

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

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WIPO COORDINATION COMMITTEE

Forty-Fifth (31st Ordinary) Session
Geneva, September 25 to October 3, 2000

REPORT

adopted by the Coordination Committee

1. The Coordination Committee was concerned with the following items on the Consolidated Agenda (document A/35/1): 1, 2, 3, 4, 5, 7, 11, 21, 22, 23, 24, 25, 26, 27 and 28.
2. The report on the said items, with the exception of items 24, 25 and 26, is contained in the General Report (document A/35/15).
3. The reports on items 24, 25 and 26 are contained in the present document.
4. Mr. Rudolf Joó (Hungary) was elected Chair of the Coordination Committee; Mr. Iftekhar Ahmed Chowdhury (Bangladesh) and Mrs. América Néstar Santos Riveras (Cuba) were elected Vice-Chairs.

ITEM 24 OF THE CONSOLIDATED AGENDA:

ADHERENCE TO THE 1986 VIENNA CONVENTION ON THE LAW OF TREATIES
BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS
OR BETWEEN INTERNATIONAL ORGANIZATIONS

5. Consideration of the item was based on document WO/CC/45/2.
6. The Secretariat explained that the 1986 Convention was similar to the well known 1969 Vienna Convention on the Law of Treaties but that, whereas the 1969 Convention dealt with relations between States, the 1986 Convention dealt also with treaty relations between States and International Organizations or between International Organizations. In 1997, the UN General Assembly passed a resolution which encouraged States and International Organizations to accede to the 1986 Convention. In December 1998, the United Nations deposited its instrument of formal confirmation to the 1986 Convention, and earlier this year the International Maritime Organization (IMO) and the Organization for the Prohibition of Chemical Weapons (OPCW) also deposited their instruments of formal confirmation and accession respectively. In the last three months, two other Organizations had deposited their instruments of formal confirmation: the International Labour Organization (ILO) and the World Health Organization (WHO).
7. In response to a question by the Delegation of Brazil, the Secretariat stated that, to date, five international organizations had deposited their instruments of formal confirmation or accession: the UN, IMO, OPCW, ILO and WHO.
 8. The Coordination Committee decided to authorize the Director General to make WIPO a party to the 1986 Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations by depositing with the Secretary-General of the United Nations an instrument of accession to the said Convention.

ITEM 25 OF THE CONSOLIDATED AGENDA:

APPROVAL OF AGREEMENTS WITH
INTERGOVERNMENTAL ORGANIZATIONS

9. Discussions were based on document WO/CC/45/3.
10. The Delegation of Japan, speaking on behalf of Group B, welcomed the Cooperation Agreement between the World Intellectual Property Organization (WIPO) and the Asian-African Legal Consultative Committee (AALCC), the Memorandum of Understanding between WIPO and the League of Arab States (LAS), the Cooperation Agreement between WIPO and the *Organisation internationale de la Francophonie* (OIF) and the Cooperation Agreement between WIPO and the *Secretaría de Cooperación Iberoamericana* (SECIB). However, Group B requested further information on the effect of the proposed Cooperation Agreement between WIPO and the International Criminal Police Organization (INTERPOL). Two provisions of the Agreement were of particular concern to Group B: Article 2(3), which

envisaged communication of police information from INTERPOL to WIPO for the purposes of prevention or suppression of transnational ordinary law crime, and Article 4(3) on programs, projects and activities relating particularly to willful infringement of intellectual property rights. The Delegation of Japan stated that, while Group B supported WIPO's desire to establish a relationship with INTERPOL, the Group was uncomfortable with some of the activities that might be envisaged under the wording of some of the provisions of the Agreement. The Agreement could, for example, imply that WIPO should be associated with specific enforcement action, which would be a major departure for the Organization. The Group believed that it was inappropriate to introduce new WIPO activities through the medium of Cooperation Agreements.

