

WIPO



WO/CC/48/3

ORIGINAL: English

DATE: October 1, 2002

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

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WIPO COORDINATION COMMITTEE

**Forty-Eighth (33rd Ordinary) Session
Geneva, September 23 to October 1, 2002**

REPORT

adopted by the Coordination Committee

1. The Coordination Committee was concerned with the following items on the Consolidated Agenda (document A/37/1 Prov.3): 1, 2, 3, 4, 5, 7, 8, 9, 20, 21, 22, 23 and 24.
2. The report on the said items, with the exception of items 21 and 22, is contained in the General Report (document A/37/14).
3. The reports on items 21 and 22 are contained in the present document.
4. Mr. Joaquín Pérez-Villanueva y Tóvar (Spain) was elected Chair of the Coordination Committee; Mrs. Liljana Varga (The former Yugoslav Republic of Macedonia) and Mr. Tian Lipu (China) were elected Vice-Chairs.

ITEM 21 OF THE CONSOLIDATED AGENDA:

APPROVAL OF AGREEMENTS WITH
INTERGOVERNMENTAL ORGANIZATIONS (IGOs)

5. Discussions were based on document WO/CC/48/2.
6. With respect to the Cooperation Agreement between WIPO and the Community of Portuguese-Speaking Countries (CPLP), the Delegation of Brazil, speaking as Chairman of the CPLP and on behalf of its Member States, recalled that in April 2002, WIPO and the CPLP signed a cooperation agreement in the area of intellectual property. The Agreement was adopted by the Council of Ministers of the CPLP in June in Brasilia, and contains the final declarations of the Heads of State and Government of the Member States of the CPLP. Those declarations expressed satisfaction and support for the initiative taken in accordance with WIPO procedures. The Delegation further indicated that the Agreement had just been adopted by the CPLP and that Brazil, as the current Chairman of the CPLP, expressed its appreciation to Dr. Kamil Idris, Director General of WIPO, and to the Members of WIPO for the initiatives that had already been taken to implement the Agreement. The Delegation mentioned that in May 2002, a joint activity was undertaken in Maputo in the form of a joint seminar on copyright and related rights and that Dr. Roberto Castelo, a Deputy Director General of WIPO, represented WIPO at the Council of Ministers and the summit in Brasilia. In the Delegation's view, such interaction was of great importance for the implementation of strategies promoting development and economic growth in their countries. The Delegation was pleased to announce that on the occasion of the Brazilian summit, East Timor became a member of the CPLP, and President Xanana Gusmao of East Timor extended his greetings to the Heads of State and Government that were present.
7. The Delegation of Brazil, speaking on behalf of the CPLP, requested that East Timor be permitted to enjoy the benefits of the Agreement so that the people of East Timor can also initiate intellectual property policies through their Government. The Delegation pointed out that the former Ambassador of Brazil in Chile had taken on the post of Executive Secretary of the CPLP, and would in the near future visit the Director General of WIPO. The Delegation concluded that it looked forward to the initiation of Portuguese language distance-learning courses and the use of the Portuguese language on WIPONET.
8. The Delegation of Sudan declared that it appreciated the efforts with regard to this issue and with regard to the implementation of Article 13 (1) of the Convention Establishing WIPO by concluding a set of Agreements between WIPO and some IGOs. In the Delegation's view, this was an essential element of the demystification campaign and global outreach. The advantages perceived by the Delegation included the recognition of intellectual property as an important tool for socio-economic development and for increasing the awareness of intellectual property, and a means of facilitating an easy exchange of information on policy issues and for making ideas transcend more easily to Member States. The Delegation further elaborated that, as an example, the Agreement with the Secretariat of the Convention on Biological Diversity (CBD Secretariat) dealt with areas which are extremely important for Sudan, such as the protection of traditional knowledge and genetic resources, and this would encourage Sudan and other countries in the region to promote cooperation with WIPO.

9. The Coordination Committee approved the Memorandum of Cooperation between WIPO and the Secretariat to the Convention on Biological Diversity (CBD), the Memorandum of Understanding between WIPO and the League of Arab States (LAS), the Memorandum of Understanding between WIPO and the Arab Organization for Agricultural Development (AOAD), and the Memorandum of Understanding between WIPO and the Islamic Development Bank (IDB), as well as the Cooperation Agreement between WIPO and the Organization for Eastern Caribbean States (OECS), and the Cooperation Agreement between WIPO and the Secretariat of the Community of Portuguese-Speaking Countries (CPLP), set forth in Annexes I, II, III, IV, V and VI, respectively, of document WO/CC/48/2.

ITEM 22 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

10. Discussions were based on documents WO/CC/48/1 and WO/CC/48/1 Add.Rev.2.

WIPO Staff Association

11. 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 to this document.

