

WIPO



A/34/15

ORIGINAL: English

DATE: April 26, 1999

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

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ASSEMBLIES OF THE MEMBER STATES OF WIPO

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

ELECTION OF THE MEMBERS OF THE EXECUTIVE COMMITTEES OF THE PARIS
AND BERNE UNIONS AND DESIGNATION OF THE *AD HOC* MEMBERS
OF THE WIPO COORDINATION COMMITTEE

Note by the Director General

Introduction

1. The terms of office of the present members of the Executive Committee of the Paris Union, the Executive Committee of the Berne Union and the WIPO Coordination Committee expire at the close of the present (September 20 to 29, 1999) ordinary sessions of the Assemblies of the Member States ("the Assemblies"). New members of each of those Committees must therefore be elected during the present sessions of the Assemblies. Those new members will serve until the close of the next ordinary sessions of the Assemblies, which will be held in September 2001.

2. The present document deals with the composition of the Committees that are to be elected and the decisions that the corresponding Assemblies and other bodies are invited to take in order to elect the new members of the Committees.

I. Executive Committee of the Paris Union

3. Present Composition. The Executive Committee of the Paris Union comprises, at present, 36 members, consisting of 35 ordinary members,¹ and one *ex officio* member.² The names of the present members are underlined in List No. 1 in the Annex to this document.

4. Limits to Re-eligibility for Election. Members of the Executive Committee of the Paris Union may be re-elected, but only up to a maximum of two-thirds of the ordinary members plus the *ex officio* member.³ There being 36 such members, the number of elected ordinary members eligible for re-election is 24.⁴

5. New Composition. The Executive Committee of the Paris Union to serve from the close of the present sessions of the Assemblies to the close of the next ordinary sessions of the Assemblies should have 38 members, consisting of:⁵

(i) 37 elected ordinary members,⁶ to be elected by the Assembly of the Paris Union; out of the present 35 elected members, 24 may and 11 may not be re-elected;

(ii) one *ex officio* member (Switzerland).

6. *Accordingly,*

(i) the Assembly of the Paris Union is invited to elect, from among its members, 37 States to the Executive Committee of the Paris Union, in the capacity of ordinary members; these 37 States must not include more than 24 States which, at present, are ordinary members of that Committee.

¹ Elected by the Assembly of the Paris Union (see Article 14(2)(a) of the Paris Convention and Rule 3(1) of the Rules of Procedures of the Assembly of the Paris Union (document AB/XXIV/INF/2)).

² The State on whose territory the Organization has its headquarters (Switzerland) is the *ex officio* member (see Article 14(2)(a) of the Paris Convention).

³ See Article 14(5)(b) of the Paris Convention.

⁴ $36 \times \frac{2}{3} = 24$.

⁵ Since the Conference of Representatives of the Paris Union has now only three members (Dominican Republic, Nigeria and the Syrian Arab Republic), no associate member can be elected to the Executive Committee of the Paris Union (see Rule 5(1)(a) and (c) of the Rules of Procedure of the Conference of Representatives of the Paris Union (document AB/XXIV/INF/2)).

⁶ Thirty-seven represents one-fourth of the number of States members of the Assembly of the Paris Union, discounting any remainders after division by four (see Article 14(3) of the Paris Convention). There are 151 members of the Assembly, whose names are set out in List No. 1 in the Annex.

II. Executive Committee of the Berne Union

7. Present Composition. The Executive Committee of the Berne Union comprises, at present, 32 members, consisting of 31 ordinary members⁷ and one *ex officio* member.⁸ The names of the present members are underlined in List No. 3 in the Annex to this document.

8. Limits to Re-eligibility for Election. Members of the Executive Committee of the Berne Union may be re-elected, but only up to a maximum of two-thirds of the ordinary members plus the *ex officio* member.⁹ There being 32 such members, the number of elected ordinary members eligible for re-election is 21.¹⁰

9. New Composition. The Executive Committee of the Berne Union to serve from the close of the present sessions of the Assemblies to the close of the next ordinary sessions of the Assemblies should have 34 members, consisting of:¹¹

(i) 33 elected ordinary members,¹² to be elected by the Assembly of the Berne Union; out of the present 31 elected members, 21 may and 10 may not be re-elected;

(ii) one *ex officio* member (Switzerland).

10. Accordingly, the Assembly of the Berne Union is invited to elect, from among its members, 33 States to the Executive Committee of the Berne Union; these 33 States must not include more than 21 States which, at present, are members of that Committee.

III. WIPO Coordination Committee

11. Rules of Composition. The WIPO Coordination Committee is composed of the following categories of members:

⁷ Elected by the Assembly of the Berne Union (see Article 23(2)(a) of the Berne Convention and Rule 3(1) of the Rules of Procedure of the Assembly of the Berne Union (document AB/XXIV/INF/2)).

⁸ The State on whose territory the Organization has its headquarters (Switzerland) is the *ex officio* member (see Article 23(2)(a) of the Berne Convention).

⁹ See Article 23(5)(b) of the Berne Convention.

