

WIPO Coordination Committee

Sixty-Fourth (23rd Extraordinary) Session Geneva, July 14, 2011

REPORT

adopted by the Coordination Committee

1. Convened by the Director General, the Sixty-Fourth (23rd Extraordinary) session of the Coordination Committee was held on July 14, 2011, at the International Conference Centre Geneva (CICG). The meeting was opened and presided by the Chair of the Coordination Committee Mrs. Marion Williams (Barbados).
2. The following Member States of the Coordination Committee were represented at the meeting: Algeria, Angola, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belgium, Brazil, Bulgaria, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia (*ad hoc*), Finland, France, Germany, Ghana, Hungary, India, Iran (Islamic Republic of), Italy, Japan, Kenya, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Pakistan, Portugal, Republic of Korea, Romania, Senegal, Serbia, Singapore, South Africa, Spain, Switzerland (*ex officio*), Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Kingdom, United States of America, Uruguay, Viet Nam, Zambia (63).
3. The following States were represented in an observer capacity: Burkina Faso, Cyprus, Czech Republic, Holy See, Israel, Jamaica, Kyrgyzstan, Lesotho, Malta, Monaco, Panama, Poland, Russian Federation, Sri Lanka, Tanzania (United Republic of), Venezuela (Bolivarian Republic of), Zimbabwe (17).

4. Discussions were based on document WO/CC/64/2.
5. The Delegation of Nigeria pointed out that the extraordinary session was specifically to handle the conclusions of the Coordination Committee, document WO/CC/63/8, paragraph 95. Therefore, the mandate of the extraordinary session was outlined by that conclusion, which had been endorsed by the General Assembly, and there could not be any agenda item that went outside the framework of that conclusion. On that basis, the Delegation asked that the Coordination Committee adopt the agenda without the second and third items.
6. The Delegation of Zambia stated that, since it was an extraordinary session of the Coordination Committee, convened with the specific motive of considering document WO/CC/63/8, paragraph 95, it could not consider any other matters. It proposed, therefore, that Item 4, "Future Work," and Item 5, "Any Other Business," be dropped from the agenda.
7. The Delegation of Nigeria stated that the Delegation of Zambia had confirmed the point that it had made and that the agenda items to be dropped were Items 4 and 5.
8. The Chair thanked the Delegation of Zambia for the clarification and confirmed that the Coordination Committee would only be discussing agenda Item 3. The Coordination Committee adopted its agenda as proposed in document WO/CC/64/1.
9. The Chair confirmed this extraordinary session was to discuss only compliance with paragraph 95 of the Coordination Committee report of September 29, 2010. The two documents which would be used to determine whether the issues had been resolved were the September 2010 statement of the President of the Staff Association and the response of the Administration. The Chair expressed concern at the amount of time the Coordination Committee had taken to examine the matter, and urged all parties to find alternative ways to deal with matters of this kind. Recourse to the Coordination Committee should be a last resort, which in this case it was not. The Chair had hoped to have a joint statement to present to the Coordination Committee, or to have found a different solution other than the present meeting. At one point it had appeared that consensus had been reached in the discussions with the parties. However, referring to a statement from the Staff Council, she said there had been a change of positions and that she had been notified in writing that, contrary to what had been said during a meeting, that "no progress had been made on the said issues." Referring to the meeting with the Staff Council, the Chair said that, given the contrast between the opinion expressed at the meeting and the communication received after the meeting, different outcomes were not expected from further meetings. The Chair tried to determine whether the issues had been resolved by comparing the statement with the responses. This could not be done in a meeting of the Coordination Committee without some prior work having been undertaken. On this basis, the Chair presented her report to the Coordination Committee as that prior work. The Chair thanked the Vice-Chairs for their comments and their advice. She said it was important, in the interest of permitting the Senior Management of the Organization to devote its time to the purpose of which the Organization has been established, that the matter be concluded quickly. The Chair was conscious that the Coordination Committee should not usurp the role of management, nor try to micro-manage the Organization. This was one of the ground rules on which the paper had been based. The Chair stated that it had also become clear that new issues could not be added. If they were to be given full consideration and vetted for accuracy, there was a need for a cut-off point. Consequently, the Coordination Committee's examination was limited to the issues stated in the President of the Staff Association's statement. Alluding to the Staff Council, the Chair stated that it had become clear that there was difficulty in letting go of an issue if it had not been resolved in the manner hoped for. It was important to establish that, once an issue had been resolved, one would need to move on, otherwise there could not be progress. Referring to the Statement of the Staff Council, the Chair stated that it had become clear that there were a number of inaccuracies in the statement, and in order to make progress on determining a resolution, it was important to discount statements made on the basis

of inaccurate information. Enumerating the issues and the definition of an issue required a certain set of assumptions. In addition, statements of opinion, which were not substantive, were not considered as matters to be resolved. The number of issues could vary in the view of the reader, depending on the assumptions. Continuing her review of the September statement of the Staff Council, the Chair reported that almost one third of the Staff Council's statements, either direct or implied, were inaccurate or unfounded. The Chair then highlighted a list of inaccurate statements found in the September 2010, statement of the Staff Council: (i) the claim of non-involvement of the Staff Council in earlier consultations about the Staff Regulations and Staff Rules was inaccurate; (ii) the fears that the total number of posts freed-up by the Voluntary Separation Program (VSP) had been already absorbed by the recruitment of 104 employees was unfounded; (iii) the implication of exclusion from the VSP process when, in fact, the Staff Association representative was part of the Evaluation Group, was inaccurate; (iv) the charge that some new posts had been created with no prior selection criteria was unfounded; (v) the charge that staff members had been downgraded and this had affected the duties and or the grades of officials was inaccurate when in fact no staff member had been downgraded; (vi) the charge that, when management re-designed posts, this was done without criteria was inaccurate, because in fact, job descriptions were classified by classification specialists prior to publication of a vacancy announcement; (vii) the charge that the process of a strategic realignment was conducted without the involvement of the Staff Association was inaccurate, when in fact, the former Staff Council had been actively involved; (viii) the claim by the Staff Council that they were not consulted on the subject of the Investigation Manual was inappropriate, because it was demonstrated that many of the Staff Council's recommendations were included in the draft of the Investigation Manual, and the recommendations could not have been included unless they were considered; (ix) the claim that the Performance Management and Staff Development System (PMSDS) did not allow for identifying people who are good performers when, in fact, it did; (x) the claim that it was impossible to monitor geographical representation when it was, in fact, monitored and there had been notable improvements in this area. The Chair continued by explaining to the Coordination Committee that there was a pattern of inaccuracy found in the claims and charges of the Staff Council. She stated that there was a tendency in the Staff Council statements to deny that there had been consultation with the President of the Staff Council when, in fact, there had been consultation with the previous President. The Chair noted in particular, that the Staff Council stated three times that previous consultation with the former Staff Council President was not a consultation. The Chair continued to explain that there were cases where the conclusions of the Staff Council were pre-emptive. Examples of this were: the Staff Council's intention to overturn the appointment of the Ethics Officer without giving the Office a chance to function, and the claim that management was planning to implement Staff Regulations without consulting the Coordination Committee. The Chair also noted that there were cases where issues raised by the Staff Council had been corrected by management. These included: the management's agreement to regularly issue circulars on staff movement and the changes that had been made to the issues surrounding the extension of the appointment and Vacancy Announcement for the post of the Internal Auditor. The Chair stated that, on the question of racial discrimination, the Administration had denounced discrimination in all forms and sent out a circular to that effect. The Chair stated that the Staff Council was intended to advise the Director General, not to advise the Coordination Committee. The Chair underscored that there were a number of matters raised by the Staff Council that were clearly management concerns such as the abolition of posts, the reclassification of posts, and the criteria to be used in judging the Organization performance. These were technical areas that clearly fell under the purview of management. For example, in most organizations, the abolition of posts, the reclassifying of posts and the criteria, such as the criteria for adapting certain sectors, or the difficulty of sectors' in meeting criteria, was a management decision based on organizational needs. Regarding reclassification, the Chair noted that the use of the classification specialist had been questioned even though there was a Staff Council representative on the Classification Committee. The Chair reported that management had clarified the procedure for classification and WIPO followed the International Civil Service Commission's (ICSC) guidelines. The Chair noted that the Coordination

