stands, I work in the field of IP, and truth of the matter is that my company, Abu-Ghazaleh for Intellectual Property (AGIP), is the largest IP company in the Middle East and one of the largest in the world. We register IP rights (IPRs) for Arab and international companies and individuals in the entire Arab region. For those who aren't familiar with the term intellectual property (IP), it refers to trademarks, patents, copyrights, models, and domain names on the internet. These all represent different forms of legal protection granted to innovators in numerous fields. The innovator of a new technical product will seek protection (for that innovation) via a patent, whereas a songwriter will get his/her protection through copyrights.

As the chairman of the Arab Society for Intellectual Property (ASIP), I was elected to the Consultative Business Council at the World Intellectual Property Organization (WIPO), and presented this council with a definition for the message of IP which was adopted and is stated as follows: "The objective of IPRs is fulfilling economic, social, and cultural progress for the community, by organizing and administering international systems and conventions in the field of IP so that this will encourage creativity and creation of knowledge."

In addition to the special clarifications on IP mentioned above, certain definitions must be presented for scientific accuracy:

1. Documentation: the ability to access special contents related to facts and figures, and arranging these facts and figures for the purpose of filing and retrieval. (International Federation for Information and Documentation).
2. Archives (originated from the Greek word archeion): Records that are considered worthy of preservation on a permanent basis. The term is also used to name the agency assigned in acquiring, preserving, and administering the archive materials after they are no longer in circulation, and/or the building where these records exist. (The US National Archives and Records Administration)
3. Information: the structure and characteristics of the facts and data and their method of publication (International Federation for Information and Documentation).
4. The Science of Information: A scientific topic that analyzes the structure and characteristics of scientific information and researches the laws, theories, history, curricula and organization specific to scientific information and documentation. (International Federation for Information and Documentation)
5. Archives and Music: Archival documents that contain precise and detailed information for numerous aspects of music culture, biographies, recording chronological lists of events, the history of institutions and communities, and the

role and status of musicians in society and performance. These archives provide information that cannot be obtained from musical manuscripts and printed sources.

I reiterate that what drove me to be here wasn't only my involvement in IP protection, even though that would be reason enough, since IP protection is always a major international issue for primary musical institutions such as the International Confederation of Societies of Authors and Composers (CISAC), the Society of Authors, Composers and Editors of Music- SACEM, and so on. I also came here because of my keen and longstanding interest in developing and promoting the Arab community and culture. Sure enough, I've taken some humble steps in contributing to this effort, and because of my interests and love for music, I've sponsored some classical symphony-type concerts during recent years. For example, during the 25<sup>th</sup> anniversary of the establishment of my company, we held in London a private concert at the Royal Opera House, which included of course Arab musicians such as Ramzi Yasa and the local symphony orchestra. And in 1997 and under the patronage of Her Majesty the Queen of Jordan, a classical concert took place that the Egyptian Opera singer Neveen Aloubeh participated in, along with the Arab pianist Ramzi Yasa.

Sponsoring musical events that enable Arab musicians to perform in was a step in the right direction, yet I didn't feel it was enough, and so AGIP held an international contest to compose a musical piece for an entire choir that would be 10 minutes long, and the theme would be derived from the legend of "Antara", the famous Arab hero. The winning piece was awarded a monetary prize, and was performed at the Felsenreitschule in Salzburg at the start of a classical program sponsored by AGIP. AGIP also sponsored a concert last July at the start of the Salzburg ceremonies, and the famous Mozarteum Orchestra performed at this event along with Arab and international musicians. This activity, which had the participation of Arab musicians, greatly promoted Arab culture in the heart of European musical tradition. The inclusion of this concert within the opening of the Salzburg festival, will without a doubt promote Arab culture in the heart of one of the most important European capitals of art.

On the other hand, of the things that organizing the aforementioned competition showed, was the lack of proper resources for documented Arab classical music. We really need a central Arab location where both traditional and modern Arab music can be documented and archived, which will allow anyone seeking Arab cultural resources to be able to get them.

A complete and modern documentation system run on the latest technologies can achieve the following for the culture of Arab music:

- Facilitates ease of discovering Arab music sources
- Guarantees preservation of Arab culture
- Assists in promoting Arab culture internationally
- Encourages Arab artists to develop new music

I think that a documentation centre should try to document traditional music for Arab countries and encourage the composition of new music and help Arab composers move forward in their field.

I'm happy to inform you that the musical documentation committee that is affiliated with the IP committee that I chair -which is a part of the International Chamber of Commerce-Lebanon- is preparing a project to establish a Lebanese documentation center. It will be necessary to clearly define the areas of its work, as there are two important types of music: music that is transferred via auditory means, and written (composed) music.

First: Music transferred by auditory means:

Through communications, information on traditional music was obtained starting from its definition through its documentation and its available sources.

The center needs to cooperate with Arab and foreign institutes and consult musicians and intellectuals in the field of Arab countries' music.

Second: Contemporary Music (music written by composers for representative countries):

If the intended center needs to define the general guidelines for the types of music that will be indexed, then this can be addressed by defining curricula on this.