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

12. The WIPO Coordination Committee approved the amendments to Staff Regulations 3.15 (Scale of pensionable remuneration for the Professional and higher categories), Staff Regulation 3.1 (Salaries for the Professional and higher categories, and Salaries for staff members in the General Service category in New York), and Staff Regulations 3.7(b) and 3.12(B) (Language Allowances and Dependency Allowances for staff members in the General Service category in New York), as reported in paragraphs 1 to 9 of document WO/CC/48/1.

Amendments to the Staff Regulations under Staff Regulation 12.1

13. The WIPO Coordination Committee approved the “Standards of conduct for the international civil service” and the amendments to Staff Regulation 3.5 (Post Adjustment), as indicated in paragraphs 11 to 13 of document WO/CC/48/1.

Amendments to the Staff Rules under Staff Regulation 12.2

14. The WIPO Coordination Committee took note of the amendments to Staff Rules 1.3.2, 1.3.3, 1.3.5, 1.3.6, 3.9.1(a) (Flexible Working Time and Overtime Work) and 5.3.1(h), (i) and (n) (Home Leave), as indicated in paragraphs 15 to 21 of document WO/CC/48/1.

WIPO Appeal Board

15. The WIPO Coordination Committee designated Ambassador Michael Bartolo, Permanent Representative of Malta to the United Nations Office in Geneva, as Chairman of the WIPO Appeal Board.

International Civil Service Commission

16. The WIPO Coordination Committee noted the information contained in paragraph 29 of document WO/CC/48/1.

United Nations Joint Staff Pension Board

17. The WIPO Coordination Committee noted the information contained in paragraph 31 of document WO/CC/48/1.

Advice on Appointments to Posts at Grade D-1

18. Discussions were based on document WO/CC/48/1 Add.Rev.2, in which the advice was sought for the intended promotions to grade D-1 of Mr. Jenö Bobrovsky, Mr. Jay Alan Erstling, Mr. Juan Antonio Toledo Barraza, Ms. Isabelle Boutillon, Mr. Orobola Fasehun, and Mr. Guriqbal Singh Jaiya.

19. 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 in the International Bureau of WIPO and elsewhere in the domain of intellectual property. The duties and responsibilities of each corresponded to those for which the grade of Director was appropriate, and their elevation to grade D-1 would reinforce the management capacity and the efficiency of the Organization, as well as reward the staff members for their personal contribution to the mission and mandate of WIPO.

20. The Delegation of Algeria, speaking on behalf of the African Group, stated its unanimous support for the proposals made by the Director General, in particular, the promotions of Mr. Fasehun and Ms. Boutillon.

21. The Delegation of Mexico supported the Director General's proposal, adding that its Government was very pleased with the involvement of Mexican officials in international organizations, and particularly in WIPO. The Delegation expressed its gratitude to the Director General for the proposal to promote Mr. Toledo Barraza, which improved Mexican representation in WIPO. The Delegation believed that the proposal to promote Mr. Toledo Barraza recognized his efforts, dedication, loyalty, and wide experience that Mr. Toledo Barraza had gained while working in the PCT Operations Department.

22. The Delegation of Hungary expressed its appreciation and thanks to the staff of WIPO for the very successful implementation of the program and for all the efforts made during the current biennium. The Delegation also expressed its gratitude to the Director General, whose leadership and vision had guaranteed efficiency in the work of the Organization. The Delegation supported the promotion of all the candidates, in particular the promotion of Mr. Bobrovsky, which honored Hungary. The Delegation added that before joining WIPO,

Mr. Bobrovsky had worked for many years at the Hungarian Patent Office, and was known as an expert in intellectual property, and a man of many worlds of interest and knowledge. The Delegation wished Mr. Bobrovsky and the other staff members every success in their future careers.

23. The Delegation of Cuba welcomed the Director General's proposal and commented on the excellency of the candidates. In particular, the Delegation supported the proposal to promote Mr. Toledo Barraza, and added that he had excellent references as Director of the Mexican Industrial Property Institute, and was a highly qualified professional. The Delegation also stated that it was pleased to see a woman included in the Director General's proposal.

24. The Delegation of Nigeria supported the statement made by the Delegation of Algeria on behalf of the African Group, and was particularly grateful to the Director General for the promotion of Mr. Fasehun. The Delegation stated that Mr. Fasehun had a rich and varied career including academic lecturing, diplomacy and the international civil service, and expressed its appreciation that Mr. Fasehun's competence had been recognized. The Delegation wished Mr. Fasehun and the other candidates success in their careers.

25. The Delegation of South Africa supported the statement made by the Delegation of Algeria on behalf of the Africa Group, and fully supported the Director General's proposal to promote the six officials to Director. The Delegation believed that it would gain from the service of these officials, and in particular expressed its gratitude for the Director General's proposal to promote Mr. Fasehun.

