

# WIPO



WO/CC/54/3 Corr.

ORIGINAL: English

DATE: June 20, 2006

**WORLD INTELLECTUAL PROPERTY ORGANIZATION**

GENEVA

**E**

## **WIPO COORDINATION COMMITTEE**

### **Fifty-Fourth (18<sup>th</sup> Extraordinary) Session Geneva, June 19 and 20, 2006**

#### REPORT

*adopted by the Coordination Committee*

1. Convened by the Director General, the WIPO Coordination Committee (“the Coordination Committee”) met at the headquarters of WIPO on June 19 and 20, 2006.
2. The meeting was opened and presided over by the Chair of the Coordination Committee, Ambassador Love Mtesa (Zambia).
3. The following Member States of the Coordination Committee were represented at the meeting: Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, China, Colombia, Côte d’Ivoire, Croatia, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, France, Germany, Greece, Hungary, India, Italy, Japan, Kenya, Kyrgyzstan, Latvia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Mexico, Morocco, Nigeria, Pakistan, Paraguay, Peru, Portugal, Serbia, Republic of Korea, Romania, Russian Federation, Singapore, Slovenia, South Africa, Switzerland, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom, United States of America, Uruguay, Uzbekistan, Zambia (57).
4. The following States were represented in an observer capacity: Bulgaria, Congo, Czech Republic, Holy See, Israel, Lithuania, Poland, The former Yugoslav Republic of Macedonia, Ukraine, Venezuela, Zimbabwe (11).

Agenda

5. The Coordination Committee adopted its agenda as proposed in document WO/CC/54/1.

Appointment of Deputy Directors General and Assistant Directors General

6. Discussions were based on document WO/CC/54/2.
7. The Director General made the following statement:

“Following intensive and extensive consultations with Member States, in particular through Coordinators of Groups, the proposals contained in document WO/CC/54/2 may be seen as an important step towards continuing to fine-tune and to move forward with the critical work of this Organization.

“You will recall that Article 9(7) of the Convention Establishing the World Intellectual Property Organization provides that the Director General shall appoint the Deputy Directors General after approval by the Coordination Committee. Regulation 4(8)(a) of the WIPO Staff Regulations and Staff Rules also provides that the Director General shall appoint Assistant Directors General taking into account the advice of this Committee.

“You will notice that the curricula vitae of the proposed candidates each appears in a separate Annex to this document. The curricula vitae before you are as they were presented by the candidates in question.

“Upon the expiry of the appointment of Mrs. Rita Hayes (United States of America), I propose that Mr. Michael Keplinger (United States of America) be appointed to the post of Deputy Director General which will be left vacant by Mrs. Hayes as of December 1, 2006. Mr. Keplinger is currently a senior-level attorney in the United States Patent and Trademark Office.

“I wish to use this important occasion to pay special tribute to Rita Hayes. Since 2001, Mrs. Hayes has served this Organization with graciousness, loyalty and dedication. Her approach has always been one of dialogue with all of our Member States, and her commitment to excellence is remarkable. We applaud her many contributions to the work of WIPO and we commend her for her exemplary efforts, in particular in the field of copyright and related rights.

“I propose that the appointments of Mr. Philippe Petit (France) and Mr. Francis Gurry (Australia) as Deputy Directors General be continued from December 1, 2006. As you know Mr. Narendra Sabharwal (India) is appointed Deputy Director General from December 1, 2006, following the expiry of the contract of Mr. Geoffrey Yu (Singapore).

“Mr. Yu has been with this Organization since 1981 during which time he has assumed his duties with much diligence, dedication and finesse. He has invested much time and care in ensuring that the activities of this Organization are carried out with

excellence and with maximum benefit for our Member States. We thank him for his many contributions to the work of WIPO and also commend him for his outstanding career as an international civil servant.

“I propose that the appointment of Mr. Ernesto Rubio (Uruguay) as Assistant Director General be continued from December 1, 2006. Concerning the second post of Assistant Director General, I propose to appoint Mr. Geoffrey Onyeama (Nigeria), currently Director of the Economic Development Bureau for Africa. I further propose the re-classification of a D-2 post to the level of Assistant Director General, in order to respond to new challenges faced by this Organization. I propose to appoint Ms. Wang Binying (China), currently Executive Director, Administrative Support Services and General Assembly Affairs.

“The assignments of Deputy Directors General and Assistant Directors General could be subject to change depending on both the operational needs of the Organization and the results of the independent review of the human and financial resources of the Organization, which is shortly to be undertaken under the supervision of the Audit Committee. The outcome of the independent review is expected to be transmitted to the 2007 Meetings of the Assemblies of the Member States of WIPO.

“As regards the terms of appointments, I believe it is appropriate that the terms of appointments of all persons nominated in the senior management should expire at the same time and that these terms should not exceed the mandate of the Director General. Therefore, I propose that such appointments of the Deputy Directors General and Assistant Directors General should be for the period from December 1, 2006, to November 30, 2009.

“Subsequent to the extensive consultations I just referred to, it seems that some delegations are not yet ready to join the consensus regarding the concept of indemnity upon separation from service, as reflected in the very last part of the document. To simplify things, I therefore suggest that we put on hold this issue and not consider at this session of the Coordination Committee paragraph 18 and decision paragraph 21.

“I very much hope that I will be able to count on the support of the Coordination Committee.

Thank you.”

8. In addition to their general expression of support for the Director General’s proposals, and their expressions of thanks and best wishes to the outgoing Deputy Directors General, Mrs. Rita Hayes and Mr. Geoffrey Yu, several delegations listed in paragraphs 3 and 4, above, made more specific statements, the summaries of which are provided below.

9. The Chair joined the Director General in paying tribute to Mrs. Rita Hayes, outgoing Deputy Director General who would leave the Organization at the end of the year and who had indeed performed her duties with distinction and wished her well in her future endeavors. He also paid tribute to Mr. Yu and wished him all the best in his future endeavors.

10. The Delegation of Switzerland, speaking on behalf of Group B, supported the Director General’s proposal regarding the appointments to the posts of Deputy Directors General and Assistant Directors General for the period 2006 to 2009 as stated in paragraphs 19 and 20 of

document WO/CC/54/2. It expressed appreciation for the work carried out by the current Deputy Directors General and Assistant Director General and congratulated them, as well as the other staff members of the International Bureau, for the results the Organization had achieved during their mandate. Group B also expressed its thanks and best wishes for the future to the outgoing Deputy Directors General, Ms. Rita Hayes and Mr. Geoffrey Yu. The Delegation of Switzerland stated that its Group was of the view that, in order to keep its standards of excellence all posts in WIPO and, in particular, the strategic ones should be appointments on merit and should be held by staff with technical expertise and appropriate qualifications. Sufficient resources should be put in the core activities of the Organization. These core activities included the improvement of the understanding of intellectual property and its merit and the management of the international registration systems. The Delegation further stated that his Group was of the opinion that the desk-to-desk review of human and financial resources within the Organization, recommended by the Joint Inspection Unit in its report of February 2005 entitled "Review of Management and Administration in WIPO, Budget Oversight and Related Issues" was a task of high priority and importance in terms of WIPO Management. He said that it had to be carried out as soon as possible starting with the review of the top management of WIPO and that it would offer a unique opportunity for the Organization to get a clear picture in order to be able to make the necessary adjustment of human and financial resources, in order to make the International Bureau even more efficient and effective for the benefit of all Member States. Group B welcomed the Director General's confirmation that these posts were subject to changes depending on the operational needs of WIPO and the outcome of the independent review of human and financial resources that would be carried out under the supervision of the WIPO Audit Committee and would be submitted to the General Assembly in 2007. Group B strongly supported the proposal by the Director General to withdraw paragraphs 18 and 21. Reference was made to document A/41/6 of the Assemblies of the Member States of WIPO in 2005 and to paragraph 10 of the said document, according to which the Director General put an end to all termination indemnities for separation from service of high ranking staff members before retirement age by the decision of November 12, 2004, the relevant provision of the WIPO Staff Regulations and Staff Rules being the only regulatory framework for termination indemnities for separation from service before retirement age by mutual agreement. The Delegation concluded that its Group looked forward to participating actively and constructively in all WIPO activities with the new team proposed by the Director General and that it was confident that under its new leadership, WIPO would be able to successfully pursue its global agenda for intellectual property.