¹⁰ $32 \times \frac{2}{3} = 21.33$, which, by convention, is rounded to the nearest whole number.

¹¹ Since the Conference of Representatives of the Berne Union has now only three members (Lebanon, Madagascar and New Zealand), no associate member can be elected to the Executive Committee of the Berne Union (see Rule 5(1)(a) and (c) of the Rules of Procedure of the Conference of Representatives of the Berne Union (document AB/XXIV/INF/2)).

¹² Thirty-three represents one-fourth of the number of States members of the Assembly of the Berne Union, discounting any remainders after division by four (see Article 23(3) of the Berne Convention). There are 135 members of the Assembly, whose names are set out in List No. 3 in the Annex.

(i) the elected ordinary members of the Executive Committee of the Paris Union and of the Executive Committee of the Berne Union;¹³

(ii) Switzerland, as the State on whose territory the Organization has its headquarters;¹⁴

(iii) one-fourth of the States party to the WIPO Convention that are not members of any of the Unions, which are designated by the WIPO Conference¹⁵ and which serve as *ad hoc* members of the WIPO Coordination Committee;

(iv) any associate members of the Executive Committee of the Paris Union or the Executive Committee of the Berne Union, which serve as associate members of the WIPO Coordination Committee.¹⁶

12. New Composition. It follows that the WIPO Coordination Committee to serve from the close of the present sessions of the Assemblies to the close of the next ordinary sessions of the Assemblies should have 74 members, consisting of

(i) the 37 ordinary members of the Executive Committee of the Paris Union to be elected by the Assembly of the Paris Union in the present sessions (see paragraph 5(i), above);

(ii) the 33 ordinary members of the Executive Committee of the Berne Union to be elected by the Assembly of the Berne Union in the present sessions (see paragraph 9(i), above);

(iii) Switzerland; and

(iv) three *ad hoc* members to be designated by the WIPO Conference in the present sessions.¹⁷

13. Accordingly, the WIPO Conference is invited to designate, from among its members that are not members of any of the Unions, three States to be ad hoc members of the WIPO Coordination Committee.

[Annex follows]

¹³ See Article 8(1)(a) of the WIPO Convention.

¹⁴ See Article 11(9)(a) of the WIPO Convention.

¹⁵ See Article 8(1)(c) of the WIPO Convention.

¹⁶ See Rule 2(3) of the Rules of Procedure of the WIPO Coordination Committee (document AB/XXV/INF/2).

¹⁷ There are 14 States members of the WIPO Conference that are not members of any of the Unions. Their names are set out in List No. 5 in the Annex. The number of *ad hoc* members of the WIPO Coordination Committee to be designated by the WIPO Conference is thus three.

List No. 3

States Eligible for Election as Members of the Executive Committee of the Berne Union
(that is, States members of the Assembly of the Berne Union) (135)⁴