26. The Delegation of Kenya congratulated the Director General on his proposal to promote so many officers to higher grades at the same time. The Delegation expressed its satisfaction for the proposal to promote Mr. Fasehun, who it believed was a very experienced person. The Delegation also expressed its appreciation of the proposal to promote Ms. Boutillon, and believed that gender issues should be among the priorities on the agenda of the Organization, adding that WIPO should be a leader in promoting women to higher office. It concluded by expressing the wish that in future proposals, at least half of the candidates should be women.

27. The Delegation of India supported the Director General's proposal to promote the six candidates, and, in particular, the inclusion of Mr. Jaiya among the officers to be promoted. It added that Mr. Jaiya was an eminent member of the Indian Civil Service, and that his varied qualifications, experience and expertise were well known. The Delegation wished Mr. Jaiya much success, and congratulated Ms. Boutillon on her promotion to the grade of Director.

28. The Delegation of Belarus, speaking on behalf of the Central Asian, Caucasus and Eastern European Countries, supported the Director General's proposal to promote Mr. Bobrovsky who had made significant contributions to countries in transition, in particular the countries of its region. It stated that Mr. Bobrovsky's efforts had resulted in a number of consultations on intellectual property issues, as well as the staging of seminars and events organized by the Worldwide Academy in its region. The Delegation concluded by endorsing the statement made by the Delegation of Hungary.

29. The Delegation of the United States of America, speaking on behalf of Group B countries reiterated its support for all the candidates, whom it considered to be highly qualified for those positions. It thanked the Director General for his proposals.

30. The Delegation of Finland supported the statement by the Delegation of the United States of America, and stated that it had taken note of the statement made by the staff representative. The Delegation fully agreed with the Director General's proposals, and expressed its confidence in the Directors and staff of WIPO. The Delegation added that it had many years experience of cooperation with the staff of the International Bureau, and expressed its appreciation for the capacity of the Secretariat, and for the Organization, which continued to develop. It concluded by fully supporting the proposal made by the Director General to promote the six staff members to Director level.

31. The Delegation of Brazil supported the Director General's proposal to promote the six staff members, in particular the promotions of Mr. Toledo Barraza and Mr. Jaiya. It also wished to congratulate Ms. Boutillon and the other four candidates.

32. The Delegation of France expressed its gratitude to the Director General for his proposal to promote the most deserving staff members, adding that the promotions were, in its view, important for staff management, career prospects and motivation of the staff. The Delegation expressed its gratitude, in particular, for the promotion of Ms. Boutillon, adding that the merit of Ms. Boutillon had been recognized as she had been appointed Deputy Director in 1999, and Director *ad interim* in 2000. It thanked the Director General for having taken the initiative to promote her to the grade of Director.

33. The Delegation of Morocco, associating itself with the statement made by the Delegation of Algeria on behalf of the African Group, fully supported the proposed promotions, in particular that of Ms. Boutillon in view of her capability and fruitful relations with the Moroccan Industrial Property Office.

34. The Delegation of the Philippines supported the Director General's proposal to appoint the staff members to Director position. The Delegation referred in particular to Ms. Boutillon in relation to the work she had done for the Philippines when the country became a member of the PCT in August 2001. The Delegation underscored that Ms. Boutillon is not only able but also, and just as important, amiable.

35. The Delegation of Madagascar associated itself with the statement made by the Delegation of Algeria on behalf of the African Group in supporting the proposal, and in particular congratulated Ms. Boutillon since she had assisted the work of the Industrial Property Office of Madagascar.

36. The Delegation of Angola supported the Director General's proposals with regard to promotions and expressed its appreciation, in particular, for the promotion of Mr. Fasehun, noting that this will raise awareness about WIPO with African leaders attending meetings in New York. The Delegation also congratulated Ms. Boutillon, and added that her promotion showed evidence of the high competence of women at WIPO. It hoped that the promotion would serve as further encouragement to women.

37. The Delegation of Spain supported the statement made by the delegations of Group B countries and fully agreed with all the appointments, congratulating the Director General on his selection of the individuals to be promoted. The Delegation also supported the statements made by the Delegations of Cuba and Kenya, with regard to the promotion of Ms. Boutillon.

38. The Delegation of the Islamic Republic of Iran commented on the efficiency and capability of the Director General, and expressed that it had full confidence in his leadership. It fully supported the Director General's proposals with regard to the promotions of the six staff members to grade D-1, and wished the candidates success.

39. The Delegation of Belgium supported the statement made by the Delegation of the United States of America on behalf of the Group B countries, and congratulated, in particular, Ms. Boutillon, who was known to the Delegation as a very qualified individual.