11. The Delegation of Japan, speaking on behalf of Group B, referred to another related matter that affected WIPO's relations with other organizations. Earlier in the Summer, the Sub-Commission on the Promotion and Protection of Human Rights, a sub-commission of the United Nations Commission on Human Rights, discussed a report on the realization of economic, social and cultural rights, which had been prepared by independent experts. The highly controversial report, which gave negative coverage to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the intellectual property system at large, received considerable coverage in the international media. It was well known that the World Trade Organization (WTO) Secretariat publicly responded to the report and offered its assistance in order to avoid future misunderstandings and factual errors in the reports of the Sub-Commission. The Member States of Group B wished to raise the matter before the Assemblies of WIPO in order to stress the importance of WIPO's involvement in discussions in other fora concerning issues related to the mandate of WIPO, and it was the Group's wish that in future WIPO would follow such matters in appropriate bodies.

12. In response to the statement made on behalf of Group B, the Secretariat explained that there was no specific activity or program of activities planned between WIPO and INTERPOL. The proposed Cooperation Agreement was made at the instigation of INTERPOL, in order to establish a framework for a working relationship with WIPO. The WIPO Secretariat agreed that certain provisions of the proposed Cooperation Agreement were worded too broadly and that those provisions would be modified.

13. The Delegation of Brazil expressed its satisfaction with the Memorandum of Understanding between WIPO and LAS. It was Brazil's hope that the initiative taken by WIPO regarding intellectual property matters would be echoed in other fora in Geneva, and that this kind of cooperation regarding LAS would become the norm.

14. The Representative of the *Organisation internationale de la Francophonie* (OIF) welcomed the fact that the Assemblies had ratified the Cooperation Agreement between WIPO and the OIF. The Representative thanked the Assemblies and the Director General of WIPO in particular. The OIF was happy to be able to strengthen its links of cooperation with WIPO in the areas of information, training and expertise. The Representative observed that WIPO was one of the Specialized Agencies of the United Nations whose vocation was very close to the OIF, in the sense that it expressly promoted creative works in order to enhance culture, identity and economic development. The Organization was also one of the Geneva-based organizations with the greatest respect for plurilingualism. Proof of this was the prize given to WIPO by OIF earlier in the year as a reward for WIPO's use of several languages on its Internet website. The OIF was pleased to see that the Member States of WIPO would increase the use of the Portuguese language. This was an investment that would lead to greater dialogue and cooperation with WIPO throughout the world.

15. The Delegation of Egypt welcomed the signing of a Memorandum of Understanding between WIPO and LAS, and looked forward to implementing the provisions of the Memorandum in respect of spreading awareness of intellectual property in the Arab world. The Delegation thanked the Secretariat and the Director General, who personally signed the Memorandum during his visit to Egypt in July 2000.
16. The Delegation of Mexico expressed its satisfaction in seeing a Cooperation Agreement between WIPO and SECIB. That Agreement reflected the importance attached by Ibero-American countries to intellectual property and the impact that they hoped it would have on their economic development. The next Summit meeting of Heads of State and Governments of Ibero-America was scheduled for November 2000, and the message from the Cooperation Agreement would be the recognition of the relevance of intellectual property in terms of Ibero-American cooperation and a recognition of the fact that the Member States of both Organizations had similar goals. The Delegation of Mexico congratulated the Secretary for Cooperation of SECIB and the Director General of WIPO for their strategic foresight.
17. The Delegation of Sudan endorsed the statement made by the Delegation of Egypt in respect of the Memorandum of Understanding between WIPO and LAS. The Delegation fully supported the contents of the Memorandum, and paid special tribute to the Secretary-General of LAS and the Director General of WIPO.
18. The Delegation of South Africa congratulated the Director General for his initiative in entering into the various Agreements. The Delegation expressed its wish to see the Organization enter into other terrain, in particular on the African Continent, which faced several stumbling blocks.
19. The Delegation of Spain supported the statement made by the Delegation of Mexico in respect of the Cooperation Agreement between WIPO and SECIB. Spain was of the view that the Cooperation Agreement would underscore the political importance of WIPO in the agendas of the Summits of SECIB.
20. The Delegation of the Dominican Republic, speaking on behalf of GRULAC, wished to associate itself with the statements made by other delegations, especially in respect of the Cooperation Agreement with SECIB. The Agreement would be very important in promoting development in the Latin American and Caribbean region.
21. The Delegation of Portugal stated that it was pleased to support the Cooperation Agreement with SECIB, particularly since SECIB's activities covered not only Spanish-speaking countries but also Portuguese-speaking countries.
22. The Delegation of France welcomed the Cooperation Agreement between WIPO and OIF. It endorsed the statement of the OIF's Representative that the two Organizations had several common objectives.
23. In response to a question by the Delegation of the United Kingdom, the Secretariat confirmed that the Coordination Committee would have the opportunity to see the revised text of a Cooperation Agreement between WIPO and INTERPOL.