The documents will be defined and compiled (either through donations or purchasing), and the prepared catalogue will be the key to all information. The records are to be completed with elaborate information on the musical composer, a catalogue of his/her other works and his/her publisher, in addition to any journalistic criticism, articles, publications, books on the composer or musical pieces. All these are to be gathered and compiled into the catalogue.

Third: What's behind the documents:

This is considered a basic outline of any center for documenting contemporary music.

The purpose is to make musicians interested not only in how the center can benefit them, but also how they can utilize its depository of compositions.

In order to create a specialized catalogue for every Arab nation, it is worthwhile to support the initiatives of other peoples. Hosting, organizing meetings and conferences and musical events is a wonderful way to advertise for the center, the music and arts.

Fourth: The Building:

The building will include three major sections which are: the reception area, the reading room equipped with visual and auditory tools, and the archive or warehouse where documents are stored.

Fifth: The Working Crew:

The main required qualifications for the documentation center include the skills of documentation experts who are musically savvy, at least from the technical side. A librarian or secretary to receive and gather and re-archive the documents after their review would be needed.

Sixth: Long-term Vision:

By merely opening the center, we need to establish relationships with international organizations, and the main organization for contemporary music is considered the “International Society for Musical Information Centers”.

Seventh: Conclusion:

Documentation centers, and in particular those specializing in contemporary art and/or music, must consider the country’s culture, its political and cultural ambitions, and economic capabilities, to ensure the soundness of its work and continuous progress.

I’m glad to inform you that the IP Committee/ICC-Lebanon has formed the committee for the Societies of Collective Administration of Artists’ Rights affiliated with our committee, that will begin studying and preparing a project for a Lebanese society that will have a similar mandate (of rights protection). It has become necessary that composers, authors, artists, and other rights owners in all Arab states, establish civil rights societies in order to protect their members. Following are some preliminary suggestions forwarded by Mr. Samir Thabet:

- Adoption of homogeneous legislation that guarantees IP protection in all Arab nations and establishing brief and speedy trials and permitting temporary measures that ensure effective protection of said rights.
- Encouragement of Arab states to join international treaties and conventions.
- Taking the individual initiative and the preparation of innovators, composers/authors, and other rights owners in every state to stand up for their rights and sacrifice for them in the face of those who exploit.
- (Founding an) efficient apparatus in a society for administering said rights.
- Advertising on the topic of rights’ protection through all forms of media.
- Demanding the introduction of IP law into educational programs at universities and law colleges.
- Putting clear & effective controls in place for those entitled to intellectual property rights and those who try and exploit or profit off that property.
- Demanding the existence of a police force specialized in fighting piracy.
- Demanding, as the administrative body at the rights management company, the existence of certified experts to control the situation and that their reports have official capacity.

- Adopting modern technology and programming in the work of companies and societies of collective rights' administration.
- Encouragement of bilateral agreements between companies and societies of collective rights' administration.
- Ensuring the existence of governmental bodies for the administrative protection of IP rights.

It is worth mentioning that the World Intellectual Property Organization (WIPO) played an important role in numerous conferences that were convened in Lebanon such as:

- the conference on developments in IP laws that convened in Beirut during March 25-26, 1997.
- the WIPO regional Arab conference on IP that convened in Beirut during April 21-22, 1998, in cooperation with the Lebanese government and the Business and Economy Group.
- the national seminar on author rights and other related rights, in collaboration with the Lebanese government during September 6-8, 1999.
- the third Arab international conference for IP protection that convened during November 30 – December 3, 1999, in conjunction with the Ministry of Economy and Commerce and the Business and Economy Group.

In addition to this, authors, composers, and those entitled to other related rights will create a national company for the protection of their rights and imposing them, under the sponsorship of WIPO. Also, Lebanese artists will establish societies for theatrical and musical works, and the aforementioned company –if created indeed- will help determine the outlines and conventions in the field of commerce and competition.

Frequently, there is prejudice in Arab states towards the issue of IP protection, and many people believe that this protection is only for the benefit of large foreign conglomerates, since most people don't recognize the significance of IP protection in relation to developing our cultural heritage and encouraging our musicians, artists and supporting Arab music. For example, ask yourself "who listens to this?". Mostly, it is Arabs who listen to Arab music, so when we provide IP protection for music, we compel those listeners to effectively transfer money to those who composed this music, and this is necessary because it affords the opportunity for all of us to discuss music, culture, our Arab heritage, and developing our society. The truth of the matter is that funds are needed in order to make cultural programs work. Therefore, I think that the new Arab music center should include in its charter a strong commitment to support the protection of a composer's rights, and encouragement of Arab countries to join all international conventions that are applicable to IP protection and IP rights, which will assist the center to achieve its goals.