Committee was specifically asked by the Staff Council to make seniority a major criterion for decisions on job positions. The Chair expressed her opinion that this was not a suggestion that would make WIPO a premiere Organization. There was some discussion about contractual terms, which were described as desirable features to be seen in contracts; the Chair stated that this was not a matter for the Coordination Committee to resolve but a matter that needed to be determined between the two parties. On the other hand, the Chair confirmed that the subject of allowances for short-term WIPO employees was a matter of proper interest for the Coordination Committee. On a separate note, the Chair expressed her concern specifically over the language used by the Staff Council in paragraph 26 of their statement regarding appointments. The Chair was of the view that these were the kind of unsubstantiated comments made only under the protection of parliamentary privilege, and this was not the case with the Coordination Committee. Referring to specific work related grievances, the Chair considered that it was better to wait until the results of the ILO Administrative Tribunal decisions were received before determining whether or not there was a difficulty. The Chair expressed the view that the number of appeals could be rationally related to the structural changes that have been made in WIPO. Some queries had been made about the authority of the Director General. The Chair informed the session that she had conducted a survey of some of the organizations in Geneva and discovered that the role of the Director General at WIPO, with respect to staff, compared favorably with other organizations. The Chair was of the view that the Staff Council had an advisory and not an executive role, as was the case in most organizations, while executive decisions were made by the Senior Management of the Organization. She added that staff associations and staff unions were not expected to have a company-wide perspective, that such was the role of Senior Management. The Chair commented that there would be times when the recommendations of such advisory committees would differ from that of Senior Management. Therefore it was the Chair's assessment that the authority of the Director General, with respect to the staff, was not a problem for the Coordination Committee to resolve. In the view of the Chair, three issues required further resolution: (i) the discontinuation of promotion on merit, (ii) inadequate communication, and (iii) the case of the two-year suspension of a staff member. Management had agreed that these were problems that needed to be addressed and assured the Chair that: (i) they would look at an alternative means of recognizing outstanding service; (ii) they would work towards better communication in the Organization, and (iii) the administrative circumstances resulting in the two-year suspension needed to be remedied. The Chair cautioned management and the Coordination Committee that communication was key to the goal of the Strategic Realignment of WIPO and the continuation of WIPO as a premiere institution in Geneva. If WIPO was to be a modern institution, there was a need to implement changes, and change could sometimes be painful. It was important to recognize that 100 per cent resolution was not possible in any organization. The question was whether there had been sufficient resolution, not whether there had been total resolution. In the Chair's view, there has been substantial resolution of most of these issues. Finally, the need for improved communication and buy-in was noted, and it was expected that if there was greater buy-in, then an environment of greater mutual trust would develop and staff would turn to management instead of to the Coordination Committee. The Chair concluded that these matters should not have come to the Coordination Committee and it was necessary to ensure that there was not a repeat of that process. The Chair invited the Coordination Committee to note the above report and opened the floor to the Delegations for their statements.

10. The Delegation of the United States of America, speaking on behalf of Group B, confirmed that the aim of the meeting was to address the follow-up of the last Coordination Committee Session on September 29, 2010. Group B believed that there was broad agreement that new issues should not be raised. Moreover, this Session should not set a precedent to convene extraordinary sessions of the Coordination Committee anytime the Staff Council and the Secretariat had disputes, which was a common occurrence in large organizations, particularly those undertaking needed reforms. It was not the role of the Member States to settle disputes between the staff and management. Group B believed that management should be allowed to manage, that internal matters should not be multi-lateralized, and that a component of sound

management was meaningful communication with the staff. Furthermore, Group B highlighted that there were administrative procedures in place to deal with these issues and that both sides were expected to adhere to the procedures. Group B affirmed that the outcome of the session should be a renewed commitment from both sides to re-engage and resolve the outstanding issues. Similarly, Group B hoped that both sides would deal with any future dispute in a transparent and collegial manner and without the involvement of the Coordination Committee. Group B stood ready to engage in a constructive manner to assist.

11. The Delegation of South Africa, speaking on behalf of the African Group, noted the written responses by the WIPO Administration dated April 4, 2011, to the statement made by the President of the WIPO Staff Association. The African Group, however, recalled that paragraph 95 of WO/CC/63/8 neither requested a report nor mandated the Chair to compile one. Therefore, the Group found it difficult to consider and discuss a document that was both legally and procedurally flawed. In this regard, the African Group was of the view that the report of the Chair could not be considered as a working document in the Session of the Coordination Committee. The African Group was of the view that, like any other entity or organization, WIPO had various structures which complemented each other for its smooth operation and, as such, the Administration and the Staff Association were part of the structure. Therefore, the African Group encouraged the Administration and the Staff Association to pool their resources and energy. The African Group highlighted that differences would arise and that amicable solutions could be reached through dialogue. It hoped dialogue would open doors for the creation of cordial relationships within the various structures. The African Group sincerely wished that the matter would be resolved in an appropriate manner and through the correct processes.

12. The Delegation of China noted the Chair's report and was concerned about the issues raised therein. The Delegation applauded the Chair and the members of the Coordination Committee for their efforts in dealing with this matter. The Delegation believed that the resolution should be based on the following principles: a respect for the sovereignty of the Secretariat concerning internal matters, and the reflection of the concerns of the Member States and of the staff in a balanced way. The second principle was respect for legal procedures in dealing with these matters. The third principle was trying to resolve the issues through coordination so as not to affect the image of the Organization. WIPO was pushing forward the agenda of the Patent Cooperation Treaty (PCT) and Traditional Knowledge (TK), as well as other important issues. The Delegation was of the view that, from the point of view of Member States, and of the Secretariat, the important thing was to focus on major issues that would have an impact on international Intellectual Property (IP), so that IP would play an important role in addressing major challenges. The Delegation had high expectations for WIPO in this area.

