

WIPO



A/34/10 Rev.
ORIGINAL: English
DATE: September 20, 1999

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

ASSEMBLIES OF THE MEMBER STATES OF WIPO

Thirty-Fourth Series of Meetings Geneva, September 20 to 29, 1999

ADMISSION OF OBSERVERS

Memorandum by the Director General

I. ADMISSION OF INTERGOVERNMENTAL ORGANIZATIONS AS OBSERVER

1. At their previous sessions, the Assemblies of the Member States of WIPO ("Assemblies") adopted a set of principles to be applied in extending invitations to intergovernmental organizations to attend, as observers, the meetings of the Assemblies of WIPO concerned (see documents AB/X/32, paragraph 17, and AB/X/17, Annex II; TRT/A/I/2 and 4, paragraph 5; BP/A/I/2 and 5, paragraph 5; V/A/I/1, paragraph 27, and V/A/I/2, paragraph 7; and FRT/A/I/3 and FRT/A/I/9, paragraph 10). A recapitulation of those principles appears in Annex I of document AB/XII/5.

2. In formulating the said principles, the Assemblies established three categories of intergovernmental organizations—Category A (United Nations System of Organizations), Category B (Industrial Property or Copyright) and Category C (Other Intergovernmental Organizations, Worldwide or Regional). Depending upon the Assembly concerned and the category to which the intergovernmental organization belongs, an invitation is extended by the Director General to that organization to attend, as an observer, the meetings of that Assembly in accordance with the criteria set forth in the principle applicable to that Body. The intergovernmental organizations admitted to attend, as observers, the meetings of the Assemblies and which have been invited to so attend the thirty-fourth series of meetings of

the Assemblies and the Unions administered by WIPO are listed in document AB/XXXIV/INF/1.

3. Once an intergovernmental organization is admitted to attend, as an observer, the meetings of the Assemblies, it is also invited to attend, as an observer, meetings of standing committees and committees of experts of WIPO if their subject matter seems to be of direct interest to that organization.

4. Decisions concerning the admission of intergovernmental organizations to attend, as observers, the meetings of certain Assemblies were last taken at the 1997 sessions of the Assemblies of the Member States of WIPO (see documents AB/XXXI/8, paragraphs 1 to 6, and AB/XXXI/19, paragraph 176).

5. It is proposed that the Assemblies admit the following intergovernmental organizations to attend, as observers, the meetings of the Assembly concerned:

- (i) International Criminal Police Organization (INTERPOL).
- (ii) Patent Office of the Cooperation Council for the Arab States of the Gulf (GCC Patent Office).

6. A brief description about the above-mentioned organizations—their objectives, structure and membership—appears in Annex I of this document. It is further proposed that the Assemblies include INTERPOL in category C (Worldwide Intergovernmental Organizations) and the GCC Patent Office in category B (Industrial Property Regional Intergovernmental Organizations) and that the said organizations be subject to the principles applicable in extending an invitation to other intergovernmental organizations, in the corresponding category, to attend, as observers, the meetings of the Assembly concerned.

7. The Assemblies of the Member States of WIPO are invited, each in so far as it is concerned, to take a decision on the proposal appearing in paragraphs 5 and 6 above.

II. ADMISSION OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS AS OBSERVERS

8. At their previous sessions, the Assemblies adopted a set of principles to be applied in extending invitations to international non-governmental organizations to attend, as observers, the meetings of the Assemblies concerned (see documents AB/X/32, paragraph 17, and AB/X/17, Annex V; TRT/A/I/2 and 4, paragraph 5; BP/A/I/2 and 5, paragraph 5; V/A/I/1, paragraphs 25 to 29, and V/A/I/2, paragraph 7; and FRT/A/I/3 and 9, paragraph 10).

9. In formulating the said principles, the Assemblies have established three categories of international non-governmental organizations: (1) organizations essentially concerned with industrial property, (2) organizations essentially concerned with copyright and neighboring rights and (3) organizations concerned with more than one field of intellectual property (see documents AB/XII/5, paragraphs 5 and 8, and AB/XII/21, paragraph 17).

10. Depending upon the Assembly concerned and the category to which the international non-governmental organization belongs, an invitation is extended by the Director General to that organization to attend, as an observer, the meetings of that Assembly in accordance with the criteria set forth in the principle applicable to that Body. The international non-governmental organizations admitted to attend, as observers, the meetings of the Assemblies, and which have been invited to attend the thirty-fourth series of meetings of the Assemblies and the Unions administered by WIPO, are listed in the Annex to document AB/XXXIV/INF/1.