24. The Coordination Committee approved the Cooperation Agreement between WIPO and AALCC, the Memorandum of Understanding between WIPO and LAS, the Cooperation Agreement between WIPO and OIF and the Cooperation Agreement between WIPO and SECIB and, subject to the modifications referred to in paragraphs 10 and 12, the proposed Cooperation Agreement between WIPO and INTERPOL.

ITEM 26 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

25. Discussions were based on document WO/CC/45/1, WO/CC/45/1 Add., WO/CC/45/4 and WO/CC/45/4 Add.

WIPO Staff Association

26. At the invitation of the Chairman of the Coordination Committee, the President of the WIPO Staff Association made a statement, which is reproduced in its entirety in the Annex.

Amendments to the Staff Regulations provisionally decreed and applied under Staff Regulation 12.1

27. The WIPO Coordination Committee approved the amendments to Staff Regulations 3.15 (Scale of pensionable remuneration for the Professional and higher categories), 3.1 and 3.16bis(a) (Salaries and internal taxation for the Professional and higher categories and Salaries for staff members in the General Service category in Geneva), as reported in paragraphs 1 to 11 of document WO/CC/45/1 and paragraphs 5 and 6 of document WO/CC/45/1 Add.

Amendments to the Staff Regulations under Staff Regulation 12.1

Introduction of additional grade in the Professional category – Regulations 2.1, 3.1 and 3.4(a)

28. The Director General apprised the Committee that, following informal consultations on the proposal to establish a P.6 grade, it was decided to defer consideration of this proposal until the next meeting of the Coordination Committee. Pending such reconsideration, it was decided that the Director General should initiate, with the aid of external consultants, a comprehensive review of the needs, problems and possible solutions for recruiting and retaining human resources within the Secretariat. This review should take account of comparable employment conditions. The findings and recommendations of the review should be reported to the next meeting of the Coordination Committee for decision.

29. The Delegation of the Russian Federation, on behalf of the Central Asian, Caucasus and Eastern European Countries, welcomed the statement of the Director General, and commented that the document submitted did not provide answers to all the questions that the issue, being a fairly serious one, raised. It therefore stated that it placed great hope in the analysis to be

carried out which should clear up all concerns, and that the next session of the Coordination Committee would be in a position to take the best decision.

30. The Delegation of Japan, speaking on behalf of Group B, welcomed the Director General's announcement to defer the proposal for the introduction of an additional grade in the professional category. It recognized the difficulty WIPO faced in recruiting and retaining staff with high professional skills and knowledge, and assured the Director General that its members would be happy to work with the Organization on the study in the future.

31. The Delegation of Uganda, speaking on behalf of the Africa Group, took note of the results of consultations on this matter and supported the proposal of the Director General to postpone the discussion until the next Coordination Committee, providing enough time for thorough consultations.

32. The Delegation of Malaysia, speaking on behalf of the Asia and Pacific Group, stated that it was in full agreement with the text proposed by the Director General.

33. The Delegation of China welcomed the idea of the introduction of a P.6 grade into the personnel structure of WIPO and expressed its support for the proposal made by the Director General to defer the discussion of this question until the next Coordination Committee.

34. The Delegation of the Dominican Republic, speaking on behalf of the Group of Latin American and Caribbean countries, welcomed the introduction of a P.6 grade into the structure of WIPO, and supported the Director General's proposal, hoping that in the light of the review, the Coordination Committee would be in a position to approve this new grade P.6 at its next session.

35. The Delegation of Bulgaria, speaking on behalf of Central European and Baltic States, thanked the Director General for his proposal, stating that it would give the possibility to study the matter in detail and hopefully arrive at an agreeable decision at the next session of the Coordination Committee.

36. The Delegation of Angola supported the position of the African Group on the Director General's proposal, and emphasized the qualities of the staff of the International Bureau. It added that, in its view, once a positive decision was made on the P.6 proposal, those staff members nearing retirement should be granted the grade first and foremost in recognition of their services.

