

WIPO



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GENEVA

ASSEMBLIES OF THE MEMBER STATES OF WIPO

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COMPOSITION OF THE WIPO COORDINATION COMMITTEE;
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 membership of the WIPO Coordination Committee consists of States drawn from three other bodies, namely

- (i) the Executive Committee of the Paris Union;
- (ii) the Executive Committee of the Berne Union; and

(iii) one-fourth of the States party to the Convention Establishing the World Intellectual Property Organization (“the WIPO Convention”) that are not members of any of the Unions administered by WIPO.¹

¹ Article 8(1)(a) and (c), WIPO Convention. See, generally, document A/34/15 in which the constitutional composition of the Coordination Committee is explained.

In addition, Switzerland, as the host State, is an *ex officio* member of the Coordination Committee.²

2. The membership of the Coordination Committee is established once every two years, at the ordinary sessions of the Assemblies of the Member States (“the Assemblies”). At the September 1999 ordinary sessions of the Assemblies, however, agreement could not be reached on the attribution of seats on the Coordination Committee between the various groups and, in consequence, the supposed composition of the Coordination Committee for the period September 1999 to September 2001 was not determined. It was agreed, exceptionally, that the Coordination Committee for the period September 1999 to September 2001 would retain the number of 72 members which had applied during the September 1997 to September 1999 period (see document A/34/16, paragraphs 199 to 203).

3. 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 24 to October 3, 2001) ordinary sessions of 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 2003.

4. 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

5. Present Composition. The Executive Committee of the Paris Union comprises, at present, 37 members, consisting of 36 ordinary members,³ and one *ex officio* member.⁴ The names of the present members are underlined in List No. 1 in the Annex to this document.

6. 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.⁵ There being 37 such members, the number of elected ordinary members eligible for re-election is 25.⁶

² Article 11(9)(a), WIPO Convention.

³ 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)).

⁴ 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).

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

⁶ $37 \times \frac{2}{3} = 24.66$, which, by Convention, is rounded to the nearest whole number.

7. 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 40 members, consisting of:⁷

(i) 39⁸ elected ordinary members, to be elected by the Assembly of the Paris Union; out of the present 36 elected members, 24 may and 12 may not be re-elected;

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

8. *Accordingly, the Assembly of the Paris Union is invited to elect, from among its members, 39 States to the Executive Committee of the Paris Union, in the capacity of ordinary members; these 39 States must not include more than 24 States which, at present, are ordinary members of that Committee.*

II. Executive Committee of the Berne Union

9. Present Composition. The Executive Committee of the Berne Union comprises, at present, 32 members, consisting of 31 ordinary members⁹ and one *ex officio* member.¹⁰ The names of the present members are underlined in List No. 2 in the Annex to this document.

10. 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.¹¹ There being 32 such members, the number of elected ordinary members eligible for re-election is 21.¹²

⁷ The Conference of Representatives of the Paris Union has decided not to meet in future, and has requested the Director General not to convene it (see document A/35/15, paragraph 134). In any event, since there are currently only three States party to the Paris Convention that are not also members of the Paris Assembly (Dominican Republic, Nigeria and 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 Paris Union Conference of Representatives (document AB/XXIV/INF/2)).

⁸ Thirty-nine 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 159 members of the Assembly, whose names are set out in List No. 1 in the Annex.

⁹ 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)).

¹⁰ 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).

¹¹ See Article 23(5)(b) of the Berne Convention.

¹² $32 \times 2/3 = 21.33$, which, by convention, is rounded to the nearest whole number.

11. 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 37 members, consisting of:¹³

(i) 36 elected ordinary members,¹⁴ 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).

12. Accordingly, the Assembly of the Berne Union is invited to elect, from among its members, 36 States to the Executive Committee of the Berne Union; these 36 States must not include more than 21 States which, at present, are members of that Committee.

III. WIPO Coordination Committee

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

(i) the elected ordinary members of the Executive Committee of the Paris Union and of the Executive Committee of the Berne Union;¹⁵

(ii) Switzerland, as the State on whose territory the Organization has its headquarters;¹⁶

(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 Conference¹⁷ and which serve as *ad hoc* members of the WIPO Coordination Committee.¹⁸

¹³ The Conference of Representatives of the Berne Union no longer exists (see document A/35/15, paragraph 136). In any event, since there are currently only three States party to the Berne Convention that are not also members of the Berne Assembly (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 Berne Union Conference of Representatives (document AB/XXIV/INF/2)).