13. The Delegation of Slovenia, speaking on behalf of the Group of Central European and Baltic States (CEBS), thanked the President of the Council of the WIPO Staff Association for the statement delivered at the last Coordination Committee meeting during Assemblies in September 2010, and also thanked the Director General for providing Member States with a comprehensive response to the issues. The Group found the Chair's report extremely useful and was glad to see that the evaluation coincided with its assessment. The CEBS Group agreed that the issues raised could be resolved in a mutually satisfactory manner. The CEBS Group considered that it was evident from the nature of the matter that it should be discussed and analyzed internally, bearing in mind that there was an overwhelming agreement among Member States that the Director General has to have the authority to manage the Organization. The CEBS Group stated that the other stakeholders, including Member States, should refrain from micro-managing the Organization. It also underscored that WIPO had well-established internal control mechanisms. Remedies and related answers could be sought through internal administrative justice systems which allowed all employees to address their concerns and, in more complicated cases, matters can be referred to a body of higher instance such as the Administrative Tribunal of the ILO. The CEBS Group believed that this should remain the case since Member States were not in a position to act as judge or jury. The CEBS Group

encouraged the Staff Council and Administration to enhance their cooperation and institutionalize more frequent meetings. The CEBS Group was of the view that the increasing number of organizational and staff-related problems arose from the fundamental reforms ongoing in the Organization, and urged that all parties show flexibility, patience and time. The reforms enabled WIPO to continue modernizing and adopting new principles that governed more advanced organizations. The CEBS Group hoped that the Secretariat, through the Internal Audit and Oversight Division (IAOD), would continue to investigate outstanding allegations such as racism accusations and inform Member States of the results. It was clear that, if allegations were unfounded, responsibility would have to be assumed. Groundless allegations were viewed as equally serious offense to justified accusations. Furthermore, the CEBS Group urged the Staff Council to nominate staff representatives for the Joint Advisory Committee (JAC) so that it could start its deliberations on disciplinary matters against two employees suspended in 2008. The reasonable time to conclude these cases was overdue and there were also financial implications for the Organization. Those responsible for the delay should be held accountable. The CEBS Group noted that Staff Council members were fairly incorporated in decision-making process, in accordance with the WIPO Staff Regulations and Staff Rules. The CEBS Group shared the concern of the Staff Council that the principle of equitable geographical distribution had not been regarded sufficiently. It strongly supported the merit-based criteria which must be used for the recruitment of staff, supplemented with a geographical balance, as stipulated in Regulation 4.3 of the Staff Regulations and Staff Rules. The CEBS Group informed the Coordination Committee that it was probably the most under-represented region. The CEBS Group continued by stating that it was glad to see that several issues raised by the Staff Council had been addressed, especially efforts aimed at improved internal communication. The CEBS Group concluded by saying that it noted with satisfaction that there were no unbridgeable issues and that it was looking forward to seeing pending issues resolved in the foreseeable future.

14. The Delegation of Azerbaijan, speaking on behalf the Caucasian, Central Asian and Eastern European Countries (CCAEEC), thanked the Director General, the Chair, and the Secretariat for the excellent preparation for the meeting. The CCAEEC expressed the view that the Coordination Committee was not the right forum for the President of the Staff Council to raise issues which should have been resolved with dialogue. Consequently, the CCAEEC would have preferred that these issues had not come before the Coordination Committee. The Coordination Committee should be used by all concerned, including the Staff Council, to deal with substantive issues of a policy nature and which impact the staff at large. The CCAEEC appreciated the response of the Secretariat which showed that WIPO, under the leadership of the Director General, has been making genuine efforts to resolve outstanding staff matters in a speedy, efficient and transparent manner. It must be understood that not all issues could be resolved immediately and it was important to note the positive intent of the management. The CCAEEC commended the Chair for her initiative to prepare a report which would facilitate the deliberations of the meeting. They concurred with the conclusions of the Chair, and endorsed her findings that the matters raised by the Staff Council needed to be resolved internally between the Staff Council and WIPO Management, and that under no circumstances should Member States attempt to micro-manage WIPO. The CCAEEC hoped that the meeting of the Coordination Committee would bring closure to the poor atmosphere between the Staff Council and WIPO management and that they would move forward together in a positive manner.

15. The Delegation of India, speaking on behalf of the Development Agenda Group (DAG), thanked the Chair for convening the extraordinary session of the Coordination Committee to review the remaining unresolved issues, in accordance with the decision of the last session of the Coordination Committee. The DAG recalled that the Coordination Committee had agreed to give WIPO management an opportunity to resolve issues internally, and that if any remained unresolved, there would be the possibility of convening a meeting of the Coordination Committee. Accordingly, the DAG believed that it was opportune for the Coordination Committee to convene to ascertain whether the unresolved issues, if any, required any action

by the Coordination Committee. The DAG also acknowledged the hard work of the Chair and thanked her for the report presented. However, the DAG Member States did not consider that the members of the Coordination Committee had either the mandate or the requisite competence, resources, or expertise to delve into the details on the specific allegations and counter-explanations and to pronounce a judgment in each case. To do so would be to convert the Coordination Committee into an arbitration council that was neither the role nor the mandate of the Coordination Committee. Consequently, it had been agreed at the General Assembly in 2010, that Member States would not micro-manage issues and that it would be left to the two sides to resolve. Therefore, the DAG was not clear about the mandate or the authorization for the report presented by the Chair and therefore will not comment on its contents. Furthermore, while it was agreed at the General Assembly that the Coordination Committee should not be turned into an arbitration council that investigates specific cases and passes judgment, several Member States had also agreed that it was the responsibility of the Coordination Committee to develop necessary institutional guidelines and take the requisite policy decisions if required. Indeed, as the only convention body mandated to deal with all matters concerning the smooth functioning of the Secretariat, the DAG believed that it was the direct responsibility of the Coordination Committee to ensure that necessary institutional mechanisms were put in place for the effective redressing of grievances, so that such grievances and complaints could be addressed between the Secretariat and the Staff Council in a routine, timely, and effective manner, in the interest of ensuring smooth and harmonious functioning of the Organization. The DAG proposed the following: (i) that the Coordination Committee should hold more frequent sessions; (ii) that the annual meetings of the Coordination Committee should be convened as scheduled without any unilateral cancellation of meetings by the Secretariat as had been the case last year; (iii) that at every ordinary session of the Coordination Committee, the representatives of the Staff Council should be given an opportunity to present their views and concerns, if any; (iv) that the Coordination Committee should consider evolving guidelines on the following issues: (a) how to achieve desired balance between seniority and service experience on the one hand, with merit and competence on the other, while deciding on the grouping of promotions, appointments etc., (b) how to integrate the need for greater geographical and gender balance in WIPO's staffing, in consonance with existing recruitment guidelines, and (c) how to enhance the credibility and perception of impartiality of critically internal justice offices such as the IAOD, the Ombudsman and the Ethics Officer; (v) the DAG highlighted a need to put in place improved communication and consultation mechanisms between the Secretariat and the Staff Council; (vi) the DAG considered that the Staff Regulations should include a minimum cooling-off period of two years before personnel from Geneva-based missions and officials from capitals dealing with WIPO could be considered for recruitment in WIPO, in keeping with the standard practices elsewhere, and to avoid the possibility of motivated staff recruitments and conflicts of interest through a revolving door recruitment system. The Members of the DAG requested an update from the Secretariat on two issues: firstly, the extent to which the VSP had met its stated objectives and, secondly, the progress made with the regard to the regularization of long-serving temporary employees in WIPO.