| | | | | | | | | | | | | | | | |
|--|----|---------------------------|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Albania | | <u>France</u> | 70 | 73 | - | - | 81 | 83 | 85 | - | - | 91 | 93 | 95 | 97 |
| Algeria | | Gabon | | | | | | | | | | | | | |
| Argentina | - | 73 | 76 | 79 | - | - | - | - | 91 | 93 | - | - | | | |
| Australia | - | - | 76 | - | 81 | 83 | - | - | - | - | - | - | - | - | - |
| Austria | - | - | 76 | 79 | - | - | - | 87 | - | 91 | - | - | - | - | - |
| Azerbaijan | | <u>Ghana</u> | 70 | 73 | - | - | - | - | - | - | - | 89 | - | 93 | - |
| Bahamas | | Greece | - | - | - | - | - | - | - | - | - | - | - | - | 97 |
| Bahrain | | Grenada | | | | | | | | | | | | | |
| Bangladesh | | Guatemala | | | | | | | | | | | | | |
| Barbados | | Guinea | - | - | - | - | - | - | - | - | - | 89 | - | - | - |
| Belarus | | Guinea- | | | | | | | | | | | | | |
| Belgium | - | 76 | 79 | 81 | - | - | - | 89 | 91 | - | 95 | - | | | |
| Benin | - | - | - | - | 83 | - | - | - | - | - | - | - | - | - | - |
| Bolivia | | Bissau | | | | | | | | | | | | | |
| Bosnia and Herzegovina | | Guyana | | | | | | | | | | | | | |
| Botswana | | Haiti | | | | | | | | | | | | | |
| <u>Brazil</u> | - | - | - | - | - | - | - | - | - | - | - | 95 | 97 | | |
| Bulgaria | - | - | 76 | - | 81 | 83 | - | 87 | 89 | - | - | - | - | - | - |
| <u>Burkina Faso</u> | - | - | - | 79 | - | - | - | - | - | 91 | - | - | 97 | | |
| Cameroon | - | - | - | 79 | 81 | - | - | 87 | 89 | 91 | 93 | - | - | - | - |
| <u>Canada</u> | 70 | 73 | 76 | 79 | 81 | 83 | 85 | 87 | 89 | 91 | 93 | 95 | 97 | | |
| Cape Verde | | Guinea- | | | | | | | | | | | | | |
| Central African Republic | | Bissau | | | | | | | | | | | | | |
| Chad | | Guyana | | | | | | | | | | | | | |
| <u>Chile</u> | - | - | - | - | 81 | 83 | 85 | 87 | 89 | - | - | 95 | 97 | | |
| China | | Haiti | | | | | | | | | | | | | |
| Colombia | - | - | - | - | - | - | - | 89 | 91 | 93 | 95 | - | | | |
| Congo | - | - | - | 81 | - | - | - | - | - | - | - | - | - | - | - |
| <u>Costa Rica</u> | - | - | - | - | 83 | - | - | - | - | - | - | - | 97 | | |
| <u>Côte d'Ivoire</u> | - | - | 76 | - | 81 | - | 85 | 87 | 89 | 91 | - | - | 97 | | |
| Croatia | | Holy See | | | | | | | | | | | | | |
| <u>Cuba</u> | - | - | - | - | - | - | - | - | - | - | - | - | 97 | | |
| Cyprus | | Honduras | | | | | | | | | | | | | |
| Czech Republic | | Hungary | - | 73 | 76 | 79 | - | 83 | 85 | - | - | - | 93 | 95 | - |
| Democratic Republic of the Congo | 70 | - | - | 79 | - | 83 | - | - | - | - | - | - | - | - | - |
| Denmark | - | - | - | - | - | - | - | - | - | 91 | 93 | - | - | | |
| Dominican Republic | | Iceland | | | | | | | | | | | | | |
| Ecuador | | <u>India</u> | 70 | 73 | 76 | 79 | 81 | 83 | 85 | 87 | 89 | 91 | 93 | 95 | 97 |
| Egypt | - | - | - | - | - | - | - | - | - | - | 89 | 91 | 93 | 95 | - |
| El Salvador | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Equatorial Guinea | | Indonesia | - | - | - | - | - | - | - | - | 89 | 91 | 93 | 95 | - |
| Estonia | | Ireland | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Fiji | | Israel | - | 73 | - | - | - | - | - | - | - | - | - | - | - |
| Finland | - | - | - | - | 81 | - | - | - | - | - | - | - | - | - | - |
| | | Italy | 70 | 73 | 76 | - | - | 83 | - | 87 | 89 | 91 | - | - | - |
| | | Jamaica | | | | | | | | | | | | | |
| | | Japan | | | | | | | | | | | | | |
| | | Kazakhstan | | | | | | | | | | | | | |
| | | <u>Kenya</u> | - | - | - | - | - | - | - | - | - | - | 93 | 95 | 97 |
| | | Kyrgyzstan | | | | | | | | | | | | | |
| | | Latvia | | | | | | | | | | | | | |
| | | Lesotho | | | | | | | | | | | | | |
| | | Liberia | | | | | | | | | | | | | |
| | | Libyan Arab Jamahiriya | - | - | - | - | - | - | - | - | - | - | 91 | - | - |
| | | Liechtenstein | | | | | | | | | | | | | |
| | | Lithuania | | | | | | | | | | | | | |
| | | <u>Luxembourg</u> | - | - | - | - | - | - | - | - | - | - | - | - | 97 |
| | | Malawi | | | | | | | | | | | | | |
| | | Malaysia | | | | | | | | | | | | | |
| | | Mali | | | | | | | | | | | | | |
| | | Malta | | | | | | | | | | | | | |
| | | Mauritania | | | | | | | | | | | | | |
| | | Mauritius | | | | | | | | | | | | | |
| | | <u>Mexico</u> | 70 | - | 76 | 79 | 81 | 83 | 85 | - | 89 | 91 | 93 | - | 97 |
| | | Monaco | | | | | | | | | | | | | |
| | | Mongolia | | | | | | | | | | | | | |
| | | Morocco | - | 73 | 76 | - | - | 83 | 85 | 87 | - | - | - | 95 | - |
| | | Namibia | - | - | - | - | - | - | - | - | - | - | 93 | - | - |
| | | <u>Netherlands</u> | - | - | - | - | - | - | 85 | 87 | 89 | - | 93 | - | 97 |
| | | Niger | | | | | | | | | | | | | |
| | | <u>Nigeria</u> | - | - | - | - | - | - | - | - | - | - | 93 | 95 | 97 |
| | | Norway | - | - | - | - | - | - | - | - | - | - | - | 95 | - |
| | | Oman | | | | | | | | | | | | | |

⁴ The year date shows the year in which the State was first elected, as well as, where applicable, the year or years in which it was re-elected, a member of the Executive Committee for a three-year period or, since 1979, for a two-year period. The names of the present ordinary members (32) are underlined.

⁶ The year date shows the year in which the State was first elected, as well as, where applicable, the year or years in which it was re-elected, a member of the Executive Committee for a three-year period or, since 1979, for a two-year period. (No associate member may be elected in the present sessions.)

² Switzerland is an *ex officio* member of the Executive Committee.