¹⁴ Thirty-six 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 145 members of the Assembly, whose names are set out in List No. 3 in the Annex.

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

¹⁶ See Article 11(9)(a) of the WIPO Convention.

¹⁷ See Article 8(1)(c) of the WIPO Convention.

¹⁸ In addition, the Coordination Committee comprises, in theory, 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. The class of

14. 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 79 members, consisting of

(i) the 39 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 7(i), above);

(ii) the 36 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 11(i), above);

(iii) Switzerland; and

(iv) three *ad hoc* members to be designated by the WIPO Conference in the present sessions.¹⁹

15. 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]

[Footnote continued from previous page]

associate members is, however, now redundant (see notes of 7 and 13, above). See Rule 2(3) of the Rules of Procedure of the WIPO Coordination Committee (document AB/XXV/INF/2).

¹⁹ There are 12 States members of the WIPO Conference that are not members of any of the Unions. Their names are set out in List No. 3 in the Annex. The number of *ad hoc* members of the WIPO Coordination Committee to be designated by the WIPO Conference is thus three.

ANNEX

STATES ELIGIBLE FOR ELECTION

List No. 1States Eligible for Election as Members of the Executive Committee of the Paris Union
(that is, States members of the Assembly of the Paris Union) (159)¹

Albania																				Democratic
<u>Algeria</u>	-	73	-	79	81	83	85	87	89	91	-	-	97	99						Republic of
Antigua and Barbuda	-	-	-	-	-	-	-	-	-	-	-	-	97	-						the Congo
Argentina	70	-	-	-	81	83	85	87	89	-	-	95	97	-						<u>Denmark</u>
Armenia																				Dominica
<u>Australia</u>	70	73	-	79	-	-	85	87	89	91	93	95	97	99						Ecuador
<u>Austria</u>	-	-	-	-	81	83	85	-	89	-	93	95	97	-						Egypt
Azerbaijan																				El Salvador
Bahamas																				Equatorial
Bahrain																				Guinea
Bangladesh	-	-	-	-	-	-	-	-	-	-	-	-	-	97	-					Estonia
Barbados																				Finland
Belarus																				<u>France</u>
<u>Belgium</u>	-	-	-	-	-	-	-	-	-	-	93	-	97	99						70 73 76 79 - - - 87 89 - - - - 99
Belize																				Gabon
Benin																				Gambia
Bhutan																				Georgia
Bolivia																				Germany
Bosnia and Herzegovina																				70 - 76 79 81 83 85 87 - 91 - 95 97 -
Botswana																				<u>Ghana</u>
<u>Brazil</u>	70	73	76	79	81	83	85	87	89	91	93	-	-	99						- - 76 - 81 - - - 89 91 - 95 - 99
Bulgaria	-	-	-	79	-	-	85	-	-	91	-	-	-	-						Greece
Burkina Faso	-	-	-	-	-	-	-	-	-	-	-	-	95	-						Grenada
<u>Burundi</u>														99						Guatemala
Cambodia																				Guinea
Cameroon	70	73	-	-	-	-	-	-	-	-	-	-	95	97	-					Guinea-
Canada																				Bissau
Central African Republic	-	-	76	-	-	-	-	-	-	-	93	-	-	-						Guyana
Chad																				Haiti
Chile	-	-	-	-	-	-	-	-	-	91	93	95	-	-						Holy See
<u>China</u>	-	-	-	-	-	-	85	87	89	91	93	95	97	99						Honduras
<u>Colombia</u>	-	-	-	-	-	-	-	-	-	-	-	-	97	99						<u>Hungary</u>
Congo	-	-	-	-	-	83	-	-	-	-	-	-	-	-						Iceland
<u>Costa Rica</u>														99						<u>India</u>
Côte d'Ivoire	-	-	-	79	-	83	-	-	-	-	-	-	95	-						Indonesia
Croatia																				<u>Iran (Islamic</u>
<u>Cuba</u>	-	-	76	79	81	-	85	87	89	91	93	95	-	99						Republic of)
Cyprus																				- - 76 - - - - - - - - - -
Czech Republic	-	-	-	-	-	-	-	-	-	-	93	95	97	-						Ireland
Democratic People's Republic of Korea	-	-	-	-	-	-	-	-	-	89	91	93	-	-						- - 76 - - - - - - - - - - 97 -
																				Israel
																				<u>Italy</u>
																				- - - 79 81 - 85 - - - 93 95 97 -
																				Jamaica
																				70 73 76 79 81 83 85 87 89 91 93 95 97 -
																				Jordan
																				- - - - - - - - - - 95 - -
																				<u>Kenya</u>
																				70 73 - - 81 - - 87 89 91 - - - 99
																				Kyrgyzstan
																				Lao People's
																				Democratic
																				Republic
																				of Korea
																				Latvia
																				Lebanon
																				- - - - 81 83 - - - - - - - -
																				<u>Lesotho</u>
																				- - - - - - - - - - 97 99