11. The Delegation of Peru, speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), said that in view of the explanations provided by the Director General, its Group was in a position to endorse and approve the appointments of the Deputy Directors General and Assistant Directors General proposed by the Director General. The Delegation expressed its gratitude for the work done by the outgoing Deputy Directors General, Mrs. Rita Hayes and Mr. Geoffrey Yu, and expressed confidence that all the appointed officials would also work for the benefit of all Member States particularly developing countries. GRULAC expressed some concerns that had come up following the consultation process which was carried out in the past weeks, and stressed the importance that this process as well as others which are being carried out in WIPO, such as the one to provide transparency in relation to the program and budget or the independent analysis of the human and financial resources of the Organization be included in a comprehensive vision of openness and transparency and greater geographical as well as gender balance. The decision which had been taken to create a new temporary post of Assistant Director General for three years, in a certain way, helped to establish a greater balance in the Organization but this was

not enough, as there was still a group that continued having three Deputy Directors General, while GRULAC and the African Group did not have representatives as Deputy Directors General but maintained their representation at the level of Assistant Director General. The Delegation stressed the need to undertake reflection so that WIPO has a viable working system and maintains appropriate geographical representation, not only at the higher decision-making level but also within all the staff working at WIPO. The Delegation also emphasized the lack of clarity and logic in the composition of the different groups within WIPO, as it was hard to understand why there was a group made up by just one single member whereas another one had about 50 members. It underlined the fact that besides the seven official Groups, there were other groups defined in accordance with certain regional structures, with the consequence that one single country could be represented in three or more Groups and recommended to follow the practice existing in the different bodies of the United Nations. The Delegation underlined the fact that GRULAC was a very heterogeneous group in which various blocs or regional subgroups co-existed, but that despite their differences they had to continue co-existing since this structure was the most suitable for the viability of an efficient multilateral system. According to the Group this question did not just have implications for the regional representation in the high posts of the Organization but also on budgetary or cooperation issues and decision-making procedures. One of the most concrete examples concerned the financial assistance provided by the Organization for the participation in technical meetings. The possible consequences would be that structures continue to exist which do not respond to fair criteria, and that some groups or certain countries feel they have the right to always be represented in high posts or have the monopoly for specific topics within the Organization. The Delegation said that besides the capacity and the skill of the officials, rotation and renovation in the posts were also important, and therefore recommended that a process be established under the Coordination Committee which would enable the establishment of a consensus on the way in which the Organization could find better working methods, in order to be prepared when time comes for the General Assembly in 2007 to analyze various of the processes used in the Organization, to improve the system which currently exists.

12. The Delegation of Thailand, speaking on behalf of the Asian Group, stressed the importance of taking into account the wishes of the Member States but also of other stakeholders as it was in the best interest of all to have an equitable geographical distribution and gender balance in the senior management of the Organization to ensure that the interests of Member States are reflected in its work. The Asian Group wished to commend and to extend its deep appreciation to Mr. Geoffrey Yu for his tireless efforts and dedication in moving the Organization forward for the benefit of all Member States, and expressed satisfaction with his contribution to the progress made in the area of the Economic Development Sector as testimony of his achievements. The Group also welcomed Mr. Narendra Sabharwal who would assume the post of Deputy Director General after Mr. Yu for a period of three years from December 1, 2006, as approved by the Coordination Committee at its 17<sup>th</sup> extraordinary session held in September 2003, and said that it also looked forward to working closely with Mr. Sabharwal who had vast knowledge and expertise in the Asia-Pacific region. It also expressed its gratitude to Mrs. Rita Hayes for her dedicated efforts in the area of copyright and related rights and was also confident that the qualifications and experience of Mr. Michael Keplinger made him well suited for this post. The Asian Group also paid tribute and supported the reappointment of Messrs. Philippe Petit and Francis Gurry to the posts of Deputy Director General, who had done a remarkable job in ensuring the smooth operations of the administrative affairs and guiding the work of the PCT and global IP issues, respectively. The Group welcomed the reappointment of Mr. Ernesto Rubio to the post of Assistant Director General, which would enable him to continue to assist the Member

States in the area of trademarks, industrial designs and geographical indications, and supported the nomination of Mr. Geoffrey Onyeama whose working experience in the African Bureau would serve better to address the concerns of African countries and least developed countries. It also supported the proposal to appoint Ms. Wang Binying as Assistant Director General and trusted that her past experience would serve as an invaluable asset to the new management team as well as enhance the potential benefits to developing countries. Lastly, the Asian Group stressed the importance of making WIPO more efficient and effective in its work, especially in the light of the on-going United Nations reform process, and hoped that the new management structure would bring about increased good governance and accountability in helping Member States respond to the evolving nature of the intellectual property system taking into account the development challenges for developing countries and ensuring the improved welfare for all.

13. The Delegation of Kyrgyzstan, speaking on behalf of the Central Asian, Caucasus and Eastern European Countries expressed support for the proposal that had been put forward by Dr. Kamil Idris, concerning Deputy Directors General and Assistant Directors General. The Delegation expressed its thanks, in particular, to Mrs. Rita Hayes and also to Mr. Geoffrey Yu for their outstanding contribution to the work of the Organization. In addition, the Delegation stressed the importance for its Group of the work undertaken by Mr. Philippe Petit between 2001 and 2006, in relation to the Group, in particular, and thanked him for that. It expressed its gratitude to Mr. Ernesto Rubio for his cooperation and, in particular, during the Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty, that took place in Singapore. The Delegation also expressed its appreciation to the Director General for the fact that he had suggested the withdrawal of paragraphs 18 and 21 of document WO/CC/54/2, and therefore supported his proposal in its entirety, in particular, with regard to the nomination of Ms. Wang Binying (China) as Assistant Director General and believed that she was very well qualified to occupy that high-level post. Finally, the Delegation noted that senior management posts in WIPO were posts that should be distributed according to equitable geographical balance, and also noted that some progress had been made and some decisions had been taken along appropriate lines but expressed, nonetheless, the view of its Group that it would be desirable to see, at Assistant Director General level, a representative of its Group.