37. The Delegation of Mexico recalled the experience of the Mexican Intellectual Property Office, which in the last year had doubled in size from 300 to 650 people, and noted that the issue of staff and the recruitment of staff is a subject of the highest priority. It further referred to the opening speech of the Director General, recognizing that conditions of employment had not kept up with the complexity, the scope, the depth of the Organization, and hence the proposal made by the Director General about carrying out this review with the aid of external consultants so as to introduce the P.6 grade. The Delegation of Mexico nevertheless noted that, having heard the representative of the Staff Council, she did not only speak for staff members at the P.5 level that might become P.6, but rather on behalf of the whole of the Organization. The Delegation suggested that the review in question could take account not only of those high grades, but of all grades throughout the Organization, and that it should try to find some immediate solution, such as paying 13 months salary rather 12 months salary,

which would be an across the board measure for all the staff. It added that they were trying, to some extent, to do the same thing in Mexico.

38. In response to the intervention made by the Delegation of Mexico, the Director General, while appreciating their statement, clarified that the comprehensive review, to be undertaken by external experts, would take into account the recommendation of this delegation, namely all conditions and problems relevant to the recruiting and retaining of human resources at all levels of the Organization.

39. The WIPO Coordination Committee approved the proposal made by the Director General, to defer the establishment of a P.6 grade and noted the contents of paragraph 28 of the present document.

Representation Allowance— Regulation 3.18

40. The Secretariat clarified the question of Representation Allowance, explaining its intention of adapting the amount of the Representation Allowance for the Deputy Directors General and introducing a Representation Allowance for the Assistant Directors General. It stated that, for the Deputy Directors General, the current amount of 7,000 Swiss francs per year had not been adjusted since 1974, when it was fixed at a third of the allowance for the Director General, and proposed that this amount be increased to 18,000 Swiss francs from October 1. The proposed amount took into account the change in the consumer price index for Geneva over the period considered and was aligned with the amount currently granted to the Director General. With respect to the introduction of Representation Allowance for Assistant Directors General category, it was suggested, taking into account similar factors, that this be fixed at 12,000 Swiss francs per year.

41. The Delegation of Japan, speaking on behalf of Group B, stated that it understood the concerns of the Secretariat to maintain conditions of service of staff at competitive levels, but expressed the view that issues regarding the inadequacy of staff benefits should be addressed through an established common system channel. It added that Group B had concerns regarding the annual allotment proposed for representation allowances; while recognizing the necessity of adjustment, the allowance proposed was much higher than other UN organizations' levels. The Delegation requested clarification on the proposed representation allowance levels in the context of the UN system as a whole, and, in particular requested demonstration of the need to have allowances in excess of the UN system amounts. It suggested that other measures be considered as well, including the establishment of a separate fund that would provide, on a larger basis, reimbursement for costs associated with representing WIPO. The Delegation expressed the wish that all representation allowances be accurately accounted for in financial reports and subject to audit.

42. In response to the intervention made by the Delegation of Japan, on behalf of Group B, the Secretariat replied that the proposals made were within the context of common system practice, adding that the Deputy Directors General, who are at the same level as the UN Under Secretaries General, all get a representation allowance. It further noted that the Assistant Directors General, who were at the same level as the UN Assistant Secretaries General, throughout the UN system also had a representation allowance. With respect to the amounts, it clarified that there was no single amount within the common system, and that each UN Organization or Specialized Agency determined the amount on the basis of what they felt suitable. It reported that the allowance given to the Deputy Directors General of the

Food and Agricultural Organization (FAO), Rome, namely 16,735 US dollars, is higher than what is being proposed for the Deputy Directors General in WIPO, and that the International Fund for Agricultural Development (IFAD), Rome, also gave an allowance of 16,330 US dollars, which was higher than that being proposed by WIPO. With respect to Assistant Directors General, it stated that the World Meteorological Organization (WMO) paid a representation allowance identical to that proposed for WIPO Assistant Directors General, and that the FAO and IFAD paid a higher amount than the amount proposed by WIPO. It concluded that since no uniform practice exists, only two elements were taken into account by WIPO, namely the evolution of the consumer price index in Geneva and alignment to the level set for the Director General.