16. The Delegation of Pakistan associated itself with the statement made by the DAG. The Delegation added that, in its view, this was an internal in-house matter which should be resolved and addressed within the WIPO Administration and not by Member States.

17. The Delegation of Nigeria fully endorsed the statement of the African Group. The Delegation reiterated that the extraordinary session had been called to discuss document WO/CC/63/8, paragraph 95, and was precisely limited to the conclusion of that paragraph. The Delegation added that the Coordination Committee was there to respond only to the response of the WIPO Director General to the allegations of the President of the Staff Association. The Delegation stated that the current circumstances for the meeting of the Coordination Committee should never be repeated. It was imperative, therefore, to note that, while efforts to resolve issues relating to the allegations of the workers was commendable, the

convening of the extraordinary session and the compilation of the report of the Chair went beyond the mandate of paragraph 95. The Delegation did not see the need for any extensive deliberation on the matter as such issues fell within WIPO's internal administrative due processes. Since there was no mandate for the compilation of a report, it should not become the basis of discussion. The response of the Director General to the allegations was indicative of the activity and commitment of the WIPO Administration to comprehensively address these issues and concerns. It was vital that the Director General should be given all the necessary support to enable him to consistently engage with the leadership of the workers to address those questions. In the view of the Delegation, this would require cooperation from both sides, staff and the Administration. It was imperative that the Coordination Committee should not in any way be turned into an arbitration body. It was also important that, while the issue of grievances was duly presented, that the pursuance of such grievances would follow due process within the formal internal mechanisms of the Organization. In the view of the Delegation, the session had no business attempting to micro-manage WIPO. The Delegation believed the session should conclude only by acknowledging what the Director General had done.

18. The Delegation of Angola associated itself with the statement of the African Group. The Delegation noted that it had expected the consultation process leading up to this session to be clearer and broader. The Delegation reiterated its full commitment to continue to support the work of the WIPO Administration to deliver on its mandate and to meet the interests of the membership of the Organization. The Delegation was concerned with the issues raised by the WIPO Staff Association. However, it was convinced that the issues raised did not belong before the Coordination Committee. Issues of organizational and internal nature fell within the purview of the WIPO Administration which should be given the opportunity to continue to resolve it internally as was concluded in paragraph 95. The Delegation was encouraged by the steps taken by the WIPO Administration and the Chair to resolve the issues. While the Delegation agreed with the African Group on the status of the Chair's report, it agreed with two points of the report; firstly, that there should be no attempt by the Coordination Committee to micro-manage the Organization; and secondly, that in order to examine the extent of resolution in the cited matters, new matters could not be considered in the assessment. The Delegation took note of the response provided by the Secretariat in reaction to the Staff Council President's statement of September 20, 2010. In the view of the Delegation, the response shows the willingness of the Administration in resolving the concerns of the Staff Council. The Delegation highlighted, in particular, those initiatives taken by the WIPO Administration to include the representatives of Staff Council members, in the framework of, for example, the VSP Evaluation Group, the new Joint Consultative Group, the design of PMSDS, and the Appointment and Promotion Board.

19. The Delegation of Italy thanked the Chair for her work and commitment, and stated that it fully supported the Group B statement. The Delegation made four points: (i) that as a matter of principle, Member States should not be involved in internal matters concerning the management of the staff in WIPO, as well as in other international organizations; (ii) the settlement of disputes should avail the appropriate administrative internal procedures or the ILO Administrative tribunal; (iii) the Delegation was interested in an Organization which was strong, stable, functioned effectively, and which dealt with important, if not crucial, economic aspects of the State; (iv) the Delegation trusted therefore that the outcome of this session would simply be a commitment to resolve the issue internally for the benefit of all interested parties, all Member States, and the Organization itself.

20. The Delegation of Turkey thanked the Chair for the report and for the work done in resolving the outstanding issues. The Delegation stated that it fully endorsed the general statement made by Group B. In addition, the Delegation underlined the importance of the areas which were highlighted under "level 2" issues in the Chair's report; particularly the importance of enhanced communication between WIPO management and the Council of Staff Association. The Delegation also welcomed the analysis regarding temporary employees and their allowances. Finally, the Delegation supported the internal resolution of the remaining issues between the management and the staff. It fully concurred with the importance of refraining from any action that would give the impression that the Coordination Committee was micro-managing the Organization.

21. The Delegation of Algeria endorsed the statement on behalf of the African Group and that of the DAG. The Delegation appreciated the reflection of the Chair in the report WO/CC/64/2. However, it did not wish the Coordination Committee to become a third partner in a dialogue which should remain bilateral between the Staff Council and the WIPO Administration. In accordance with the last session of the Coordination Committee, paragraph 95 of document WO/CC/63/7, the extraordinary session of the Coordination Committee was taking place to consider whether any possible non-resolved questions required action from the Coordination Committee. The Delegation shared the Chair's view that everything depends on what is understood by unresolved issues. It believed that the resolved issues were those for which reasonable answers had been found. It was not up to the Coordination Committee to involve itself in specific cases, but should limit itself to ensuring that the current policy in the area of staff management was appropriate to deal with any potential and standing issues. The Delegation believed that the Staff Council had an advisory role and that the Director General had a discretionary capacity within the framework of existing rules. In accordance with Article 8(3)(i) of the WIPO fundamental text, the Coordination Committee gave advice to the bodies of WIPO and the Director General on systemic questions of administrative issues, financial issues, and on other questions of interest to the Organization; not specific cases of management. Therefore, the Delegation considered that outstanding issues might require some adaptation in the area of staff and management policy and thus require a role for the Coordination Committee. The Delegation suggested that the provisions which might require consideration be reviewed before the next session of the Coordination Committee, which could also be subject to potential recommendations to the General Assembly in September 2011. Reference was made in this regard to the proposal from the DAG. The Delegation believed that the Chair's report was informal because it did not come from an explicit request from the Coordination Committee and, therefore, the Coordination Committee was not obliged to take note. The Delegation did find the report provided useful guidance, but considered that it involved the Coordination Committee with internal issues of the Secretariat. The Delegation stated that there would be an opportunity to have an interactive discussion on these issues at the ordinary session of the Coordination Committee taking place at the Assemblies in September 2011. It is hoped the meeting is planned sufficiently in advance to enable the Coordination Committee to submit recommendations in due time to the supreme organs of WIPO. The Delegation encouraged the management and the Staff Council to intensify exchanges on the issues being discussed before September 2011, with the view to avoid any misunderstanding. The Delegation also acknowledged the concerns of the President of the Staff Council with regard to the issue of geographical representation, taking into account the fact that developing countries are still under-represented. The Delegation welcomed the efforts of the Director General to promote more balanced geographical representation and encouraged him to continue his efforts in this direction.