14. The Delegation of China expressed its appreciation for the proposal made by the Director General concerning his team and the great efforts he had put into it. The Delegation was glad to see that Ms. Wang Binying from China was nominated as Assistant Director General of WIPO and stated that during the past 26 years since it became a member WIPO in 1980, China had achieved remarkable progress in the field of intellectual property protection. At present, the Government of China had embarked upon a path of building and innovation in which intellectual property protection was one of the indispensable elements, and in this connection, the Chinese Government attached great importance to the role and cooperation of WIPO. The appointment of Ms. Wang would undoubtedly strengthen the cooperation between WIPO and China, thus having a positive effect on China's efforts to improve its intellectual property system. The Delegation noted that Ms. Wang would be the first Chinese national ever to be on the top management of WIPO, as since it had become a WIPO member in 1980, it had not been represented at that level. The Delegation further stated that the position actually targeted was for Deputy Director General, as Ms. Wang with her rich experience and professional knowledge was fully qualified for such a position and that it was for the purpose of maintaining unity among WIPO Member States that China had accepted the proposal of the Director General which was a result of several rounds of consultations among the Groups. It expressed confidence that with her outstanding capabilities, Ms. Wang, upon her appointment, would live up to the trust and expectations of Dr. Idris and the Member

States of WIPO. Finally, the Delegation thanked Mr. Geoffrey Yu and Mrs. Rita Hayes for their remarkable contribution during their terms of appointment and expressed support for the new team.

15. The Delegation of Nigeria, speaking on behalf of the African Group, welcomed the convening of the Coordination Committee to consider the appointment of Deputy Directors General and Assistant Directors General in WIPO, and thanked the Director General for all the arrangements. The Delegation also congratulated the Chair of the Coordination Committee for the effective leadership that he had given to the Coordination Committee since his appointment last year. The Delegation said that it was aware that the appointment of high level posts in any Organization and no less so in WIPO was a delicate exercise that required tact, discretion, wise counsel and wide consultation. It believed that these elements had been exhibited in the Director General's nominations while extensive consultations were held with Ambassadors and experts at every stage of the process. The African Group had noted that there would be a new Deputy Director General in the Organization, in the person of Mr. Michael Keplinger (United States of America) and wished to welcome his appointment hoping that his presence would contribute to the efficiency, effectiveness and overall success of the Organization. The Group welcomed Mr. Narendra Sabharwal to the rank of Deputy Director General in the Organization, to be responsible for the Economic Development Sector, as well as the appointment of Mr. Geoffrey Onyeama (Nigeria), Mr. Ernesto Rubio (Uruguay) and Ms. Wang Binying (China) as Assistant Directors General in the Organization. The Delegation was pleased to note that the proposed appointments were representative of a better gender balance and equitable geographical distribution and commended the Director General for achieving, to a reasonable extent, this delicate balance in the Organization as clearly highlighted in paragraph three of document WO/CC/54/2. The Delegation fully supported the nominations made by the Director General and it had no doubt that the nominees would discharge their functions with utmost competence and to the satisfaction of the entire Organization and its Member States. The Delegation also seized the opportunity to place on record its appreciation of the outstanding services rendered by the two outgoing Deputy Directors General, namely, Mrs. Rita Hayes and Mr. Geoffrey Yu for their outstanding contribution to WIPO Cooperation with Africa. The Delegation had understood from the introductory remarks of the Director General that paragraphs 18 and 21 were removed from the working document and should not be considered by this Committee at this session. The Delegation fully supported this decision and called also for the deletion of the last sentence of paragraph 17. The Delegation believed it was inextricably linked to paragraphs 18 and 21, and called for a clarification from the Legal Counsel that the consequence of removing paragraph 21 would be that the last sentence of paragraph 17 would also be removed.

16. The Delegation of Croatia, speaking on behalf of the Group of Central European and Baltic States, thanked the Director General for his statement and document. The Delegation expressed the support of its Group for the proposal by the Director General to remove paragraphs 18 and 21, given the reservation by some members. The Delegation said that, like other members, it would welcome that the proposed change be reflected in the minutes of the meeting.

17. The Delegation of Croatia commended the Director General for his stewardship displayed in the process of consultations prior to issuing the document on recommendations for the posts of Assistant Directors General and Deputy Directors General. The process of consultations had been carried out in a transparent and inclusive manner which finally resulted in a solution that was able to generate consensus by all interested parties.

18. The Delegation said that the Group of Central European and Baltic States could go along with the consensus and support the proposal by the Director General on the slate of names for the vacant posts of Assistant Directors General and Deputy Directors General. It also agreed with the Director General's proposal to reclassify one D-2 post of Executive Director to that of Assistant Director General, on the understanding that the reclassification was aimed at better reflecting the distribution of functions in senior management of the Organization, and that the cost of the reclassification would be met within the existing budget for the current biennium and the following one.

19. In examining the proposal by the Director General, the Central European and Baltic States had insisted on the professional skills and proven expertise in the area of intellectual property, as well as on the moral or ethical integrity of the candidates. The Delegation said that it had also included several other important criteria including maintaining equitable geographical and gender balance. The Delegation was pleased to note that many of the candidates were from the WIPO system and had a record of being dedicated and hardworking professionals. Throughout the years within the system they had made valuable contributions to the work of the Organization, and therefore the Delegation believed that the extension of their appointments, or the upgrade that had been proposed would ensure stability and continuity in the senior management of the Organization.

20. The Delegation said that without wishing to question the prerogative of the Director General to choose the members of his team, it wished to convey the disappointment of the Group of Central European and Baltic States with the fact that the candidate that was supported by the Group, namely, Mr. Željko Topić, Director General from the State Intellectual Property Office of Croatia, was not included in the list of names presented to the members. The Delegation was, and still remained, convinced that Mr. Topić possesses excellent expert knowledge, management talent and dedication needed to make him a successful candidate.

21. The Delegation of Croatia opined that the Group of Central European and Baltic States represented a group of countries that had an excellent profile when it came to the protection of intellectual property and the adherence to all relevant international agreements and conventions administered by WIPO. Its analysis showed that a hundred per cent from the countries of its Group were members of the Madrid system and the PCT. 95% of them participate in the Rome Convention, almost 90% in the Phonograms Convention and WIPO Copyright Treaty, etc. Such a high level of intellectual property protection and solid reputation of enforcement of the signed instruments could sustain comparison with any other Group within the organization. The Central European and Baltic States played an active and very constructive role in the ongoing negotiations within the WIPO agenda, and had often displayed flexibility and readiness to compromise to the benefit of all WIPO membership.

22. The Delegation of Croatia continued that, unfortunately, such a strong contribution by the countries from its Group had not been appropriately reflected and recognized when it came to the participation in the administration of the Organization. The Delegation's feeling was that the Group and its candidates had been marginalized in relation to the appointments of the principal officers in the WIPO structure. For instance, among 15 positions in the organizational scheme of the administrative structure, there was not one single officer from the countries from the Central European and Baltic States region. Among 86 positions from the list of "WIPO Principal Officers" there were only three representatives from the said Group. Moreover, out of 938 staff members of WIPO, there were only 17 staff members that originate from the Central European and Baltic States Group.



23. The Delegation of Croatia recalled that Article 9 of the Convention Establishing the World Intellectual Property Organization stipulated that “due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible”. It was with a disappointment that the Delegation concluded that this provision had not always been respected, or not to the fullest, especially when it came to its Group. Regional distribution that is present in the current architecture of positions occupied by Deputy Directors General and Assistant Directors General did not take into account the existence of all regional groups. WIPO membership was construed from LDCs, developing countries, developed countries and countries in transition. The Delegation said that it was a striking fact that the only group that was not represented in the senior management of the Organization remained the group of countries with economies in transition. This was a significant number of countries, which to the Delegation’s mind merited better representation within the Organization. The Delegation expressed the hope of its Group that in future decisions as regards the nomination of staff members at all levels in WIPO the criteria of regional distribution would be implemented more strictly.