43. The Delegation of Japan, speaking on behalf of Group B, stated that it did not oppose the idea of having a representation allowance for the categories in question. However, it added that the amounts appeared to be higher than those of the other organizations. It noted the figure given with respect to representation allowances paid by FAO and WMO, but stated that in New York, for example, the Under Secretary General had only 4,000 US dollars and the Assistant Secretary General only 3,000 US dollars. It also noted that even at the International Labour Organization (ILO), the Deputy Director General received only 7,650 Swiss francs. The Group B nevertheless approved the amount proposed for Deputy Directors General and Assistant Directors General.

44. The Delegation of Japan, speaking on behalf of Group B, also made a statement concerning the issue of family and child support obligations of staff members which had been raised in a number of UN agencies. It referred to the issue of provisions and procedures to be put into place when staff members failed to comply with family support outlined in the UN Secretary-Generals bulletin on this subject of May 1999. UN specialized agencies are being encouraged to make provisions and procedures similar to those put in place in New York. The Delegation of Japan noted that the World Health Organization (WHO) and the ILO provided assurances earlier this year that they would take the necessary steps, and stated that it would appreciate receiving similar assurances from WIPO.

45. The WIPO Coordination Committee approved the amendments to Staff Regulations 3.18 (Representation Allowance), 3.2**bis** (Deletion of Transitional Provision), 3.12(A)(a) to (c) and 3.12(B)(e) (Dependency Allowance), Scope and Purpose (b)(2), Staff Regulation 0.2, Staff Regulation 1.10, Staff Regulation 2.1(a), Staff Regulation 3.1, Staff Regulation 3.7(a), Staff Regulation 3.12, Staff Regulation 4.8(a) and (c), Staff Regulation 4.9(b), Staff Regulation 4.14(b), Staff Regulation 9.11(b), Staff Regulation 12.1(a), Staff Regulation 12.3 (Amendments following organizational changes within the International Bureau and the establishment of the WIPO Coordination Office in New York), as reported in paragraphs 22 to 39 of document WO/CC/45/1 and paragraphs 5 and 6 of document WO/CC/45/1 Add.

Amendments to the Staff Rules under Staff Regulation 12.2

Carrying forward of accrued annual leave - Staff Rule 5.1.1(d)

46. The Delegation of the United States of America stated that the Coordination Committee had been asked to approve measures designed to bring the WIPO Staff Rules in line with the UN common system, and as such the actions taken were entirely appropriate. It noted that there was, however, one measure that was not in line with the common system, namely the

extension of accrued days of leave from 60 to 90 days. This measure was considered to have significant financial implications and provided a very questionable benefit, that is outside the UN system and therefore a clarification of the status of that measure was necessary.

47. The Secretariat stated that there was no financial implication whatsoever in this measure, which was simply a device designed to give further flexibility to both management and the staff to plan the manner in which the staff intended to take leave within the Secretariat, while balancing the interest of the staff with the exigencies of service of the Organization. Hence, 30 additional days, once accrued, could be carried forward whenever the staff could not take leave. However, in the eventuality of a separation of the staff member from the Organization, they would only be paid up to the 60 days allowed under Staff Regulation 9.12(a).

48. The Delegation of the United States of America accepted the explanation as entirely satisfactory and was pleased to support the proposal.

49. The WIPO Coordination Committee approved the amendments to Staff Rule 5.1.1(d) (Carrying forward of accrued annual leave), Staff Rule 6.2.1(b) (Medical Insurance), Staff Rules 6.2.2(a)(2) and 6.2.2(a)(6) (Sick Leave), Staff Rule 7.1.17 (Miscellaneous Travel Expenses), and Staff Rule 7.1.26(c) (Loss of Entitlement to Removal Expenses).

International Civil Service Commission

50. The WIPO Coordination Committee noted the information contained in paragraph 53 of document WO/CC/45/1.

United Nations Joint Staff Pension Board

51. The WIPO Coordination Committee noted the information contained in paragraph 55 of document WO/CC/45/1.

WIPO Staff Pension Committee

52. Discussions were based on paragraphs 1 to 3 of document WO/CC/45/1 Add.

53. The WIPO Coordination Committee elected Mr. Dimiter Gantchev, Deputy Permanent Representative of Bulgaria to the United Nations and Other International Organizations in Geneva, as an alternate member of the WIPO Staff Pension Committee for a term running until the Ordinary Session of the WIPO Coordination Committee in 2003.