Recently, discussions have taken place with the CISAC, which is an international organization that includes 200 composer societies in most countries of the world. While people aren't allowed to become members of this confederation as individuals (societies are allowed), it does represent through its founding societies over 2 million composers. My discussions with this confederation were about my role as ASIP chairman, which is a non-profit Arab society that seeks to develop and protect IP in the Arab world. ASIP and CISAC agreed in principle to cooperate in the Arab region in order to advance their common interests. Also, ASIP will join the membership of CISAC and appoint a representative of the Arab states who will be on the CISAC management board. It is crucial to mention that a memorandum of understanding was prepared between the two organizations with the goal of forming societies that will acquire/defend composers' rights in Arab states, working together to develop composer rights in the Arab region, and obtaining fair compensation for composers and writers by creating a system of royalties. The CISAC will support the work of the documentation center, and the fair compensation mentioned will be a big step forward in supporting Arab music and its creators, as they deserve this for their well-being.

The progress related to and the implementation of a composer's rights, will help develop music by encouraging these innovators, and enhances Arab culture, and this enhancement represents an investment and not an expenditure. However, to enhance something, you need capital to invest in it, and international recording companies to operate in countries that enjoy strong protection for composers' rights and rigid rules to impose these rights. There is no denying that all this leads to a higher price of the end-product, and that selling pirated items is cheaper, but this does not mean that it is the right way for a company or nation to go about doing things. One of the benefits of protecting an author's rights and allowing companies to achieve a considerable profit from their investments in IP, is encouraging others to follow the same path, and investing in musical composition, and at the same time finding the necessary capital to enhance that music. It is obvious that this is a major obstacle in the face of the Arab music industry. Some artists have achieved success in foreign countries such as Feiruz and Cheb Khaled and so on, but in general, the market of Arab music is limited to Arabs, while foreign companies spend billions of dollars on advertising music catalogues, and the success they acquire is quite obvious.

There is another element that I wanted to discuss that has to do with the documentation center, and that is the importance of digital awareness in increasing the efficiency and success of the center. This awareness takes on 2 forms:

Firstly, the center should have the required technical know-how to create a truly modern facility, and secondly we need Arab musical composers and other Arab nationals interested in this field, to have the necessary knowledge in modern information and internet technologies. Actually, this is one of my other major interests these days, as we live in the "knowledge age" and new technologies have facilitated the discovery and transfer of knowledge at a speed and efficiency no one used to even dream of. This efficiency in the field of knowledge is like an increase in

economic productivity and individual and social development. Also, new technologies break down barriers of time and place, and provide the potential for overcoming the previous inequity in resources. There is a “digital divide” that threatens to weaken the capabilities of this new age in areas that have been neglected such as the Middle East. Most Arabs do not have the ability to connect to the internet and don’t know how to use these new technologies, and actually don’t feel comfortable using it. This will have the effect of debilitating the use and development of our digital resources base, and somehow this may affect the way the documentation center is used. In our efforts to enhance and promote awareness in the area of the internet, the Arab and Knowledge Management Society (AKMS) is preparing a program to teach internet usage, through its ambitious program that awards a “knowledge diploma”. This is considered a significant qualitative leap for the Society to fulfill one of its major goals, represented in granting the opportunity to all segments of the community to launch into the knowledge world and develop its potential in dealing with the computers and the internet, by utilizing a realistic program to eradicate internet illiteracy.

It is worth noting that the number of internet users is growing rapidly on a global scale. In the 3<sup>rd</sup> quarter of the year 2000, the number was already over 370 million people. It is unfortunate that most of these users come from advanced countries, whereas the total number of users in all the Middle East countries combined is only 2.5 million, or what represents 0.5% of the total worldwide.

In our endeavor to enhance and promote awareness of the internet and its usage, AKMS is preparing a TV program to teach internet usage, via its ambitious program of the “digital knowledge diploma”. We work to back the growth of technical centers such as the music documentation center , and through our programs prepare Arab nationals to utilize and benefit from those centers. In this regard, I believe that one of the objectives of this new center is using the internet to promote the center’s capabilities. This is significant both for helping music historians in their work and in contributing to the promotion of Arab music to the international community.

As chairman of AKMS, I’m working on developing a program to assist Arab peoples in joining the digital era. By working with different institutions such as the University of Oxford and other international organizations and private sector bodies such as the International Chamber of Commerce (ICC), we’ll support the development of advanced centers such as the documentation center, by preparing the Arab citizens to fully utilize it. So, I reiterate and think one of the aims of the center should be fully connecting to the internet, which is as we said important for Arab musicians and promoting their music internationally.

Finally, what I want to discuss is the importance of utilizing the Berne Convention outcomes in protecting musical folkloric heritage. As for non-published works whose authors are unknown, with all indications being that the author(s) may be from one of the Confederation’s countries, legislation of a particular state can assign an appropriate authority that represents the author and has the right to preserve his/her



rights and defend them in the countries of the confederation. I suggest that the music documentation center be one of the candidates to represent authors in Lebanon and other nations. This can also be a source of income and funding for the center.

Finally, I pledge the support of both AKMS and AGIP, as well as my own personal commitment to make the musical documentation center for the Middle East succeed and effectively develop and enhance Arab culture over the long-term.

Thank you.