22. The Delegation of the United Republic of Tanzania (United Republic of) thanked the Chair for setting a clear path in the deliberations. The Delegation affirmed that it supported the views expressed by the Delegation of South Africa on behalf of the African Group and expressed its appreciation to the Director General for his decision to hold the extraordinary meeting as a way of addressing the present important issues. The Delegation took note of the work that had been

done and achieved by the Coordination Committee in resolving the issues expeditiously, to ensure a peaceful atmosphere conducive to the proper running of the Organization. The Delegation was committed to engaging constructively in the negotiations, with the view to reaching a successful conclusion on the few outstanding issues. The Delegation had considered the agenda of the meeting carefully, and specifically paragraph 95, document WO/CC/63/8, and had taken note of the response provided by the Secretariat in reaction to the Staff Council President's statement of September 2010. The Delegation had carefully studied the responses, which showed that the Secretariat had taken big strides in addressing the grievances raised by the Staff Council. The Delegation considered that it was encouraging to know that internal mechanisms existed and could be applied successfully to address grievances of such a nature. It was for this reason that the Delegation aligned itself with the other Delegations that had stated that the Member States should not micro-manage the Administration of WIPO. The Delegation requested all Delegations to support that the Administration run its affairs the way all other United Nations (UN) agencies run their affairs, by addressing the weaknesses through their internal mechanisms to ensure predictability, transparency, and effectiveness with minimum interference from Member States. The Delegation recommended that the Administration and the staff be allowed to cooperate in resolving these matters amicably. Member States should involve themselves only in the policy issues. It was necessary to encourage the Staff Association to work with the Administration in good faith. Referring to the elected WIPO Management Team, the Delegation stated that it was important not to undermine the decision of the Member States by unduly interfering or undermining the mandate that had been endorsed in the nomination of the Coordination Committee.

23. The Delegation of Senegal supported the statements made by the Africa Group and Nigeria. The Delegation added that it considered that differences between the parties stemmed, in part, from insufficient communication and could be overcome. The Delegation highlighted that there were internal mechanisms which allowed progress to be made. The meeting was useful in terms of providing information for the members of the Coordination Committee. The Delegation reiterated that all parties must continue their dialogue for the well-being of the Organization. Referring to the role of the Member States, it said micro-management must be avoided. The Delegation stated that the Organization was providing good results, and that the Director General was moving ahead properly, and had responded to requests on the part of the staff, and that the Director General must be encouraged. The Delegation concluded by stating that it was of the view that the extraordinary meeting should be the last one devoted to differences between the Administration and the staff.

24. The Delegation of India associated itself with the statement of the DAG. The Delegation noted that it was opportune for the Coordination Committee to convene, as it was evident from the statements by the Staff Council that there were issues that appear to be unresolved. The Delegation considered it a necessary and timely opportunity to constructively discuss the issues raised by the Staff Council, as well as the responses provided by the Director General, on behalf of the Secretariat. The Delegation was disappointed that the representative of the Staff Association was not given an opportunity to express his views at this extraordinary session of the Coordination Committee which had been convened, specifically and solely to deal with issues raised by the Staff Association. The Delegation reiterated that the Member States had neither the mandate nor the necessary competence to arbitrate disputes between management and staff. Whether an issue has been resolved or not was something the Staff Council and the Secretariat had to mutually agree upon; this did not appear to be the case. The Delegation stated that there was a need for an independent, impartial investigation by a competent authority in accordance with the UN rules and regulations. The Delegation found it difficult to accept the Chair's basis for the categorization of the complaints or the judgments that had been made. The Delegation highlighted that issues that had been identified as resolved in the report were not resolved according to the statement circulated by the Staff Council that morning. The Delegation maintained that it was not the Coordination Committee's task to pronounce a

judgment on each specific allegation, but highlighted that it was the Coordination Committee's responsibility to evolve necessary institutional guidelines and make requisite policy decisions, to ensure that the intervention of Member States was not called upon by the Staff Council in specific disputes. The Delegation stated that, as the convention body mandated to deal with all matters concerning the smooth functioning of the Secretariat, it was in the view of the Delegation, that it is the direct responsibility of the Coordination Committee to ensure that necessary institutional mechanisms were put in place, so that grievances between the Secretariat and the Staff Council were resolved in a routine, timely and effective manner, without allowing discontent to fester and erupt in an inappropriate or public outpouring of grievances, as it had done during the last General Assembly. The Delegation had hoped that the Chair's report would include specific suggestions for solutions in this regard. The Delegation proposed action at two levels in order to ensure that WIPO functioned smoothly and efficiently. The Delegation stated that: firstly, while the Member States were ill-equipped to conduct enquiries into the veracity of the Staff Council's charges, it was important to bring closure to the matter, and not allow it to degenerate into endless charges and counter-charges. Bringing closure was not only important from the perspective of natural justice and due process, but also for the image and credibility of the Organization and the morale of its staff. The Delegation proposed that the Coordination Committee refer the outstanding issues that had not yet been resolved to the United Nations Joint Inspection Unit (JIU) or to the WIPO Independent Advisory Oversight Committee (IAOC) for an impartial, independent and fair investigation, with the request that the report be presented to the Coordination Committee for its consideration. Secondly, it was also important to put in place necessary institutional measures and mechanisms to avoid the recurrence of the situation in the future. In this regard, the Delegation supported the proposal made by the DAG, in particular the governance reform proposal, and the proposal to introduce a more functional, smaller layer of governance. Thirdly, the Delegation proposed that at every session of the Coordination Committee, the Secretariat should brief the Members of the Coordination Committee about significant developments with regard to staff conditions and explain how they were in accordance with the Staff Regulations and Staff Rules. Representatives of the Staff Council should be given an opportunity to present their views and concerns, if any, at each session of the Coordination Committee. Pending reform of the Coordination Committee or the establishment of a new body, the annual meetings of the Coordination Committee should be convened and scheduled, without any unilateral cancellations of meetings by the Secretariat, as had been the case the previous year. The Delegation endorsed a minimum cooling-off period of two years before personnel from Geneva-based missions and officials from capitals dealing with WIPO to avoid the possibility of motivated staff recruitments and conflict of interest to a revolving-door recruitment system. The Delegation noted that the Secretariat, the staff, and the Member States all had a stake in the smooth and successful functioning of WIPO. The Coordination Committee had to decide whether it wanted to put in place mechanisms that would make more than 1,000 staff members a part of the WIPO family and a force multiplier of WIPO's influence, or, an adversary to contend with perpetually. The Delegation sought a clarification from the Chair as to how she proposed to draw up the conclusions of the extraordinary session of Coordination Committee and feed them into the future work of the Coordination Committee.