24. The Central European and Baltic States Group commended the outgoing Deputy Directors General, Mrs. Hayes and Mr. Yu, for their dedication, hard work and loyalty to the Organization and its goals and principles. The Delegation said that it was looking forward to working closely with the Director General and his senior management team in the challenging times ahead of them in promoting and safeguarding intellectual property on the global level.

25. The Delegation of Singapore, speaking on behalf of the Association of South-East Asian Nations (ASEAN), said that as members of ASEAN they fully associated themselves with the Asian Group statement as outlined by the distinguished Ambassador of Thailand. The Delegation said that ASEAN believed that the value or effectiveness of any Organization are underpinned by the calibre of its staff management and leadership. In this regard, the Delegation supported any initiative in improving and strengthening the managerial structure of WIPO. The Delegation said that it joined other earlier speakers who had expressed their support for the Director General’s proposed changes and new appointments to his senior staff as well as the duration of their tenure. The Delegation of Singapore said that it also associated itself with the Asian Group statement and its emphasis on the importance of reflecting an equitable geographical distribution in WIPO’s senior management. This would be in line with WIPO’s international and diverse membership of both developed and developing countries. The Delegation shared the view that competent, effective and qualified candidates from all regions represented in WIPO should be given equitable opportunity to take positions of responsibility at the higher echelons of the WIPO International Bureau. The Delegation expressed its appreciation on behalf of ASEAN to those officials who would be stepping down later this year. The Delegation said that it took pride in expressing its gratitude to Deputy Director General Mr. Geoffrey Yu for the work he had done at WIPO through his professional competence and personal qualities. Mr. Yu had played a key role in raising awareness especially among the WIPO developing Member States and least developed countries of the economic and strategic benefits of intellectual property. Speaking on behalf of ASEAN, the Delegation of Singapore said that it had observed a marked increase in interest among its delegations in recent years on issues relating to intellectual property and economic development. The Delegation also wished to recognize and thank Deputy Director General Rita Hayes, for her commitment and tremendous efforts in the area of copyright and related rights. The Delegation said that ASEAN and WIPO had forged a close and cooperative working relationship and looked forward to building on this good foundation. The Delegation of Singapore also welcomed Mr. Michael Keplinger, Mr. Narendra Sabharwal, Ms. Wang Binying and Mr. Geoffrey Onyema who will join the new senior

management team later in the year, and the Delegation also looked forward to continuing to work with Mr. Francis Gurry, Mr. Philippe Petit and Mr. Ernesto Rubio and wished them all the best.

26. The Delegation of Paraguay said that it had come to the meeting as it wanted to underscore the importance that its country attached to the work that was done within WIPO. The Delegation said that it was delighted to see the outcome of the Director General's consultations and that it noted that the Director General had been successful in reaching consensus. The Delegation therefore paid tribute to him for that. Further, it seemed to the Delegation of Paraguay that the proposal clearly set out the tasks to be done by the various people appointed, and there was clear distribution of the work. This meant that it would be possible to use those persons that are most appropriately doing the work that they are best qualified to do. The Delegation also expressed its full support for the statement made by the Delegation of Peru on behalf of GRULAC. In conclusion, the Delegation of Paraguay welcomed the new members of the top management team in WIPO and, in particular, paid tribute to Mr. Geoffrey Yu and thanked him for the many years that he had worked within WIPO and commended him for all he had achieved. The Delegation also paid tribute to Mrs. Rita Hayes. Mrs. Hayes had been an excellent representative of her country in Geneva, and she had been extremely successful in what she had done within WIPO and more sincerely wished both of them every success in their future activities as they move on from WIPO.

27. The Delegation also reiterated how satisfied it was to see that there was a certain amount of continuity that had been provided for with the proposal. It noted that Mr. Rubio was remaining in place and it knew that he was somebody who did a great deal of very effective work and indeed he was someone that the Delegation's whole region could be proud of. In conclusion, the Delegation thanked the Director General for his tireless and efficient work and wished him every success as he takes that work forward in the future.

28. The Delegation of Japan said that in the last decade, as it was known by the delegations, world intellectual property rights had experienced a sea-change. The Creation of intellectual properties and their protection now were a major concern of the private sector as well as Governments. Intellectual properties had now become a "man-made resource" in the truest sense of the word. This naturally accompanied challenges. A flood of applications was one of them, and an increase in international disputes was also to be listed. Countries were trying to meet these challenges, individually, as well as in concert with others. The Delegation of Japan recalled that Japan was doing its part in this respect and that it had entered the "pro-patent age" in the late 90s. It recalled that the Government tried to create an "intellectual creation cycle", that is, to grant patents expeditiously to promising applications and to accord a sufficiently high standard of protection to those patents. These measures were taken to induce further intellectual creation. As an engine for such movement, the Intellectual Property Policy Headquarters and Intellectual Property High Court were established. Many countries had been and were currently struggling to meet the challenges of today in their own ways. WIPO could be no exception. As the international center of intellectual property rights, it now stood at an important cross-roads. If it took positive steps, WIPO would become the true global center of the intellectual creation cycle. If it sat back it may be forsaken by intellectual property creators. The Delegation believed that the former was possible and the latter should not happen. It depended on the Member States as well as the WIPO Secretariat. With this in mind, they must carefully choose their executives. The Delegation said that it had full confidence in continuing executives, Deputy Directors General Mr. Petit and Mr. Gurry and Assistant Director General, Ernesto Rubio. The Delegation said that it had high expectations for new Deputy Directors General, Mr. Sabharwal and

Mr. Keplinger, and Assistant Directors General, Mr. Onyeama and Ms. Wang. They were known to the Delegates as competent and devoted staff members. In short, the Delegation supported the proposal of Dr. Idris and hoped that they would passionately engage with Dr. Idris in what was expected of them. The Delegation said that Japan would back the new Administration so long as it was responding to the Member States' calls. The Delegation also took the opportunity to express its gratitude to leaving Deputy Directors General, Mr. Geoffrey Yu and Mrs. Rita Hayes for their outstanding contribution to WIPO. Finally, the Delegation recalled that the last few years were not exactly what the Member States had wanted to see for this important Organization. With the start of the new team, the Delegation said that Members should see an increase in transparency and accountability of this very important Organization. The Delegation recalled that what this Organization was entrusted with was so important and urgent that there was no time to lose. He called on the Administration to show the Member States that a new WIPO had emerged and was engaging and advancing.

29. The Delegation of the United Kingdom fully supported the statement made by the Delegation of Switzerland on behalf of Group B. Work had to be done with the cooperation of everyone if WIPO was to meet its responsibilities and the needs of the Member States, their citizens and business, the Delegation said.

30. The Delegation of the United Kingdom wished to expand on two issues. First, to welcome the withdrawal of paragraph 21. In that regard, the Delegation proposed that the Committee's report should reflect the Director General's suggestion, and the Coordination Committee's decision, that paragraphs 18 and 21 of document WO/CC/54/2 be disregarded. In the view of the Delegation, this opportunity should be taken to review the rules covering indemnity as they appear to be unclear and not consistent with best practice in other parts of the United Nations. Second, confirmation was welcome that the appointments were subject to review of human and financial resources to be conducted under the supervision of the Audit Committee and submitted to the General Assembly in 2007.