¹ 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 (37) are underlined.

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Liberia		San Marino	
<u>Libyan Arab</u>		Sao Tome	
<u>Jamahiriya</u>	- - 76 - - - - - - - - - 97 99	and Principe	
Liechtenstein		Senegal	70 - - 79 - - 89 91 - - - - -
Lithuania		Sierra Leone	
Luxembourg		<u>Singapore</u>	- - - - - - - - - 95 97 99
Madagascar		<u>Slovakia</u>	
Malawi	- - - - - - - - - 93 - - -	Slovenia	- - - - - - - - - 93 95 - -
<u>Malaysia</u>	- - - - - - - - - - - 97 99	South Africa	- - - - - - - - - - - 95 97 -
Mali		<u>Spain</u>	- - - - - - - - - 87 - 91 - - 97 99
Malta		<u>Sri Lanka</u>	70 73 - - - - - - - - - 91 93 95 97 99
Mauritania		Sudan	- - - - - - - - - - - 93 95 97 -
Mauritius		Suriname	
Mexico	- 73 - - - - - 87 - - - 95 - - -	<u>Swaziland</u>	- - - - - - - - - - - 95 97 99
Monaco		Sweden	70 73 76 - - - - - - - - - 93 - - -
Mongolia		<u>[[Switzerland²]</u>	
Morocco	- - - 79 - - - - - - - 93 - - -	Tajikistan	
Mozambique		<u>The former</u>	
Nepal		<u>Yugoslav</u>	
Netherlands	- 73 - - - 83 - - - 91 - 95 - - -	<u>Republic of</u>	
New Zealand	- - - - - - - - - - - 95 - - -	<u>Macedonia</u>	- - - - - - - - - - - 97 99
Nicaragua		Togo	- - - - - - - - - - - 93 - - -
Niger		Tonga	
Norway	- - - - - 83 - - - 91 - - - - -	Trinidad and	
Oman		Tobago	- - - - - 83 - - - - - 95 97 -
Panama	- - - - - - - - - - - 97 - - -	Tunisia	- - - - - - - - - - - 97 -
Papua New		<u>Turkey</u>	- - - - - - - - - 87 - - - - 97 99
Guinea		Turkmenistan	
Paraguay		<u>Uganda</u>	- - - - 81 - - - - - - - 97 99
Peru		<u>Ukraine</u>	- - - - - - - - - - - 93 95 - 99
Philippines	- - 76 79 81 - 85 87 - - - - - - -	United Arab	
Poland	- - - 79 81 83 85 - - - - - - -	Emirates	
<u>Portugal</u>	- - - - 81 83 - - - - - 93 95 - 99	United	
Qatar		Kingdom	70 73 76 - 81 - - - 89 91 93 - - -
Republic of		United	
Korea	- - - - - - - - 87 89 91 93 95 - - -	Republic of	
Republic of		Tanzania	- - - - 81 83 85 87 - - - - -
Moldova		<u>United States</u>	
Romania	- 73 76 - - - - - - - - - - -	<u>of America</u>	70 73 76 79 81 83 85 87 89 91 93 - - 99
<u>Russian</u>		<u>Uruguay</u>	- - - 79 81 83 85 - 89 - 93 - - 99
<u>Federation</u>	70 73 76 79 81 83 85 87 89 91 93 95 97 99	Uzbekistan	
Rwanda		<u>Venezuela</u>	- - - - - - - - - - - 97 99
Saint Kitts		Viet Nam	- - - - 83 - - - - - - -
and Nevis		Yugoslavia	- - - 79 - 83 85 - - 91 - - -
Saint Lucia		Zambia	- - 76 - - 83 - - - - - - -
Saint Vincent		Zimbabwe	
and the			
Grenadines			