25. The Delegation of Brazil supported the statement made by the DAG. The Delegation agreed that it was the responsibility of the Coordination Committee to develop rules and guidelines to assure its smooth and effective functioning of WIPO and considered that the Coordination Committee should meet more often. The Delegation particularly supported the establishment of a cooling-off period of two years before personnel from Geneva-based Missions and officials from capital dealing with WIPO could be considered for recruitment at WIPO. The Delegation stated that it was eager to receive further information on the regularization of long-serving temporary employees in WIPO and the implementation of appropriate measures to prevent the recurrence of the problem.

26. The Delegation of Zambia thanked the Chair for convening the meeting and supported the statement made by the African Group. The Delegation implored the Members to have a discussion in context of document WO/CC/63/8, paragraph 95 only. The Delegation highlighted three elements that were important to consider out of that conclusion: (i) that the Secretariat should provide a written response to the statement of the President of the Staff Council; (ii) that the Coordination Committee would give WIPO management an opportunity to resolve issues internally; (iii) the possibility to convene a meeting of the Coordination Committee in the Spring if there were any unresolved issues. The Delegation was pleased to note that the response of the Director General had been provided on April 4, 2011. The Delegation considered that the response provided a good basis for the Staff Association and the management to engage in resolving the substance of the two documents. This development, therefore, satisfied the first element. The Delegation did not consider that sufficient time had been given to both parties to engage meaningfully on the matter, and was not surprised that the Staff Association had today made a reply to the Director General's response. The Delegation was of the view that there had not yet been a reasonable opportunity to resolve the matter internally. Therefore, since the second element had not been fully and exhaustively satisfied, the Coordination Committee should not have been convened at the present time. The Delegation stated that the report offered by the Chair was not mandated by paragraph 95 but it was the Chair's own responsibility and that she expressed her own views on the matter. The Delegation, as a member of the Coordination Committee, could not recognize this report for any other purpose and could not accept it being noted as this would give it the formality and status that it did not possess. The Delegation concluded by advising the Coordination Committee to take note of the response of the Director General to the statement of the Staff Association and stated that the matters raised therein should be resolved internally, taking into account the internal grievance procedures. The Delegation was of the view that Members should show utmost restraint regarding issues that were clearly in the purview, ambit, and competence of management under the leadership of the Director General.

27. The Delegation of El Salvador stated that it considered that the Coordination Committee did not have the mandate to resolve the issues presented, nor did it have the faculties to evaluate and make decisions on internal administrative or human resources issues. It considered that these matters should be dealt with in accordance with the appropriate administrative procedures, at an internal or an international level. The Delegation was of the view that the Organization has internal mechanisms to solve these types of issues.

28. The Delegation of Singapore thanked the Chair for the report. The Delegation stated that it had reached many of the same conclusions as those in the report and appreciated the confirmation. The Delegation had listened to colleagues challenging the mandate of the report. The Delegation was of the view that there was convergence upon the position that the extraordinary meeting was dealing with the procedural impropriety of the issues that had been raised to the Coordination Committee. The Delegation wished to take the opportunity to restate three important principles. First, even though the Staff Council had chosen to elevate these administrative issues to the Coordination Committee, the Member States should not respond by attempting to micro-manage the Secretariat; these were the management functions to which the membership had collectively appointed the Director General. The Delegation was of the view that it would be irresponsible to then undermine the Senior Management team by micro-managing the day-to-day affairs. Second, the Coordination Committee should not entertain any new issues or matters being introduced into the debate. The Delegation expressed surprise at some colleagues who had, at the outset, said that the Coordination Committee should not micro-manage and had gone on to make certain suggestions to the Director General and his colleagues. The Delegation reminded the Coordination Committee that there were established channels, including those for the management function, which should be used first and foremost. The Delegation was of the view that this should be the first and the last time that the Coordination Committee has such a conversation. Third, even if one party did not secure its desired outcome, the matter should be considered to have been

dealt with so long as due process has been observed. The Delegation stated that human resource issues are necessarily subjective. When outcomes do not go in favor of one party or the other, there is understandably a degree of unhappiness. The Delegation observed that it was not the expectation of Senior Management, or of the Member States, to pursue the impossible goal of satisfying every individual staff member. Instead, adequate robust mechanisms should be established to cope with operational realities. The Delegation readily supported the Staff Council in representing staff interests with Senior Management. However, the Delegation was of the view that the Staff Council itself had to live up to the same accountability which they demanded from management. The Delegation expressed disappointment that a large number of the issues raised were found to be misrepresentations and inaccurate criticisms. The Delegation observed that accountability cut both ways, and was disappointed that professional staff in the staff council would choose to discredit themselves by raising subjective criticisms without a good basis. It stated that it strongly believed that the time and energy of Member States should not be taken so lightly that the unhappiness of a select group had been allowed to consume the bandwidth, which would have been better devoted to the intergovernmental agenda. The Delegation highlighted that the Staff Association membership stood at 640 of WIPO's 1,175 posts, however a significantly smaller number of only 347 had exercised their right to vote in the last election. The Delegation expressed the hope that the Council was also taking account of the views of the silent majority who did not seem to be associated with this present activity. The Delegation reiterated that WIPO was undergoing a major transition in which some much needed restructuring was being conducted to face new realities and challenges in the global IP landscape. The Delegation stated that the management and staff deserved to hear from Member States that they approve and commend the direction in which the Organization was heading. There were many positive developments which the Member States wanted to see continue, with the progressiveness and professionalism which sets WIPO apart. This was the kind of professionalism Member States were counting on every staff member to uphold. The Delegation recognized the difficulties in coping with the change, but underlined that this must not hinder the continued improvement of WIPO's core business activities. The Delegation stated that while Member States did not make light of the grievances which have been raised, the expectation was that staff members use the established channels to address them, and that all parties would respect and uphold the adjudicated outcome, to bring sufficient closure to all matters. The Delegation hoped to see that, following the meeting, a positive and constructive relationship would emerge between the Staff Association and WIPO management.

29. The Delegation of South Africa aligned itself with the statement made by the African Group and by the DAG. The Delegation welcomed the meeting as a follow-up to document WO/CC/63/8, paragraph 95. The Delegation hoped that the differences between the WIPO Administration and WIPO Staff Association would be resolved amicably. The Delegation considered that the role of the Coordination Committee, among others, was to focus on policy issues related to staff. The Delegation was of the view that the meeting should confine its discussion to the issues of relevance. The Delegation considered that staff matters were important for the effective functioning of any organization, including WIPO. It was important that any recruitment processes and conditions of work are regularized in order to ensure consistency and confidence among all parties within the Organization. The Delegation considered that due process should always be followed with staff matters, and highlighted the importance of ensuring that the principles of geographical balance and gender parity were achieved in the Secretariat. In addition to the recommendations made by the DAG, the Delegation proposed that the Coordination Committee meet regularly in order to allow the WIPO Administration to update Member States on staff matters. In the view of the Delegation, this would enhance transparency and confidence, as well as enable Member States to play a role in advising WIPO on staff policy. The Delegation affirmed the need to foster an environment of good governance in all international organizations, including WIPO. The Delegation stated its firm belief that, to ensure that the issues were resolved amicably, there is a need to strengthen the internal structures in WIPO responsible for dealing with such grievances, which would facilitate the

resolution of the matters before the Coordination Committee. The Delegation also considered that the WIPO Administration and the WIPO Staff Council should increase their interaction internally, in order to work together in harmony.