31. The Delegation reminded all of what that meant. For the review to be submitted to the 2007 General Assembly, it would need to be agreed upon in the meeting of the Audit Committee in July 2007, which meant that the draft would have to be submitted to the Audit Committee in April 2007. This in turn required that the 2006 General Assembly appointed the consultants. This meant that the Terms of Reference would have to be submitted and agreed upon by the July 2006 meeting of the Audit Committee. The Delegation of the United Kingdom was committed to this timetable.

32. The Delegation of Kenya thanked the Director General for the proposals submitted to the Coordination Committee in document WO/CC/54/2, and which they had carefully considered. The Delegation recalled that the work of this Committee was simply to approve the appointment of the four Deputy Directors General and the two Assistant Directors General that had been proposed by the Director General. The Delegation said that it associated itself with the statement made by Nigeria on behalf of the African Group and that it would clearly state from the outset that it supported the appointment of the six officers, namely, Messrs. Philippe Petit, Francis Gurry, Michael Keplinger and Assistant Directors General, Messrs. Ernesto Rubio, Geoffrey Onyeama and Ms. Wang Binying. The Delegation said that it was confident that they would excel in discharging their important responsibilities. It said that the Director General had, in his usual helpful manner, provided the best possible candidate for the posts and that it pledged its full support to him and to the nominees. The Delegation also supported the proposal made by the Director General to delete paragraphs 18

and 21. It said that it was its contention that this provides for a tidier appointment procedure. However, the Delegation also wished to propose that the last sentence of paragraph 17, on the terms of appointment should also be deleted as it was linked to paragraph 21.

33. The Delegation of Colombia expressed its full support for what had been said by the Delegation of Peru as a Coordinator, and highlighted the importance of having a real geographical balance in the high-level posts of WIPO. The Delegation also expressed its support for the Director General in this whole process within WIPO. It conveyed to him a message of trust and thanks for his work as the Director General of this Organization. The Delegation wished to approve the appointments for the posts of Deputy Directors General and expressed hope that soon it would receive the same support when it comes to its turn. With these appointments, the Delegation noted that the Member States had a new working team before them and was sure that under the leadership of Dr. Kamil Idris, they would obviously see to it that this Organization continues working arduously for the fulfillment of the strategic objectives set. The Delegation said that it would like to avail itself of this opportunity to echo the proposal of the appointment of Mr. Ernesto Rubio of Uruguay to continue occupying the post of Assistant Director General. Mr. Rubio is a high-level professional who had a positive impact in the WIPO Member States during his work. The Delegation wished him a resounding success in his work and wished to congratulate him on his achievements in the past years. Finally, the Delegation said that its Government wished to express its sincere gratitude to Dr. Geoffrey Yu for his important work carried out throughout all these years within WIPO. It highlighted his important leadership in the development sector and within that framework its country had benefited greatly from various cooperation programs and activities in the past years. The Delegation wished Mr. Yu much success in his future work. It also conveyed to Mrs. Rita Hayes the satisfaction of the Government of Colombia for her important work done here at WIPO. Mrs. Hayes' work had been of great benefit for intellectual property and multilateralism.

34. Regarding the proposal by the Director General to eliminate paragraphs 18 and 21, the Delegation thought that the said proposal should be supported. The Delegation therefore believed that it should be implemented at this point.

35. The Delegation of the Republic of Korea fully endorsed the statement made by the distinguished representative of Thailand on behalf of the Asian Group and wished to associate itself with the previous speakers in extending its full support for the proposal of the Director General.

36. The Delegation of the Republic of Korea believed that the Director General had submitted a slate of nominees that was well balanced between developed and developing countries, on the one hand, and among the different geographical regions on the other.

37. The Delegation of the Republic of Korea wished every success to the new team whose mandates had been renewed in their present posts and for those who had been nominated for new posts. For those re-appointed, in particular, it called on them to continue to show the same level of devotion that they had previously shown in their service at WIPO. In this regard, the Delegation congratulated Mr. Francis Gurry, Mr. Philippe Petit and Mr. Ernesto Rubio on their work which was carried out with great efficiency. The Delegation was confident that their commitment would be very important for this Organization and intellectual property in general.

38. The Delegation of the Republic of Korea supported the proposals to promote Ms. Binying Wang from Executive Director of Inter-Office and General Assembly Affairs to Assistant Director General and Mr. Geoffrey Onyeama from Director of Africa Bureau to Assistant Director General.

39. The Delegation of the Republic of Korea also endorsed the nomination of Mr. Michael Keplinger to oversee the work on copyright and related rights as Deputy Director General and said it was confident that his qualifications and experience made him well-suited for this post.

40. Finally, the Delegation of the Republic of Korea wished to pay tribute to the two outgoing Deputy Directors General, Mr. Geoffrey Yu and Mrs. Rita Hayes for their excellent work and wished them all the best and every success in their future endeavors. The Delegation also looked forward to working closely with Mr. Narendra Sabharwal who would be the successor of Mr. Geoffrey Yu. The Delegation appreciated the close cooperation that existed between WIPO and the Republic of Korea while he was Director of the Cooperation for Development Bureau for Asia and the Pacific and hoped to continue such a fruitful relationship in his new responsibilities.

41. Echoing the declarations made on behalf of Group B, the Delegation of Switzerland joined the emerging consensus regarding the proposal of the Director General for the appointments to the posts of Deputy Directors General and Assistant Directors General for the period 2006-2009 as submitted in document WO/CC/54/2 in paragraphs 19 and 20. The Delegation also approved the conditions regarding the procedures of these terms found in paragraphs 4 to 17 of the said document. The Delegation of Switzerland thought that these appointments concerned people of a very high calibre who will be able to guide the Organization towards a resounding success in the coming years.

42. The Delegation of Switzerland said that it did not wish to pursue its intervention without indicating the appreciation of the Delegation for the work done by the current Deputy Directors General and Assistant Director General and to congratulate them as well, as well as the members of the staff for the results which the Organization had been able to reach in these past years. The Delegation also availed itself of the opportunity to address its best wishes to Mrs. Rita Hayes and Mr. Geoffrey Yu for their personal and professional future.

43. The Delegation said that as a host country and a member of WIPO, Switzerland had always attached a special importance to the fact that this Organization be endowed with staff adapted to its requirements either by work or qualification so that WIPO could successfully undertake the complex and technical tasks which it has to carry out as a specialized institution of the United Nations system for intellectual property. The Delegation recalled that WIPO was indeed a special international organization and this for different reasons through its way of functioning, through its financing, through the services it provides to the public but particularly, because of the matter it deals with – intellectual property. This is indeed a very high profile specific matter which calls for specialized and highly technical knowledge. The Member States had the desire that WIPO continue to play a leading role in this matter, to ensure a better understanding of the advantages linked to intellectual property by all its Member States and stakeholders to pursue its future development and particularly to ensure a healthy and effective management of the international registration system. The Delegation said that it was essential that WIPO continued to maintain at all its levels including amongst its high-ranking colleagues qualified and skilled staff whose expertise was needed in the Organization. Only such a demanding policy as regards staff would enable WIPO to maintain

its level of excellence as regards intellectual property and would ensure it a future success which the Member States had witnessed in the past.