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

List No. 2

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) (145)³

Albania		<u>Egypt</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	93	-	-	99							
Algeria		El Salvador																												
Antigua and Barbuda		Equatorial Guinea																												
<u>Argentina</u>	-	73	76	79	-	-	-	-	-	91	93	-	-	99	<u>Estonia</u>															
Armenia															Fiji															
Australia	-	-	76	-	81	83	-	-	-	-	-	-	-	-	<u>Finland</u>	-	-	-	-	81	-	-	-	-	93	95	-	99		
Austria	-	-	76	79	-	-	-	87	-	91	-	-	-	-	France	70	73	-	-	81	83	85	-	-	91	93	95	97	-	
Azerbaijan															Gabon															
Bahamas															Gambia															
Bahrain															Georgia															
<u>Bangladesh</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>Germany</u>	70	73	-	-	-	-	-	-	89	-	93	-	-	99	
Barbados															Ghana	-	-	-	-	-	-	-	-	-	-	-	97	-		
Belarus															<u>Greece</u>	-	-	-	-	-	-	-	-	-	-	93	95	97	99	
Belgium	-	-	76	79	81	-	-	-	89	91	-	95	-	-	Grenada															
Belize															<u>Guatemala</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	99	
Benin	-	-	-	-	-	83	-	-	-	-	-	-	-	-	<u>Guinea</u>	-	-	-	-	-	-	-	-	-	89	-	-	-	99	
Bolivia															Guinea-Bissau															
Bosnia and Herzegovina															Guyana															
Botswana															Haiti															
Brazil	-	-	-	-	-	-	-	-	-	-	-	-	95	97	-	Holy See														
<u>Bulgaria</u>	-	-	76	-	81	83	-	87	89	-	-	-	-	-	99	Honduras														
Burkina Faso	-	-	-	79	-	-	-	-	-	91	-	-	97	-	Hungary	-	73	76	79	-	83	85	-	-	-	93	95	-	-	
Cameroon	-	-	-	79	81	-	-	87	89	91	93	-	-	-	<u>Iceland</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	99	
<u>Canada</u>	70	73	76	79	81	83	85	87	89	91	93	95	97	99	India	70	73	76	79	81	83	85	87	89	91	93	95	97	-	
Cape Verde															Indonesia															
Central African Republic															Ireland	-	-	-	-	-	-	-	-	89	91	93	95	-	-	
Chad															Israel	-	73	-	-	-	-	-	-	-	-	-	-	-	-	
<u>Chile</u>	-	-	-	-	81	83	85	87	89	-	-	95	97	99	Italy	70	73	76	-	-	83	-	87	89	91	-	-	-	-	
China															<u>Jamaica</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	99	
Colombia	-	-	-	-	-	-	-	-	89	91	93	95	-	-	Japan															
Congo	-	-	-	-	81	-	-	-	-	-	-	-	-	-	Jordan															
Costa Rica	-	-	-	-	-	83	-	-	-	-	-	-	97	-	Kazakhstan															
<u>Côte d'Ivoire</u>	-	-	76	-	81	-	85	87	89	91	-	-	97	99	Kenya	-	-	-	-	-	-	-	-	-	-	-	93	95	97	-
Croatia															<u>Kyrgyzstan</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	99	
Cuba	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Latvia															
Cyprus															Lesotho															
Czech Republic															Liberia															
Democratic Republic of the Congo	70	-	-	79	-	83	-	-	-	-	-	-	-	-	Libyan Arab Jamahiriya	-	-	-	-	-	-	-	-	-	-	91	-	-	-	
Denmark	-	-	-	-	-	-	-	-	-	91	93	-	-	-	Liechtenstein															
Dominica															Lithuania															
Dominican Republic															Malawi															
<u>Ecuador</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	99	Mali														
															Malta															
															Mauritania															
															99	Mauritius														
															<u>Mexico</u>	70	-	76	79	81	83	85	-	89	91	93	-	97	99	

³ 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.

