

WIPO Coordination Committee

Sixty-Ninth (25th Extraordinary) Session Geneva, March 6 and 7, 2014

REPORT

adopted by the Coordination Committee

1. The meeting was opened and presided over by the Chair of the Coordination Committee, Mr. Fodé Seck (Senegal).

2. The following Member States of the Coordination Committee were represented at the meeting:

Afghanistan (*ad hoc*), Algeria, Angola, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belgium, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia (*ad hoc*), Finland, France, Gabon, Georgia, Germany, Ghana, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kenya, Luxembourg, Malaysia, Mexico, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland (*ex officio*), Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Zambia, Zimbabwe (83).

3. The following States were represented in an observer capacity:

Andorra, Argentina, Bahamas, Belarus, Benin, Botswana, Brunei Darussalam, Burundi, Cabo Verde, Croatia, Djibouti, Greece, Guinea, Holy See, Honduras, Israel, Jordan, Kyrgyzstan, Latvia, Lithuania, Malta, Monaco, Montenegro, Morocco, Mozambique, Myanmar, Oman, Panama, Poland, Republic of Moldova, San Marino, Saudi Arabia, Serbia, Sierra Leone, Togo, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen (38).

4. The list of participants appears in the Annex to the present report.

5. The Chair made the following statement:

“Your Excellencies, ladies and gentlemen, I welcome you to this sixty-ninth session of the Coordination Committee which, as you are aware, is faced with a very important task: the nomination of a candidate for the position of Director General with a view to an appointment to this post by the WIPO General Assembly.

“To this end, I rely on your cooperation so that we can accomplish this task in accordance with the general principles governing the procedure for the nomination of a candidate for the post of Director General of WIPO, as enshrined in document WO/CC/69/INF/1. I wish to place particular focus on two of these principles:

“The selection of a candidate for Director General shall be guided by respect for the dignity of the candidates, as well as the countries nominating them, and transparency of the nomination process.

“Efforts to nominate a candidate via consultations leading to consensus are welcome at any stage of the selection process, but such efforts should not unduly delay the decision-making process.

“I rely on your full and complete cooperation to ensure respect for these principles, that is, respect for the dignity of candidates and countries, transparency and consultations leading to consensus obtain during the entire process.

“Before moving on to the adoption of the agenda, I shall give the floor to the legal counsel for some points concerning the accreditation of delegates and other practical information.”

6. The Legal Counsel updated the meeting on accreditation, rooms for consultation and internet access.

AGENDA

7. The Coordination Committee adopted its agenda as proposed in document WO/CC/69/1.

NOMINATION PROCESS

8. The Chair introduced document WO/CC/69/3 (“Nomination Process”) and reminded delegates that the document was established in close consultation with all members and observers, Group Coordinators and Candidates’ Representatives. In reference to the said document, the Committee was asked to approve the following:

(i) paragraph 6 – after every round of voting, the candidate receiving the least number of votes will be eliminated, until there remain two candidates.

(ii) paragraph 7 – in case of a tie, where subsequent consultations are inconclusive, there will be a new round of voting among/between tied candidates only.

(iii) paragraph 9 – pertaining to the issue of recount, and also in reference to the Paris and Berne Union Executive Committees.

(iv) paragraph 11 – stating that the Secretariat prepares ballot papers before each round of voting with the names and country of the candidates which will participate in that round of voting.

9. The Coordination Committee approved the proposals appearing in paragraphs 6, 7, 9 and 11 of document WO/CC/69/3 and took note of the other information contained in the document.

NOMINATION TO THE POST OF DIRECTOR GENERAL

10. The Chair drew the attention of delegates to document WO/CC/69/2 (“Nominations Received for the Post of Director General of WIPO”), in which were set out the nominations of the following four persons which had been received by the Chair by the deadline of December 6, 2013:

Mr. Francis Gurry (Australia)

Mr. Geoffrey Onyeama (Nigeria)

Mr. Jüri Seilenthal (Estonia)

Mr. Alfredo Suescum Alfaro (Panama)

11. The Chair briefly summed up the rules of procedure (reproduced in their entirety in document WO/CC/69/INF/1 dated January 13, 2014), applicable provisions of the WIPO Convention, and the procedures on nomination that were adopted by the Assemblies of Member States in October 2013 (contained in documents A/51/3 paragraph 9 and A/51/20 paragraph 171).

12. In addition to document WO/CC/69/3 which had just been approved, the Chair drew the attention of delegates to Rule 28 of the General Rules of Procedure – Voting by secret ballot – and to the Annex – Rules of voting by secret ballot.

13. The Committee appointed the two tellers that had been drawn at random beforehand, to serve for each round of formal voting:

- Georgia; and
- Malaysia.

14. The following two substitute tellers (in case of absence of one or both of the tellers) that had been drawn at random, were also appointed:

- Russian Federation; and
- China.

15. The Chair announced the commencement of the first formal voting. Ballot papers with the names of the four candidates, in alphabetical order (together with their respective countries), were distributed to the delegations. The Chair reminded the delegations that they should put a tick or a cross in the box alongside a candidate’s name.

