



## ADMINISTRATION INSTRUCTION

To: Members of the staff

Subject: REGULATIONS FOR THE CONTROL AND LIMITATION OF DOCUMENTATION

AddendumCOPYRIGHT IN UNITED NATIONS PUBLICATIONS: GENERAL  
PRINCIPLES, PRACTICE AND PROCEDURE

## I. GENERAL PRINCIPLES

1. The United Nations does not normally retain copyright, its policy being rather to facilitate dissemination of the contents of its publications as widely as possible by all reasonable means. General retention of copyright would give an impression of restriction and of setting up a procedural barrier - namely, the need to request permission to use material. Exceptions to the general practice have however been made in the case of the publications listed in the annex to the present instruction. The decisions of the Publications Board in these cases have been taken after considering whether there was a need to impose a measure of control on certain types of United Nations material in order to ensure that it was used in the best interests of the Organization.

2. The copyright publications include material in the statistical, scientific and other specialized technical fields - in many cases supplied to the United Nations by or with the co-operation of Governments of Member States which would not have been prepared to furnish the same information to commercial publishers. Such material can often be reproduced by commercial publishers at relatively low cost, by photo-offset or other reproduction methods; in the case of translations into languages in which the United Nations does not itself publish, only such items as column headings, sub-titles and explanatory notes require translation.

\* Supersedes document AT/PB/13 of 3 December 1959, ST/PB/15 of 1 February 1961, and ST/PB/20 of 15 May 1962.

In some cases - notably the maps of the natural resources of Asia and the Far East and the Report of the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Countries - the decision to copyright has been based mainly on financial considerations.

3. Some publications, such as the French language edition of the Proceedings of the United Nations Conference on Trade and Development, have been copyrighted in order to secure the co-operation of outside publishers: the Yearbook of the United Nations was copyrighted for this reason and the practice has been continued since the United Nations itself became the publisher.

4. Other publications may be added to the list from time to time by decision of the Publications Board.

5. The rules set forth below govern United Nations practice regarding copyright in its publications as well as the procedure which should be followed in order to obtain copyright.

## II. PRACTICE REGARDING COPYRIGHT

### Definition

6. For the purposes of the present instruction the term "United Nations publications" means matter produced by printing or some similar process and offered for sale under an authorization of the Publications Board. Such publications are readily identifiable in three ways: they show the United Nations as publisher on their title-page, they bear the United Nations emblem, and they bear a United Nations sales number - generally on the reverse of the title-page.

### Legal position

7. Under the Universal Copyright Convention, Geneva, 1952, and the Protocol annexed to that Convention, the United Nations is able to retain copyright in appropriate publications on the completion of certain simple formalities. Detailed instructions on the procedure for obtaining copyright in the United States and in the countries which are parties to the Universal Copyright Convention are set out in paragraphs 16 and 17 below.

### Reproduction or translation of copyright material

8. All requests by commercial publishers, public authorities, societies and private individuals for permission to reproduce or translate copyright publications or extracts from such publications should be referred to the Secretary of the Publications Board. The Board will normally give permission to quote extracts provided proper acknowledgement of the source and copyright notice is given. Where reproduction or translation of the whole publication or a

substantial part thereof is sought, the prospective publisher should be asked whether he is prepared to pay an appropriate royalty to the United Nations. Payment of royalty may be waived when, in the opinion of the Publications Board, some compensatory advantage will accrue to the United Nations.

9. No offprint of a copyrighted publication, in whole or in part, shall be issued by the United Nations without the copyright imprint, for this would result in loss of copyright in the material thus reproduced.

#### Reproduction or translation of non-copyright material

10. Publications which are not copyright may be freely quoted without prior permission from the United Nations. Authors and publishers, however, often seek such permission as a matter of courtesy, and staff members replying to requests of this nature should ask that due acknowledgement be made to the source of the quotation.

11. In accordance with the policy stated in paragraph 1 above, the Secretariat should give all reasonable encouragement to any reputable publisher proposing to issue a translation of a United Nations publication that is not copyright in a language in which the United Nations is not itself publishing it. The prospective publisher should be asked (a) to make due acknowledgement to the United Nations as publisher of the authentic text and (b) to state clearly on the title-page that he takes sole responsibility for the accuracy of the translation. He should be advised that the use of the United Nations emblem is restricted to official United Nations publications.

12. In cases where public authorities, societies and commercial publishers contemplate separate editions of United Nations publications that are not copyright in languages in which the United Nations has issued or is preparing to issue the publications in question, the authorities concerned should be invited to consider the alternative of bulk purchase from the United Nations at special rates.

#### Papers and proceedings of United Nations conferences and seminars

13. The proceedings and papers of United Nations conferences, seminars and similar meetings represent a special case, and as circumstances vary, copyright practice should make allowance for such variations. It is customary for the United Nations to publish the proceedings and papers of such meetings, or excerpts therefrom. The senior staff member responsible for planning such a meeting should discuss the copyright question with the Office of Legal Affairs at a very early stage and should include in the preliminary arrangements, such as agreements and correspondence with the participants, and in the understandings with the co-operating Governments, appropriate references to literary rights and the intention of the United Nations to publish the papers and proceedings. The

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following considerations should be kept in mind in considering whether or not to secure copyright protection:

(a) As a general rule, documents bearing a United Nations symbol or working papers which have been distributed before copyright protection is sought are regarded as being in the public domain and cannot be protected by subsequent copyright. When it is anticipated that the proceedings will include papers issued first as documents or working papers, the decision to copyright should be made before the individual papers are reproduced for distribution, even to participants, in order that the necessary copyright notice may be given on each individual paper;

(b) The sale of the proceedings of major United Nations conferences is a revenue-producing activity to which the Advisory Committee on Administrative and Budgetary Questions attaches considerable importance. There is no evidence to indicate that failure to copyright such proceedings has in the past led to a loss of revenue because of exploitation of material by commercial publishers. Such loss could, however, occur in cases where a relatively small number of papers contain the bulk of the most valuable material and where their exploitation by a commercial publisher could therefore have a detrimental effect on the sale of the official proceedings. The United Nations would, of course, not be in any position to grant exclusive rights to a publisher in respect of papers already in the public domain by virtue of their having been distributed without copyright.