Advice on Appointments to Posts at Grade D.1

54. Discussions were based on document WO/CC/45/4 and WO/CC/45/4 Add., in which the advice was sought for the intended promotions to grade D.1 of Mr. Mpazi Sinjela, Mr. Wolfgang Starein, Mr. Alejandro Roca Campaña, Mr. Clive Woodford, Mr. Allan Roach,

and Ms. Cynthia Cannady. The Secretariat explained that the six persons in question had been or were to be entrusted with tasks that are considered to be useful and critical for the completion of the mandate of WIPO. Most of the staff under consideration for promotion had a rich and distinguished career at the national level, the United Nations System and had gathered experience in intellectual property matters and management. Some of the persons had served WIPO for many years. The proposal to appoint them to D.1 was therefore deemed justified.

55. The Delegation of Brazil expressed its full support to the Director General since the start of its administration and even more regarding the nomination process. It took note with satisfaction of the candidates presented to the posts at the grade of D.1. It added that five of them were loyal servants of the Organization. It commented that the sixth person, Ms. Cynthia Cannady, appeared to be a very able person from the United States, noting her experience and qualifications, and that she would be assuming a position of particular relevance to WIPO, namely Director of the Electronic Commerce Division. It hoped that under Ms. Cannady's guidance and advice, the work of WIPO in this area would be positive and that the Director General as well as the Assistant Director General in charge of Legal and Organization Affairs, to whom she will report, would benefit from her advice. However, it expressed its regret that Ms. Cannady only spoke English and French. The Delegation concluded by indicating that for future appointments, consideration could be given to countries in South America, which could be better represented in WIPO.

56. The Delegation of Japan, speaking on behalf of Group B, stated that it is not opposed to the promotions detailed in the two documents. However, it felt that the information provided was not sufficient and that there was a lot of room for further improvement. Last year Group B stressed the need for stronger links with the Program and Budget Committee on appointment issues and requested that a ceiling be respected on the number of D posts. Group B understood from former consultations with the Secretariat that these appointments were within the approved ceiling. Nevertheless, Group B believed that there are resource implications from these appointments and felt that it had not been provided with adequate information. The Delegation of Japan added that Group B would like WIPO to adapt to a more strategic approach to human resource management, which would integrate human resource planning with the Program and Budget process, and in particular, make a link with the four-year financial management plan to be prepared by WIPO. Group B also wondered which was the most appropriate Body to consider management issues, and noted that these issues may sit more easily with the Program and Budget Committee, although it would not object to the Coordination Committee retaining its oversight role. Group B wished that the Secretariat would continue to make efforts for further transparency and accountability by taking these points into consideration and stressed that it would be happy to consult further with the Secretariat on these ideas.

57. The Delegation of Malaysia, speaking on behalf of the Asian Group, supported the Director General's proposal, adding that it would be appropriate that the growing participation of Asia in WIPO is reflected in the managerial hierarchy of the Organization, and requested that the Director General kept this in view when making new appointments in the future. It hoped that, its region being the second largest Regional Group in WIPO after Africa, with 32 members, and the most populous region in the world, WIPO would take this matter into consideration.

58. The Delegation of Algeria expressed its support for the appointments to posts at grade D.1, and in particular, for the promotion of Mr. Sinjela and encouraged him to continue cooperation with its country.

59. The Delegation of the Dominican Republic, speaking on behalf of the Group of Latin American and Caribbean countries, supported the proposed appointments to D.1, and congratulated all the appointees, in particular Mr. Alejandro Roca Campaña, who was well known for his devotion to the cause of developing countries. It added that his promotion was a well-deserved reward for which all GRULAC countries were very proud. It also congratulated Mr. Sinjela, stating that with his years of experience in the UN system he was an excellent candidate for this job. It concluded by highlighting the balanced way that the promotion of staff had been carried out.

60. The Delegation of Uganda, speaking on behalf of the African Group, gave its full support to the appointments, and in particular, that of Mr. Mpazi Sinjela as Director of the WIPO Worldwide Academy and Division of Human Resources Development, a position which, in its opinion, he fully deserved.

61. The Delegation of Oman expressed its support for the promotions, and extended its congratulations to Mr. Sinjela, thanking him for the efforts he had exerted through cooperation with the WIPO.