30. The Delegation of the Dominican Republic supported the statement made by other Delegations, that internal matters of WIPO should be resolved to the satisfaction of the parties, and that it was not the mandate of the Member States to involve themselves. The Delegation reserved comments on the report of the Chair, given that it was not sure of the status of the report. The Delegation hoped that conversations between the Administration and the Staff Council would reach a satisfactory result for both parties.

31. The Delegation of Bangladesh thanked the Chair for convening the meeting and for the statement. The Delegation stated that it would limit itself to the issues addressed in the report. Like any other least-developed country, the Delegation stated that it wanted WIPO to deliver capacity and institutional building services that would promote economic growth and innovation in their countries. The Delegation was looking for efficient delivery in this context, and stated that it was important to see a good environment prevailing in the Organization where the management was directing motivated staff to respond effectively to the needs of its Member States. The Delegation hoped that the discussion would end the perception of mistrust and would lead to constructive dialogue and a good faith engagement between the management and the staff. The Delegation was generally in agreement with the approach and conclusions of the report. The Delegation noted the conclusion that: "there has been resolution of most of the issues and that the remaining issues are being addressed." The Delegation agreed that the role of the Member States was not to micro-manage the Organization. The Delegation was of the view that, like in any other UN agency, the management and the Staff Association must perform their respective roles and work in a sustained manner to resolve issues and be responsible for a conducive environment in the Organization and efficient delivery of services. The Delegation stated that the Member States would, of course, continue their oversight responsibility through the Coordination Committee and the General Assembly, providing guidance as necessary. However, strict adherence to set rules and regulations would help solve any problem internally and prevent public exposure. The Delegation stated that, as in any organization, management and staff relations were an ongoing process and both sides needed to remain engaged in good faith. The Delegation noted that the report stated, "it is important for the Staff Council to work collaboratively with management." The Delegation acknowledged that some areas clearly fell under the authority of management, but it hoped that management would do more to address the genuine concerns of the staff members. The Delegation also called upon the Staff Association to resume engagement and dialogue with management in good faith, in order to continue to make progress on the remaining issues.

32. The Delegation of the Democratic Republic of Congo endorsed the statement of the African Group. The Delegation was of the view that WIPO had appropriate internal structures to improve its functioning and to address any issue hampering the effective functioning of the Organization, and supported the parties in promoting internal mechanisms to create an effective working environment that would enable the achievements of the objectives established by Member States. In this vein, the Delegation called on the WIPO Administration and the Staff Council to continue their dialogue at the internal level.

33. The Delegation of Burundi was of the view that the Secretariat was working very closely with the Staff Council to find answers to the concerns expressed in the Staff Council's statement. The Delegation further encouraged the parties to use the internal mechanisms available to find solutions to problems. The Delegation stated that the Member States should not involve themselves in the internal management of WIPO. The Director General has the mandate to do this and should be the one to report on activities to the Member States. The Delegation considered that any other approach could jeopardize the effective functioning of the

Organization. The Delegation encouraged the Director General to further strengthen internal communication within the Organization.

34. The Delegation of Morocco supported the statement made by the African Group. The Delegation was of the view that the non-resolved issues were systemic, of a political or a legal nature, particularly in relation to the Staff Regulations. The Delegation stated that non-resolved issues could not be subject to micro-management, and that such issues were the responsibility of the Director General. The Delegation welcomed the opportunity to meet for clarification and hoped that it would be a prelude to an increasing atmosphere of confidence between staff and the Administration. The Delegation supported the efforts currently underway to reinforce communication with staff. The Delegation proposed that the Coordination Committee adopt the following approach: first, to invite the parties to use and respect the existing legal mechanisms to resolve conflicts, including consultation and dialogue; second, to invite the Director General to identify the systemic roots of the conflict, and if necessary, to make proposals for amendments to the Staff Regulations.

35. The Delegation of Ghana aligned itself with the statement of the African Group. The Delegation commended the Chair for her dedication and diligence, and noted the efforts made to advance the work of the Coordination Committee. The Delegation was of the view that the convening of the session served a useful purpose only in so far as it provided a formal opportunity for the Coordination Committee to acknowledge and reaffirm the concrete steps that the Administration had taken and intended to take to address satisfactorily the issues and concerns contained in the statement of the President of the Staff Council. The Delegation was encouraged by the transparent manner in which these issues have been addressed and asked the Secretariat to expedite action on all outstanding issues, if any, to enable the Organization to focus on providing sterling leadership in the global IP architecture. The Delegation remained committed to ensuring that efficient results are prioritized in a development-driven specialized agency. The Delegation continued, stating that the strength of any Organization undoubtedly lies in the unhindered channels of communication open to both management and staff to freely exchange constructive views on matters of mutual concern. The Delegation believed that it was not beyond the management and staff of the Organization to work together in the spirit of cooperation to achieve a formidable task of transforming the economies of developing countries and consolidating those of the developed countries through innovation, creativity, and promotion of Intellectual Property. The Delegation stated that the administrative challenges confronting this Organization were by no means unique at this time within the UN system, but they did present a unique opportunity for inspired leadership. The Delegation expressed its continued full confidence in the ability of the Director General to find an amicable solution to the current impasse and to manage the affairs of this Organization carefully, tactfully, and responsibly. The Delegation stated that Member States bear some responsibility in ensuring that the efforts of the Director General to advance the interest of Member States in the day-to-day work of the Organization were not undermined by undue interference in the mandate entrusted to him. The Delegation stated that, while it expected accountability and propriety, the Director General must have adequate room for maneuver and managerial discretion.

36. The Delegation of Kenya thanked the Chair for the extensive report, and aligned itself with the statement made by the African Group. The Delegation expressed the belief that staff welfare was an important aspect of any organization. The Delegation stated that Member States have no business in the day-to-day administrative functioning of WIPO. The Delegation noted the Director General's response to the matter and believed that the issues could be effectively resolved internally. The Delegation expressed the view that WIPO should be given an opportunity to resolve the matter as it has the necessary mechanisms for addressing issues of staff welfare.