16. The Chair read the rules for invalidity of ballot papers. The Chair picked at random the country which would cast its ballot first; this was Armenia. The other delegations were then called to cast their ballots in alphabetical order in French. After the Chair had announced that the voting was closed, the ballot papers were counted and announced by the tellers, after which the Chair announced the results of the first formal round of voting, in descending order, of the number of votes received by each candidate:

Number of Member States entitled to vote:	83
Number of Member States absent:	0
Number of votes recorded:	83
Number of abstentions:	0
Number of invalid votes:	0
Number obtained by each candidate:	

Mr. Francis Gurry	46
Mr. Geoffrey Onyeama	20
Mr. Alfredo Suescum Alfaro	10
Mr. Jüri Seilenthal	7

17. In accordance with the established procedure, the Chair announced that participation in the next round of voting would be restricted to the following three candidates:

Mr. Francis Gurry (Australia)

Mr. Geoffrey Onyeama (Nigeria)

Mr. Alfredo Suescum Alfaro (Panama)

18. The meeting was adjourned until 2.30 p.m.

19. At the start of the afternoon session at 2.30 p.m., the Delegation of Panama reiterated that its candidacy had been based on the belief that there was a need to strengthen WIPO institutionally and on its perspective as a developing country committed to the institution, which could be a contributing factor. The Delegation of Panama thanked the delegations of the countries which had supported its candidate for their show of confidence. In the light of the results of the first round of voting, the Delegation announced its withdrawal from the process, enjoining those who had supported it to keep firm the conviction that had underpinned their support and adding that viewpoint was shared by Ambassador Jüri Seilenthal.

20. The Delegation of Nigeria informed the Committee that after consultations with the African Group, it wished to concede that Francis Gurry had won a persuasive victory, and congratulated him. The Delegation expressed thanks to the delegations that had supported its candidate. On behalf of the African Group, the Delegation expressed support to the incumbent Director General and assured him of their cooperation, while insisting that Africa matters in the affairs of the World Intellectual Property Organization. It concluded by expressing the wish to discontinue the voting.

21. The Chair proposed that after hearing the last two statements from the delegations having presented candidates, the Committee take note that the candidate Francis Gurry had been elected to be proposed to be appointed at the General Assembly as the Director General for the next six years. He concluded that Mr. Francis Gurry had been elected by consensus, to which there was applause by the Coordination Committee.

22. The Legal Counsel announced that the report would be ready for adoption at around 2 p.m. the following day in all six languages.

23. The Director General nominee, Francis Gurry, made the following statement:

“Thank you, Chairman.

“I should like to thank you all for the confidence you have placed in me.

“Let me start, if I may, by thanking the Government of Australia, who proposed me for

re-election. In particular, I should like to thank the Foreign Minister, the Honorable Julie Bishop, and the Minister for Trade and Investment, the Honorable Andrew Robb, for their support. I should like also to thank Ambassador Hamish McCormick, Ambassador to the World Trade Organization, Ambassador Peter Woolcott, Ambassador to the United Nations Organization in Geneva, and their wonderful teams.

“But let me thank *all* Member States, and I would like to emphasize *all* Member States because I believe that I was fortunate enough, to draw support from every regional group, and that, I think, is a very good basis on which to construct the future. I extend my heartfelt and profound thanks to all groups, for the support that they have given me in the first round and in subsequently electing me.

“The world of intellectual property is a very challenging one, but it is also a world with great opportunities. There are great tensions and great opportunities. I think that our task in the future is to manage those tensions that inevitably occur around intellectual property, innovation, and creativity in order to maximize the opportunities for all Member States. I very much look forward to working with you all on maximizing the opportunities that innovation, cultural creation, and intellectual property do present for the whole membership of the Organization.

“Going forward from now, one of the biggest tasks in the ensuing months will be the appointment of the next senior management team. I would like to give you an idea of the proposed time table in this respect. Of course, action must await the confirmation of the nomination of the Coordination Committee by the General Assembly in May. Very soon thereafter, I would intend that invitations be issued and advertisements published for the senior management posts and that we then enter into an intensive process of consultations over the ensuing months with the objective of being able to propose to you, the Member States, in September at the annual meeting, the new senior management team for the coming years.

“Once again, let me say that I am really deeply honored by your support, that I am profoundly grateful to you and that I very much look forward to working with you all.

“I should like also to pay a tribute to the other candidates and their respective delegations, and I wish them all the best in the future.

“Thank you very much”.

24. The Chair of the Coordination Committee proceeded to make the following statement:

“The Coordination Committee has fulfilled its mandate and has nominated a candidate for appointment to the post of Director General of WIPO. I congratulate the nominated candidate as well as the other candidates for their personal commitment and their in-depth knowledge of this Organization, which they amply demonstrated during this process”.

25. The Coordination Committee nominated Francis Gurry as the candidate for appointment to the post of Director General of WIPO.

26. This report was adopted by the Coordination Committee on March 7, 2014.

[Annex follows]