40. The WIPO Coordination Committee gave favorable advice on the intent of the Director General to promote to grade D-1 Mr. Jenö Bobrovszky, Mr. Jay Alan Erstling, Mr. Juan Antonio Toledo Barraza, Ms. Isabelle Boutillon, Mr. Orobola Fasehun, and Mr. Guriqbal Singh Jaiya.

[Annex follows]

ANNEX

STATEMENT BY THE PRESIDENT OF
THE WIPO STAFF ASSOCIATION
TO THE WIPO COORDINATION COMMITTEE

(September 2002)

Mr. Chairman, Distinguished Delegates,

In the name of the staff, I would like to express my pleasure with the dynamism of this Organization, an Organization which, thanks to your directives and the excellent management of the Director General, has become a shining example within the United Nations family. In our opinion, three elements have contributed to this situation:

Firstly, expansion strictly limited to the needs generated by the increased activity; secondly, rigorous financial management and a system in which all managers are held accountable; and thirdly, an open door for dialogue and suggestions for continued improvement.

Ladies and gentlemen, this is what characterizes WIPO and continues to develop it as a modern Organization.

These observations are not only ours, but also those of our colleagues from the other Organizations with whom we have regular contact and who have begun referring to us as a model example.

It is obvious that this vitality demands continued efforts. We are conscious that much remains to be done and that the staff has a key role to play.

The Director General is certainly doing everything he can to facilitate staff participation and input in the continuing improvement of this Organization. Since the last meeting of the Coordination Committee, the Director General has approved the creation of a joint administration/staff Task Force to discuss all matters related to staff welfare. Under the new Standards of Conduct, the Organizations within the common system are requested to establish rules and provide guidance on what constitutes harassment and how it will be dealt with. The staff representatives would like to thank the Director General for the appointment of a Mediator at WIPO, who can be considered as a first step in this process and we hope that other measures are going to be introduced in a way to prevent any and all harassment and also to condemn anyone who might abuse his power. The staff representatives also welcome the Director General's expressed commitment to staff training in the interest of the Organization and in the interest of the staff members themselves.

Distinguished Delegates,

The staff representatives are, nevertheless, worried because the room to manoeuvre in the Organizations is continually decreasing. The International Civil Service Commission

(ICSC) is taking ever greater decision-making powers with regard to the employment conditions and in the internal management of the common system Organizations. To more strongly control the Organizations, the ICSC is now creating a Senior Management Service (SMS) which will clearly act as inspectors to ensure that the Organizations fully implement the ICSC decisions.

The ideas and the working methods used by the ICSC have not evolved since the creation of the ICSC itself. The methodologies used in determining salaries, post adjustment and pensionable remuneration are like a house built from playing cards where each time a supplementary card is added, scotch tape is required to hold that card in place. The last General Service salary survey here in Geneva is an excellent illustration of the problems arising from the methods of the ICSC. This survey was a pain staking two year exercise, because local employers, considering the methods used by the ICSC inadequate, refused to participate stating that it was a waste of their time, and a waste of their resources.

Distinguished Delegates,

We can see that the one size fits all approach is no longer tenable. A standardization of the rules concerning human resource management and employment conditions followed by the ICSC no longer correspond to the needs of the Organizations which, to the contrary, require greater independence and flexibility. For this reason, the staff representatives thank you, Distinguished Delegates, and the Director General, for having commissioned a study which has identified a number of external factors which are outside of WIPO's control, but which affect recruitment and retention at WIPO. These include firstly, the UN common salary scales; secondly, the post adjustment methodology; thirdly, the UN common system for allowances and benefits; and fourthly, changing labor markets.

Faced with the impossibility of obtaining changes to the functioning of the ICSC, which itself is a very costly institution which duplicates the managerial work of the Organizations and which no longer corresponds to the needs of an organization operating in the 21st Century. The WIPO staff representatives and other staff representatives of Organizations in Geneva are, at present, discussing of the necessity of maintaining a common system.

Distinguished Delegates,

The staff representatives hope you understand their concerns that the ICSC, while continuously reducing the staff employment conditions, and by creating even more bureaucracy, is unfortunately not encouraging the staff to further enhance the Organization's performance. Ladies and gentlemen, please supply us with a system which will allow us the possibility to better express ourselves and to better serve you. For this purpose, we would ask you to kindly provide our Director General greater independence to firstly establish working conditions whereby the health and full satisfaction of your employees are ensured; secondly, to offer employment conditions and career prospects allowing recruitment and retention of staff having the highest possible qualifications; and thirdly, to offer contractual status with employment security to all staff and, in so doing, regularize our long-serving short-term staff who continue to work under a precarious situation.

Mr. Chairman, Distinguished Delegates, Director General,

In closing, I would like to thank you for having allowed me the opportunity to address you and draw your attention to the concerns of the staff on certain issues. The staff would be most pleased if you would consider this as their contribution towards further improving the functioning of this Organization.

Thank you.

[End of Annex and of document]