62. The Delegation of Cuba supported the statement made by the Delegation of the Dominican Republic on behalf of GRULAC. It expressed that the candidates were of great standing, and noted favorably the efforts of the Director General to encourage the promotion of representatives from developing countries and of female staff.

63. The Delegation of Sudan supported and congratulated the staff promoted to grade D.1, and in particular, Mr. Sinjela, for the qualities and effectiveness, efficiency and cooperation that he had shown with the Member States which had been very clear in the short period in which he was responsible for the WIPO Academy.

64. The Delegation of Mexico expressed its full support for the proposals submitted by the Director General. It noted that Ms. Cannady's Curriculum Vitae was very impressive, and that the other five proposals were long-serving staff members. It added that they were particularly pleased with the promotion of Mr. Roca Campaña, and commended him for his excellent work of a serious and professional nature. It noted that these promotions corrected the regional imbalance that exists among D.1 grades in this Organization. It further noted that the percentage of officials from GRULAC countries was significantly lower than the percentage of nationals from other regions; whereas Group B has at least 53.4 per cent of the posts, the African Group 15.3 per cent, the Asian Continent also 15.3 per cent, GRULAC only reaches 8.6 per cent, which means that that the imbalance was quite significant. It noted with great satisfaction the support from the Director General for its region.

65. The Delegation of Nigeria fully supported the proposals and recommendations made by the Director General, and believed that the appointments would enhance the efficiency and effectiveness of WIPO. The Delegation of Nigeria congratulated Mr. Sinjela in particular.

66. The WIPO Coordination Committee gave favorable advice on the intent of the Director General to promote to grade D.1 Mr. Mpazi Sinjela, Mr. Wolfgang Starein, Mr. Alejandro Roca Campaña, Mr. Clive Woodford, Mr. Allan Roach, and Ms. Cynthia Cannady.

[Annex follows]

ANNEX

Statement by the President of the WIPO Staff Association
to the WIPO Coordination Committee

(Friday, September 29, 2000)

Mr. Chairman, Honorable Delegates,

On behalf of the staff, I should like to thank you for the opportunity to address this Assembly in honor of what has become a long-standing tradition of this Organization.

In recent years, the international reputation and stature of this Organization as a leader in the field of intellectual property has grown significantly thanks, in large part to the support of your respective governments, and to the vision and leadership of the Director General which have fuelled the drive to highlight the crucial importance of intellectual property as a tool of economic development.

Growing demand for WIPO's expertise and increased use of its registration services underline the relevance of the Organization to the realities facing policy-makers and businesses the world over. It is thanks to the confidence that you have placed in this Organization that it will be in a position to face the formidable challenges that lie ahead.

This Organization is blessed with a highly motivated, conscientious and professional staff and employees. Recent and past achievements are a tribute to their untiring efforts and dedication. But there is no room for complacency. If WIPO is to sustain current levels of excellence, it needs to be able to attract and retain highly skilled and competent staff committed to furthering the objectives of this Organization.

Despite the firm commitment of the Director General and senior management to improve the working conditions of staff, their efforts have been blunted by budgetary constraints.

We recognize the need for greater efficiency, financial responsibility, rationalization, and automation to build a strong and efficient operation, but let us not forget the value, quality and role of our human resources. A strong, efficient and modern operation requires a solid commitment backed by the necessary financial resources to attract, motivate, develop and retain a skilled staff. A personnel policy that offers a clear career development structure and appropriate remuneration for services rendered is an absolute necessity. Such a structure would provide equal opportunities for men and women alike to develop and expand their skills and would reward competence and performance on the basis of rigorous and transparent systems of appraisal. Unfortunately, WIPO falls short of this today.

We are, however, working closely with the Administration to improve the current situation. A review of the established performance appraisal system is currently under way. We hope that this will result in a more effective system of performance evaluation that is applicable to both fixed and short-term staff. The importance of further improving the gender

balance within the Organization and the feasibility of appointing an ombudsman to address the more complex personnel problems in an impartial manner, are also high on the agenda of our discussions.

Honorable delegates, there is one area of overriding concern to WIPO staff that I wish to share with you today and that is the increasing number of colleagues employed on a short-term basis for more than two years. Of the 269 temporary staff employed in the general service category, 78 have been employed for more than two years. The fact that these colleagues have been in the employ of the Organization for this period of time proves that there is a real need for their services. As the Organization's workload increases, extra help will undoubtedly be required if our commitments are to be met.