44. The Delegation reiterated that the desk-to-desk survey which the Director General was ready to initiate would provide a unique opportunity to have a clear-cut picture of the situation and to proceed with the necessary adjustments regarding human and financial resources related to it. All this would be to make the International Bureau yet more efficient for the benefit of all its Member States. In this regard, the Delegation of Switzerland said that it welcomed hearing the specific information provided by the Director General according to which this evaluation would concern all the levels of the Organization including high-level posts. The Delegation said that it would be useful that the clarifications provided by the Director General concerning the procedures of this evaluation as well as the submission of results to the Assembly in 2007 be clearly taken up in the body of the report of this meeting.

45. The Delegation of Switzerland wished to thank the Director General for the clarifications he provided regarding his proposal on the termination indemnities upon cessation from service contained in paragraph 18 of document WO/CC/54/2. The Delegation said that it would be useful that the clarifications provided by the Director General be taken up in the body of the report of this meeting.

46. In conclusion, the Delegation said that it was pleased to continue working with the new leading team of WIPO and wished to thank them for the good cooperation they had up until now with the current team. It also expressed much success to all future members in the carrying out of their term.

47. The Delegation of Morocco welcomed the praiseworthy and unceasing efforts of the Director General, Dr. Kamil Idris as well as the Member States for the efforts done for the Organization. The Delegation also congratulated the Director General particularly for the quality of the consultations he had engaged in which had led to these results, and in particular, for the quality of the document submitted to the Committee.

48. The Delegation said that it would like to fully endorse the statement made by the representative of Nigeria on behalf of the African Group and that it approved the proposals of the Director General concerning the appointments. These appointments, the Delegation said, reflected the efforts of the Director General so as to ensure, as much as possible, a geographical balance and to re-enforce the presence of women. The figures and percentages mentioned in paragraph 3 of document WO/CC/54/2 were great proof of this. The Delegation expressed its congratulations to the candidates appointed for their competence, professional qualities that were of a high level, their experience, which guarantee the sure success in the coming future. The Delegation also expressed its gratitude to Mrs. Rita Hayes and Mr. Geoffrey Yu for their unceasing and untiring efforts and their highly appreciable efforts for the work done in this Organization.

49. The Delegation of India endorsed the appointments to the posts of Deputy Director General and Assistant Director General. It hoped that, under the new composition of the team of four Deputy Directors General and three Assistant Directors General and under the able leadership of the Director General, WIPO would continue to strive towards making the international intellectual property regime more responsive to the needs and requirements of all its Member States, in particular the developmental aspirations of the developing countries.

50. The Delegation of India said that its endorsement was borne out of the confidence that it had in the Director General's discretion to choose the composition and structure of his senior management team. In making his proposal as outlined in Document WO/CC/54/2, it was apparent that the Director General had been mindful of pursuing the vital objectives of a balance between representation from the developed and the developing countries as well as of a better geographical representation in the staff of the Organization especially at the level of the senior management staff. The nominees of the Director General were of high caliber and had the experience and the necessary expertise to efficiently manage the Organization. Indeed, most of the nominees proposed to be appointed or re-appointed had long professional experience of having served in WIPO.

51. The Delegation of India expressed its appreciation for the skillful and professional manner in which Mr. Geoffrey Yu, Deputy Director General for the Economic Development Sector, had discharged his duties since he had assumed office in December 2003. His contribution had been substantive and noteworthy. The Delegation of India was particularly pleased to note that Mr. Narendra Sabharwal, would assume the post of Deputy Director General currently held by Mr. Geoffrey Yu for a period of three years beginning December 1, 2006, as approved by the Coordination Committee at its 17<sup>th</sup> Extraordinary Session held in September 2003 (WO/CC/50/3). Mr. Sabharwal had long professional experience of working in WIPO during which he initiated, planned, implemented and supervised WIPO's development for cooperation programme for the Asia-Pacific region in addition to several other special responsibilities. Prior to joining WIPO in 1991, he was a distinguished member of the Indian Administrative Service for 26 years during which he made outstanding contributions in the various posts that he held in the service of the Government of India.

52. In conclusion, the Delegation of India reiterated its support for the appointments proposed for the posts of Deputy Directors General and Assistant Directors General and wished the new team success.

53. The Delegation of Pakistan stated that it fully endorsed the statement made by the Ambassador of Thailand on behalf of the Asian Group, as well as the proposals made by the Director General for his team of Deputy Directors General and Assistant Directors General. The Delegation particularly thanked the outgoing Deputy Director General, Mr. Geoffrey Yu, for his important contribution to the work of the Organization. His commitment, dedication and professionalism would be remembered in the history of WIPO. The Delegation of Pakistan was also grateful to the outgoing Deputy Director General, Mrs. Rita Hayes, for her contribution to the work of the Organization and welcomed the continuation of Mr. Philippe Petit, Mr. Francis Gurry and Mr. Ernesto Rubio as Deputy Directors General and Assistant Director General respectively. The Delegation also supported the new appointments, as Deputy Directors General, of Mr. Narendra Sabharwal and Mr. Michael Keplinger, and that of Mr. Onyeama and Ms. Wang Binying as Assistant Director General, all these appointments being based on competence and professionalism as reflected in the curricula vitae made available, and expressed the wish that the new team, under the leadership of the Director General, would set new standards of professionalism, competence and achievement in the work of the Organization. Though expressing a certain discomfort with regard to the micro management of the Organization, the Delegation of Pakistan was particularly in agreement with the process of extensive consultations that had resulted in consensus on the issue before the Committee, as indicated in all the statements made so far and it hoped that the same spirit would be manifested in other areas of the Organization, so as to enable it to work for the interest of its entire membership.

54. The Delegation of Uruguay welcomed the proposed appointments and underlined the fact that it had been a tradition for Uruguay to support the Director General and its proposed nominations. The Delegation was particularly honored that the proposed team included a Uruguayan colleague, who was also a representative of Latin America. Likewise, the Delegation expressed its gratitude for the professionalism and the excellent work carried out by the outgoing Deputy Directors General, Mrs. Rita Hayes and Mr. Geoffrey Yu, and endorsed fully the statement made by Peru on behalf of GRULAC.

55. The Delegation of France endorsed the statement made by Switzerland on behalf of Group B and expressed its attachment to the role played by the Organization in the establishment of an international framework propitious for creativity and inventivity, as source of economic progress and growth, particularly through the provision of services and advice given to the national authorities entrusted with the intellectual property protection systems and the administration of registration systems. The Delegation stated that it was in this context of the considerable work carried out by the International Bureau and responding to the important expectations from the Member States of the Organization that the key role played by the senior management team had to be placed. The choice of the leading team was of particular importance and the slate of candidates proposed to occupy the posts of Deputy Director General and Assistant Director General during the next three years, fully met the expectations of the international intellectual property community and of the Member States. Therefore, the Delegation fully endorsed the proposal from the Director General and congratulated him for the efforts he had undertaken to be able to present this balanced proposal that fully took into account the different expectations and was a guarantee for the future of the Organization.