11. Once an international non-governmental organization is admitted to attend, as an observer, the meetings of the Assemblies of the Member States of WIPO, it is also invited to attend, as an observer, meetings of committees of experts of WIPO if their subject matter seems to be of direct interest to that organization.

12. Since the 1997 sessions of the Assemblies, when decisions were last taken concerning the admission of international non-governmental organizations to attend, as observers, the meetings of certain Assemblies of Member States of WIPO (see documents AB/XXXI/8, paragraphs 7 to 15, and AB/XXXI/19, paragraph 177), the Director General has received requests, with the necessary information, from each of the following organizations for admission to attend, as an observer, the meetings of the Assemblies of the Member States of WIPO concerned:

- (i) Actors, Interpreting Artists Committee (CSAI);
- (ii) Asia & Pacific Internet Association (APIA);
- (iii) Association *européenne des éditeurs de journaux* (ENPA);
- (iv) Association *européenne pour la protection des oeuvres et services cryptés* (AEPOC);
- (v) Central and Eastern European Copyright Alliance (CEECA);
- (vi) Digital Media Association (DIMA);
- (vii) Digital Video Broadcasting (DVB);
- (viii) European Film Companies Alliance (EFCA);
- (ix) European Publishers Council (EPC);
- (x) Interactive Software Federation of Europe (ISFE);
- (xi) International Air Transport Association (IATA);
- (xii) International Commission of Jurists (ICJ);
- (xiii) International DOI Foundation (IDF);

- (xiv) Scandinavian Patent Attorney Society (PS);
- (xv) Software & Information Industry Association (SIIA);
- (xvi) The World Conservation Union (IUCN); and
- (xvii) World Self Medication Industry (WSMI).

13. A brief statement about each of the organizations mentioned in paragraph 10, above—its objectives, structure and membership—appears in Annex II of this document.

14. *Organizations Essentially Concerned with Copyright and Neighboring Rights.* It is proposed that, as concerns the Actors, Interpreting Artists Committee (CSAI), the *Association Européenne pour la protection des oeuvres et services cryptés* (AEPOC), the Central and Eastern European Copyright Alliance (CEECA), the Digital Media Association (DIMA), the International DOI Foundation (IDF), the European Film Companies Alliance (EFCA), and the *Association Européenne des éditeurs de journaux* (ENPA), the WIPO Conference, the WIPO General Assembly, and the Assembly, the Conference of Representatives and the Executive Committee of the Berne Union include the said organizations in the list of international non-governmental organizations essentially concerned with copyright and neighboring rights and that the said organizations be subject to the principles applicable in extending invitations to other similar international non-governmental organizations to attend, as observers, the meetings of the Assemblies concerned.

15. *Organizations Concerned with more than one Field of Intellectual Property.* It is proposed that, as concerns the Asia&Pacific Internet Association (APIA), the European Publishers Council (EPC), the International Air Transport Association (IATA), the International Commission of Jurists (ICJ), the World Conservation Union (IUCN), the Interactive Software Federation of Europe (ISFE), the Scandinavian Patent Attorney Society (PS), the Software & Information Industry Association (SIIA), and the World Self Medication Industry (WSMI), the Assemblies include the said organizations in the category of international non-governmental organizations that are concerned with more than one field of intellectual property and that the said organizations be subject to the principles applicable in extending invitations to other similar international non-governmental organizations to attend, as observers, the meetings of the Assemblies concerned.

16. *Organization Seeking Change of Category.* It is proposed that, as concerns the Digital Video Broadcasting (DVB), the Assemblies include the said organization in the category of “Organizations concerned with more than one field of intellectual property”, the DVB having been previously included in the category “Organizations essentially concerned with copyright and neighboring Rights” by the Assemblies. DVB would be subject to the principle applicable in extending invitations to other similar international non-governmental organizations to attend, as observers, the meetings of the Assemblies concerned.

17. In a letter dated September 15, 1999, the World Federation of Music Schools (WFMS), through its President, Professor Bernard Giller, notified the Director General of WIPO that the General Assembly of the WFMS changed status of the WFMS from a non-governmental organization to an intergovernmental organization. It is proposed, therefore that the Assemblies withdraw the permission to the WFMS to attend, as an observer in its capacity as a non-governmental organization, meetings of the Assemblies. In the event the Assemblies are in accord, the Secretariat of WIPO proposes to prepare the necessary documents for the Assemblies to fully consider the application of the WFMS to be admitted as an observer in its capacity as an intergovernmental organization.

18. The Assemblies of the Member States of WIPO mentioned in paragraphs 14, 15, 16 and 17 above, are invited, each in so far as it is concerned, to take a decision on the proposals appearing in those paragraphs.

[Annexes follow]