Short-term employees by definition are required to give assistance in unforeseen situations or during periods of excess workload. This is not the case for 'long-term-short-termers': the need is there, but the Organization's hands are tied. These individuals offer the organization good, reliable and necessary services and yet they are denied the security and conditions of employment afforded to our fixed-term colleagues. This policy has a broader knock-on effect in terms of diminishing the morale of staff as a whole. Within a dynamic and expanding Organization, where demands on staff are constantly growing, and the threat of staff reductions looms large, there is a fine line between motivation and disillusionment. We urge you, in line with international agreements to which many of your countries are party, to consider options, such as the one successfully undertaken by the WHO, that will enable the gradual integration of these colleagues into the ranks of WIPO's regular staff.

Human resources are an invaluable asset in any organization. Sustaining the levels of excellent performance that have been applauded by you, throughout these Assemblies, will require an innovative approach to questions of personnel management.

WIPO's ability to adjust to the realities of the modern world is unchallenged in the field of intellectual property policy making. Such innovative thinking, however, is also required in developing viable and effective policies for recruitment, career development and staff welfare. You may have read about the collective agreement that was signed on March 27, 2000, between the Director General of the International Labour Organization and the ILO Staff Union which established the principle of collective bargaining within the ILO. This is a major step forward for staff participation in formulating human resources policies and practices. Let us hope that this example will serve as a model for each organization within the common system. It is essential that the common system reforms itself to keep pace with new and emerging models of business, to ensure that conditions of employment remain attractive to a creative and dynamic workforce.

WIPO is unique within the common system. In today's climate of financial accountability and rationalization, it is time to recognize that WIPO is an efficient and highly successful Organization that stands apart within the United Nations system. As you are well aware, WIPO is unrivalled in its ability to generate a significant proportion of its income, thanks to growing use of the Organization's registration services. This, however, is just one side of the matter. The other version reveals a situation in which the number of staff is not keeping pace with the expansion of the Organization's activities and the increasing demands being placed on staff. If WIPO is to avoid becoming a victim of its own success, it is essential that an objective and true assessment of the Organization's staffing requirements in all sectors is made.

Mr. Chairman, Honorable Delegates,

I know that your time is valuable and in short supply, but on behalf of the staff I should like to extend an invitation to visit the different sectors of WIPO to obtain a better understanding of what is really going on, on a day-to-day basis, within the Organization. If you could devote just a few hours, I am confident that you will better understand the basis of our concerns.

Mr. Chairman, Honorable Delegates, I should like to raise one final issue with you.

At present, a new place-to-place survey is being conducted in headquarters stations in Geneva for the staff in the professional category. The salaries of the vast majority of the staff have been frozen for many years now. While the Noblemaire principle was adopted to ensure that Professional levels of pay were competitive, the International Civil Service Commission has admitted that the country taken as the comparator for the salaries in the Professional and higher categories is no longer the best reference, and yet no action has been taken to correct this anomaly.

Only salaries set, calculated and upgraded using an objective method will allow WIPO to recruit and retain qualified and motivated staff in all categories. Like other organizations facing the same problem, WIPO stands in direct competition with other international and European organizations and the private sector that offer substantially higher salaries. In connection with the proposal made by the administration for the creation of a P-6 position, we have therefore taken note of the recommendation of the Coordination Committee to have further studies done on the matter by independent external consultants.

In general, over the past 8 to 10 years, the ICSC's recommendations have been detrimental to our conditions of service and have resulted in the erosion of the purchasing power of our salaries. We need to remind the ICSC and the Fifth Committee of the United Nations General Assembly that salaries and related questions have a strong influence on the ability of specialized agencies with independent Governing Bodies to attract and keep the type of staff required. We call upon you to support us in our efforts to send this message to these two bodies.

Honorable delegates, I cannot overemphasize the fact that the worth and efficiency of any organization depends to a large extent on its staff, its management, and most importantly, the leadership and support of its owners. We, the staff of WIPO, are keeping our side of the bargain in meeting our obligations but we are now looking to you, as our owners, to support our efforts to find solutions to these challenges.

I thank you for your attention.

[End of Annex and of document]