56. The Delegation of the Russian Federation fully endorsed the statement made by the Delegation of Japan, in relation to the major role played by intellectual property which had become a very powerful instrument for countries in the globalized world, and was not anymore a field reserved to lawyers. It stated that this gave the measure of the importance of the issue before the Coordination Committee relating to the management of the Organization as this would determine to what extent the Organization would be able to meet the challenges of today's world, and this was a question of particular importance for countries in the process of transforming their economies and would be moving toward the system of knowledge -based economy. The Delegation expressed satisfaction for the consultation process that had taken place, leading to this balanced proposal from the Director General. It was pleased to see Mr. Philippe Petit, Mr. Francis Gurry and Mr. Keplinger proposed for the posts of Deputy Director General and particularly stressed the importance of copyright and related rights and the need to see the team dealing with that subject matter reinforced. It expressed surprise however to see that Ms. Wang Binying (China) was proposed to a post of Assistant Director General, as in the course of the consultations, she had been recommended for a post of Deputy Director General, and regretted not having received this information earlier in order to be able to react accordingly. It made the point that in view of the enormous challenges faced by countries with growing economies, such as China, the Russian Federation and Central Asian Countries, it would be important to be represented not only at the level of Assistant Director General but also at the level of Deputy Director General. It fully associated itself with the wish expressed by other delegations for a better geographical representation and stressed the need for a bigger representation of Russia not only in the senior management of WIPO but within the whole structure of the Organization, hoping that this need would be better taken into account in the future. The Delegation concluded by thanking the outgoing Deputy Directors General for their enormous contribution to the work of the Organization and



wishing the best of success to the new team while ensuring the support of the Russian Federation in promoting the role of intellectual property throughout the world.

57. The Delegation of Madagascar wished to associate itself with the statements made by the Delegation of Nigeria, on behalf of the African Group and approved the nominations made by the Director General in paragraphs 19 and 20 of document WO/CC/54/2. It welcomed the fact that continuity was afforded here once again, guaranteeing effectiveness, and wished full success to the team in their future endeavors. It also expressed support for the comments by the Coordinator of the African Group with reference to the last sentence of paragraph 17 which is linked to paragraphs 18 and 21, those paragraphs that had been withdrawn by the Director General. To the Delegation's mind, in order to ensure total clarification, the last sentence of paragraph 17 should also be withdrawn.

58. The Delegation of Nigeria, speaking in the name of Nigeria, wished to thank Dr. Kamil Idris, for appointing Mr. Geoffrey Onyeama to the post of Assistant Director General. He had done Nigeria a great honor by doing this appointment, and Nigeria wished to place on record, its appreciation for his excellence, kindness and gracious consideration of the person that had been appointed to the post. It was the Delegation's belief that Mr Onyeama was well placed to discharge the function of Assistant Director General within WIPO. Mr. Onyeama had joined the Organization about 26 years ago. He started his duties as a young officer as a program officer and rose to director in the same department. These long years in the same Department had given him the requisite experience to discharge the function of Assistant Director General, competently to the satisfaction of all Member States. The Delegation of Nigeria was of the opinion that Mr. Onyeama would not only work for Africa but would work for the entire Organization, especially for the edification of the Organization, improvement of its efficiency and achievement of all the goals that had been mandated or set by Member States. The Delegation of Nigeria said its remarks would not be complete without showing its sense of gratitude to all African countries for their support to Mr. Onyeama and indeed to all of the Member States of WIPO. On this note, the Delegation wished to join the other delegations who spoke in respect of outgoing Deputy Directors General, namely Mrs. Rita Hayes and Mr. Geoffrey Yu. The Delegation observed that it would have occasion at the appropriate time to express in a more ample manner its appreciation for their services. They still had a few moments to give, so the Delegation said it would wait until the end of their term then it would know what to say.

59. The Delegation of Finland wished to thank Mrs. Rita Hayes and Mr. Geoffrey Yu for their excellent efforts at WIPO.

60. The Delegation of Finland said that it had had a great and personal pleasure to work with them on a practical level. The cooperation had been very efficient, for which well-deserved thanks had to be extended to both Mrs. Rita Hayes and Mr. Geoffrey Yu.

61. The Delegation of Finland also wished to congratulate the new team members. Of course there may have been some disappointment among Member States and Groups, as had been heard in the meeting. However, the Delegation of Finland wanted to congratulate Director General Kamil Idris because it would be a good team to work with again, and to convey best wishes to him and his new team. The Delegation concluded that the value of intellectual property was coming up and up all the time thanks to the work done by the Director General, which was very important not only on an individual basis but also world-wide.

62. The Delegation of the United States of America wished to fully subscribe to the statement already made on behalf of Group B by Switzerland. It wished to add its voice to those recognizing the outstanding service of outgoing Deputy Directors General Mrs. Rita Hayes and Mr. Geoffrey Yu. The Delegation wished them every success in the future. It also acknowledged the hard work as usual of WIPO's Secretariat and staff in supporting this and other meetings and welcomed and endorsed the Director General's deletion of paragraphs 18 and 21 of document WO/CC/54/2, and it commended his confirmation that the positions being considered would be subject to the desk-to-desk review of WIPO. The Delegation believed that the expeditious implementation of the desk-to-desk would help to strengthen and improve the Organization.

63. The Delegation of Brazil stated that it had been among those members of WIPO who had acknowledged the Director General's latitude to present designations in accordance with the applicable rules and procedures of WIPO. The Delegation stressed that it had kept its views on the subject as strictly within the bounds of the informal consultations that were held by the Director General Dr. Kamil Idris through the Regional Groups of WIPO. The Delegation tried not to interfere in the judgment of the Director General in his choice of Deputy and Assistant Directors General, also because it understood that the members of the International Bureau are committed to the Organization as such, and they are not representatives of particular Member States. This neutrality is of utmost importance to the functioning of WIPO as an international organization and particularly so within the broader context of the UN family of specialized agencies. The Delegation of Brazil wished to support the statement that was made on behalf of GRULAC by its regional coordinator, Peru, and would highlight from that statement the fact that GRULAC feels itself to be underrepresented both in general terms and numeric terms if one considers the staff of WIPO in general wherein certain countries will find over 300 of the nationals being represented in the staff, others 70, others 80. Brazil had so far counted five, but, of course, the Delegation was not speaking only on behalf of Brazil but was speaking on behalf of all members who may feel that perhaps this is something that should be looked at and in any case this should evolve to a situation that is more representative, that represents better and takes the equitable geographic distribution that was needed at all levels in the International Bureau.

64. Having said that, the Delegation of Brazil wished to acknowledge Mr. Ernesto Rubio as a high-ranking member of the International Bureau that is a national of GRULAC and member from Uruguay and wished to express its support for his work. The Delegation suggested that perhaps the Director General could make some proposals on ways to address the issue of geographical representation at all levels within the Organization with a view to improving geographical representation in the future.

65. In conclusion, the Delegation of Brazil thanked the outgoing Deputy Directors General Mr. Geoffrey Yu and Mrs. Rita Hayes, for their work. The Delegation recognized their value both as individuals and professionals, and it wished them all the best in their future activities. Finally, the Delegation of Brazil welcomed the new incoming members of the senior management team.

66. The Delegation of Algeria wished to pay tribute to the efforts the Director General had made in seeking to bring full transparency to the way in which activities are undertaken within WIPO. His proposals were extremely relevant, transparent and clear as indeed was the whole nomination process. The Delegation wished to endorse the statement made by Nigeria on behalf of the African Group in that respect, and expressed its thanks to the outgoing staff members, Mrs. Rita Hayes and Mr. Geoffrey Yu for all of the work that they had done in the

course of their terms of office. The Delegation of Algeria expressed its support for the nominations proposed by the Director General. It believed that the appointments would inter alia promote geographical distribution and also proper gender representation within WIPO. While supporting the proposals made by the Director General and also the proposals to delete paragraphs 18 and 21, the Delegation of Algeria further expressed its support for the proposal made by Nigeria on behalf of the African Group to the effect that the last sentence of paragraph 17 in document WO/CC/54/2 should also be deleted.