#### Other special cases

14. The authors of articles contributed to United Nations publications or of papers submitted to seminars or other meetings which are to be published by the United Nations sometimes seek permission to publish their articles or papers under their own name as a book or in a professional journal. Where such publication is to take place after the United Nations publication has appeared, the general practice applies (see paragraphs 8 to 12 above). In some instances, however, permission is sought to reproduce articles or papers prepared for the United Nations prior to their publication by the United Nations itself. In replying to such requests members of the Secretariat should be guided by the following principles:

(a) The United Nations cannot withhold permission to publish material which has been prepared for it as a technical contribution and for which it has made no payment, unless the contribution was accepted on the understanding that it was to become the property of the United Nations. The author should, however, be informed of the United Nations intention to publish and should be asked to state that the material was prepared for the United Nations and is to be published by it in such and such a publication or volume of proceedings;

(b) Articles or papers prepared for the United Nations under a special service agreement are covered by the terms of the agreement. It is normal for special service agreements to include a clause stipulating that all rights of the Publications Board;

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whatsoever nature in the material produced are vested exclusively in the United Nations. Where this is the case, the United Nations is entitled to withhold permission to publish, and the author's request should be referred to the Secretary of the Publications Board;

(c) Articles or papers prepared by staff members for inclusion in a United Nations publication, or as a contribution to a conference or seminar, are covered by the terms of staff rule 112.7, which provides: "All rights, including title, copyright and patent rights, in any work performed by a staff member as part of his official duties shall be vested in the United Nations."

#### External publications based on material provided by the United Nations

15. Publications issued by outside firms or organizations by arrangement with the United Nations and being the literary property of the United Nations should be copyrighted in the name of the United Nations. The outside publisher is normally given publication rights in consideration of the United Nations receiving royalties and a given number of free or reduced-price copies.

### III. PROCEDURE FOR COPYRIGHTING UNITED NATIONS PUBLICATIONS

16. The measures necessary to obtain copyright in the United States of America and in countries that are parties to the Universal Copyright Convention are as follows:

(a) Each copy of the work to be copyrighted must bear, on the title-page or on the verso thereof, the notice:

Copyright ● United Nations 19\_\_

All rights reserved

Manufactured in (insert name of country)

(b) The work must be placed on sale on the same day and at approximately the same time in the United States of America and in Switzerland or the United Kingdom;

(c) Immediately after copies have been placed on sale in this way, two copies of the best edition of the work in question must be sent to the Register of Copyrights, Library of Congress, Washington, D.C., together with the appropriate form duly completed and notarized, and a fee. 1/

17. The procedure for copyrighting United Nations publications is therefore the following:

(a) The decision to copyright a United Nations publication will be taken by the Publications Board;

1/ Currently \$6.00 per item.

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(b) When the Publications Board has decided that a publication is to be copyrighted, the Chief of the Publishing Service will be responsible for the actions indicated in paragraph 16 (a) to (c) above. He will ensure that the requisite copyright notice shall be inserted in the work; he will, in agreement with the Sales Section, set the date on which publication is to be made in accordance with paragraph 16 (b) above and ensure that no copies of the work to be copyrighted are released to the public prior to that date; and he will take all other necessary action to obtain copyright, with the help, if required, of the Office of Legal Affairs;

(c) Advance distribution to sales agents of copyrighted publications will be made by the Sales Section in accordance with established procedure;

(d) Advance distribution of copies to the press will be arranged by the Office of Public Information. Such copies and any accompanying press release will carry an embargo against publication before the agreed publication date and a notice indicating that, although copyrighted, the publication may be freely quoted by newspapers, magazines, radio and television.

#### IV. GENERAL GUIDANCE

18. Members of the Secretariat requiring further guidance on copyright matters in respect of United Nations publications should apply to the Secretary of the Publications Board, who, apart from any other action to be taken, will see that any legal question is at once brought to the notice of the Office of Legal Affairs.

ANNEX

List of United Nations copyright publications

The following publications have been copyrighted by decision of the Publications Board:

Recurrent publications

Yearbook of the United Nations

Statistical Yearbook

Demographic Yearbook

Yearbook of National Accounts Statistics

Yearbook of International Trade Statistics, Volumes I and II

Current Economic Indicators

Monthly Bulletin of Statistics

Statistics of World Trade in Steel

Non-recurrent publications

Patterns of Industrial Growth, 1938-1958, and revised edition: Growth of World Industry

Statistics of World Trade in Steel

Geological Map of Asia and the Far East

Oil and Natural Gas Map of Asia and the Far East

Mineral Distribution Map of Asia and the Far East

Report of the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Countries

Proceedings of the United Nations Conference on Trade and Development, Geneva, 1964: French edition (published by Dumod in co-operation with the United Nations)

Guidelines for Project Evaluation (UNIDO)