37. The Delegation of Ecuador recognized the issues and stated that the report before the Coordination Committee had been drafted outside the mandate of this Coordination Committee,

so the Delegation would not comment on it directly. WIPO had effective mechanisms for resolving issues, of which the Coordination Committee was not a part. The Delegation considered that it was setting a bad precedent to consider internal issues, as the Coordination Committee was not an adjudicating body. The Delegation looked forward to finding a mutually beneficial solution. The issues needed to be identified, analyzed, and resolved, and the various responsibilities needed to be identified. The Delegation was of the view that failure to resolve the issues might harm the image of the Organization. The Delegation highlighted that the detrimental economic effect also had an impact on Member States, who provide financing for the Organization.

38. The Delegation of Egypt fully associated itself with the statements made by the African Group and by the DAG. The Delegation stated that the issue outlined in document WO/CC/63/8, paragraph 95 was important, as it pertained to the healthy relationship between WIPO staff and management and the need to ensure efficiency in the functioning of the Organization. The Delegation considered that the issue needed to be resolved quickly to avoid any further negative impact. The Delegation found that the mandate for the report was not clear. The Delegation was of the view that WIPO needed more regular meeting of its governance bodies and particularly of the Coordination Committee. Finally, the Delegation supported and endorsed the proposal for a cooling off period of two years prior to staff from Permanent Missions being hired by the WIPO Secretariat.

39. The Delegation of Japan associated itself with the statement made by Group B and wished to complement it with four elements. First, the Delegation thanked the Chair for the information provided and expressed its full confidence in the work done to gather the information and analyze it. Second, the Delegation noted that the Coordination Committee was not equipped to deal with specific cases. The Delegation stated that there were specific institutions that dealt with specific matters and that the Coordination Committee was not equipped nor tasked to conduct a judicial procedure. Third, the Delegation reiterated that the meeting was convened to establish if there were any unresolved issues remaining, as specified in document WO/CC/63/8, paragraph 95. Fourth, the Delegation noted that the Coordination Committee has the role to give advice on administrative issues. The Delegation noted that it would be difficult to discuss the substance of specific issues. The Delegation was of the view that the Coordination Committee should express appreciation for the information provided by the Chair and should take note of the discussion which followed afterwards.

40. The Delegation of Trinidad and Tobago thanked the Chair for her efforts in the consideration of the matters before the Coordination Committee. The Delegation was of the view that it would be dangerous for the Coordination Committee to pronounce on matters of internal governance in WIPO. It stated that, in executing its mandate, the Coordination Committee must not do anything that could have the effect of, or be seen to have the effect of, undermining or challenging the authority of the Director General. The Delegation regretted that the matters had been brought before the Coordination Committee, especially as the evidence suggested that the established procedures for internal dialogue and resolution had not yet been exhausted. The Delegation expressed its concern about some of the allegations that had been made by the Staff Council, particularly those that alleged racial discrimination, which had no place in a UN organization and certainly not an organization whose technical and operational focus is the pursuit of excellence. The Delegation asked whether there was a need for a strengthening of the ethics function within WIPO. The Delegation reiterated that management and the Staff Council must re-engage in an open, honest, good faith, transparent dialogue to resolve the remaining issues.

41. The Delegation of Mexico stated that the session of the Coordination Committee should follow its mandate exclusively and not debate any other question other than the main issue, which was the statement of the President of the Council of the Staff Association and the response of the Director General. The Delegation thanked the Director General for the

submission of his report which responded to some of the questions which were brought up in the WIPO Assemblies of 2010. The Delegation stated that the problems should be dealt with within the Organization, and that the Member States should stay out of any decision making with regard to the solutions to these issues.

42. The Delegation of Venezuela (Bolivarian Republic of) supported the declaration made by the DAG, and welcomed the holding of the meeting, which sought to fulfill the mandate of the General Assembly of WIPO drawn in September 2010. The Delegation stated that the function of the Coordination Committee is to contribute to the smooth functioning, institutional mechanisms, and to solve any possible problems which might occur. The Delegation welcomed the report of the Chair as it had helped to provide an answer to issues which had been openly brought up in meetings. However, the Delegation was of the view that that the issues should be dealt with within the established procedures. The Delegation stated that the Coordination Committee did not have the capacity nor the mandate to act as judge. The Delegation observed that transparency was essential in multilateral fora, such as the present Coordination Committee, hence the need and the importance of an independent and impartial investigation by a competent authority in accordance with the rules and regulations of the UN. The Delegation stated that despite the efforts made to report on the conclusions, it considered that the report was not an objective vision, since the gathering of facts was not within its mandate. Therefore, the Delegation found the report submitted by the Chair could not offer possible solutions to problems. Finally, the Delegation made an appeal that management of an international organization should be handled under the mandate and norms which its members have decided.

43. The Delegation of Jamaica thanked the Chair for the report presented to the Coordination Committee. The Delegation expressed its deep concern for the advancement of the global Intellectual Property rights agenda in which WIPO played a vital role. The Delegation welcomed the Chair's report and urged that every effort be made to bring closure to all matters of concern. The Delegation stressed that the established principles of management and administration should be allowed to prevail and underlined that the Coordination Committee should not seek to micro-manage the Organization.

44. The Delegation of Algeria noted that Member States were concerned about the promotion of staff welfare, and hoped that outstanding issues would be brought to closure as soon as possible. The Delegation emphasized that the Coordination Committee was not to engage in micro-management, but that it had a role in systemic and policy issues as mentioned in Article 9, paragraph 7, of the WIPO Convention. Article 9 stated that the conditions of employment were established by Staff Regulations, which had to be approved by the Coordination Committee, on the proposal of the Director General. The Delegation supported the proposal that the Director General could submit to the forthcoming meeting of the Coordination Committee any adjustments that were needed to the Staff Regulations, linked to outstanding issues.

45. The Delegation of Tunisia supported the declaration made by the African Group and reiterated that the extraordinary session was held exclusively in application of paragraph 95 of the document WO/CC/63/8, and that the session had not been not convened to review or to deal with any other issue, nor had it been convened to examine proposals which were contrary to the rules and regulations of this Organization and those of the United Nations System.

46. The Delegation from Nigeria stated that the Coordination Committee was not supposed to engage in a special session on internal matters of WIPO, but solely to deal with document WO/CC/63/8, paragraph 95. The Delegation reminded that any substantive input or suggestion would not prevail and should be disregarded. The Delegation considered that some substantive suggestions had been made during the session that were totally out of context with paragraph 95. The Delegation stated that it was necessary to obtain the endorsement of the

General Assembly in order to change the guidance, which could not be done at this stage. The Delegation proposed that, as an outcome of the meeting, the Coordination Committee should express its appreciation to the Director General for the response he had given.

47. The Chair stated that she had taken note of the comments and suggestions and would take them on board. The Chair advised that the next ordinary session of the Coordination Committee would be held in September 2011. The Chair summarized the conclusion of the meeting: the Coordination Committee found that, regarding the outstanding matters of document WO/CC/63/8, paragraph 95, there was nothing further for this Coordination Committee to undertake. Further, the Coordination Committee was of the view that it should not involve itself in the resolution of those remaining issues. The Chair declared the meeting closed.

[Annex follows]