67. The Delegation of Chile wished to endorse the proposal made by the Director General and to congratulate the Deputy Directors General and Assistant Directors General on their election, particularly Mr. Ernesto Rubio, and also thanked the outgoing Deputy Directors General for the work they had done. The Delegation fully supported the statement read out by the Delegation of Peru on behalf of GRULAC, and wished to highlight particularly the issue regarding greater geographical representation. The Delegation of Chile understood the concern of other members because of the over-representation of other regional groups. It wished to clarify that when the GRULAC statement was read out the interpretation into English was made contrary to the intent of GRULAC. The translation into English said the following: “we understand the rationale of the composition of the regional groups: We understand that there is a group formed by one member while there is one formed by almost 50 members.” What GRULAC meant to say in Spanish was that it was hard to understand the rationale for the composition of the regional groups in WIPO and it was hard to understand that there is a group formed by one member while there is another one formed by almost 50 members. Finally the Delegation wished to highlight the appeal of GRULAC to initiate the process which will correct this deficiency. Once the members felt more or less represented in all the offices in posts of the Organization, only then would all the members have a true feeling of belonging to, and ownership of the organization.

68. The Delegation of the Democratic People’s Republic of Korea associated itself with the statement made by the distinguished delegate of Thailand on behalf of the Asian group. It fully endorsed the proposal of the Director General, Dr. Kamil Idris, on the appointment of the new Deputy Directors General and Assistant Directors General. The Delegation also commended the great work done by the outgoing Deputy Directors General and Assistant Directors General and wished them all the best in their future endeavors. The Delegation took the opportunity to reaffirm its support to the Director General and his new team and its willingness to continue its close cooperation. The Delegation concluded that experience would be of valuable service in promoting intellectual property worldwide.

69. The Delegation of Côte d’Ivoire fully supported the statement made by the Delegation of Nigeria on behalf of the African Group and congratulated the Director General for the way in which he had conducted the consultations that had led to the proposals put before the Coordination Committee, and for achieving this balanced proposal that had to be seen as the best guarantee of commitment of the various Members of the Organization. The Delegation fully endorsed the proposals from the Director General and wished the best of success to the new team, and reiterated the wish expressed by the African Group that the last sentence of Paragraph 17 of document WO/CC/54/2 be removed.

70. The Delegation of Turkey fully supported the statement made by Switzerland on behalf of Group B and thanked the Director General for his efforts in proposing this new senior management team. It underlined the importance of appointments being made on merit and the need for continuity, and concluded by thanking Mrs. Rita Hayes and Mr. Geoffrey Yu for

their valuable contribution to the work of the Organization and acknowledging Mr. Petit's work to the benefit of all regions and wishing success to the whole new management team.

71. The Delegation of Mexico said that it would like, first, to make it quite clear that it fully endorsed the declaration made on behalf of GRULAC by the distinguished Delegation of Peru as the Coordinator of GRULAC. The Delegation also wished to congratulate the Director General, Dr. Idris, for the excellent conduct of the consultations which made him come up with the package which is totally supported by the Delegation of Mexico along the lines of the nominations of the new Deputy Directors General and Assistant Directors General. The Delegation of Mexico also wished to join earlier speakers in the congratulations extended to the outgoing officials and once again expressed support for the Director General with his new team and offered the commitment on the part of Mexico to continue working shoulder to shoulder and hand in hand with them and everything regarding the fact that the World Intellectual Property Organization becomes truly an organization of the 21<sup>st</sup> century.

72. The Director General stated that he wished to thank the Chairman for the excellent manner this important and historic event was conducted and to thank all delegations for their support regarding the proposals he put before the committee. He also wished to say that he noted with great interest all relevant and important observations, points and suggestions made by various delegations and he wished to draw the Chairman's attention to one important point raised by several delegations regarding the question of equitable geographical distribution of positions with WIPO. The Director General wished to draw attention to an important statistic mentioned and referred to in page 2 of document WO/CC/54/2. He quoted from the document very briefly "The number of Member States represented in the staff of the Organization was 68 in December 1997, compared to 94 in May 2006, representing an increase of 28%. The proportionate number of female staff in the professional and higher categories was 63 out of 209 (30%) in December 1997, compared to 184 out of 433 (42%) in May 2006, representing an increase of 12% in the participation of women in the said categories." The Director General said that in the general service category the female representation was higher and that Mr. Juan Antonio Toledo could confirm this. The Director General added that he was also interested in this important question of equitable distribution of posts and that this should be a matter of concern and interest to the entire membership. The Director General referred to the availability of the International Bureau and stressed that when the question of resources was discussed this important element must be taken into account. He added that the need that is behind this important issue was historical and also political – equitable distribution of positions – for efficiency and competence of candidates nominated and finally their effectiveness and functions of the positions required. The Director General said that if these five elements were taken into consideration he would be very interested to discuss it and his colleagues would also share this whether it was a desk-to-desk operation, evaluation, study, or suggestion. The Director General added that he would be ready to discuss any proposal in order to better analyze this important element, i.e. equitable geographical repartition. The Director General recognized that what had been done since 1997 was not an easy task at all, especially as far as the availability of resources and positions are concerned.

73. The Legal Counsel said that his understanding of the question raised by Nigeria was related to the status of the last sentence in paragraph 17 of document WO/CC/54/2. According to the last sentence of paragraph 17: "...without any prejudice to any new appointment through the Coordination Committee, no outgoing Deputy Director General and Assistant Director General shall remain in the service of the Organization upon the expiry of their appointments." The Legal Counsel added that the Director General in his opening

statement proposed that this Coordination Committee disregard paragraphs 18 and 21. He said that Paragraph 21 was the decision paragraph which would have confirmed what has been proposed in the last sentence of paragraph 17. The decision paragraph in paragraph 21 specifically says that Assistant Directors General and Deputy Directors General would not be able to return to the service of the Organization upon the expiry of their appointment. The Legal Counsel said that the decision paragraph was now being disregarded by the Coordination Committee. So the status of the last sentence of paragraph 17 was that it remained as a mere proposal, and the Coordination Committee would not take any decision on that proposal.

74. The Delegation of Nigeria wished to merely express its gratitude to the Legal Counsel for giving the opinion and to reiterate its understanding that with the deletion of paragraph 21, the last sentence in paragraph 17 also was deleted.

*75. The Coordination Committee agreed with the Director General's proposal that it disregard paragraphs 18 and 21 of document WO/CC/54/2.*

*76. The Coordination Committee approved the appointments of Messrs. Philippe Petit, Francis Gurry and Michael Keplinger as Deputy Directors General for the period from December 1, 2006, to November 30, 2009.*

*77. The Coordination Committee gave favorable advice on*

*(i) the re-classification of a D-2 post at the level of Assistant Director General for the period from December 1, 2006, to November 30, 2009; and*

*(ii) the appointments of Messrs. Ernesto Rubio and Geoffrey Onyeama and Ms. Wang Binying as Assistant Directors General for the period from December 1, 2006, to November 30, 2009.*

[Annex follows]