

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

## **WIPO COORDINATION COMMITTEE**

**Thirty-Sixth Session (27th Ordinary)**  
**Geneva, September 23 to October 2, 1996**

### **PROCEDURAL STEPS FOR THE APPOINTMENT OF A NEW DIRECTOR GENERAL IN 1997**

*Memorandum prepared by the Director General*

1. The term of office of the present Director General of WIPO will expire on November 30, 1997. A new Director General will have to be appointed. The present memorandum recalls the constitutional provisions concerning the nomination and appointment of a Director General (paragraph 2) and proposes the procedural steps that would lead to the nomination by the Coordination Committee of the candidate for appointment in 1997 by the WIPO General Assembly to the post of Director General (paragraph 3) and the procedural steps leading to the appointment itself (paragraph 4).
2. The Convention establishing WIPO contains the following rules on the subject of the nomination and appointment of the Director General (they are listed in the chronological order in which they will become relevant):

“The Coordination Committee shall ... (v) when the term of office of the Director General is about to expire, or when there is a vacancy in the post of the Director General, nominate a candidate for appointment to such position [namely, the post of Director General] by the General Assembly; if the General Assembly does not appoint its nominee, the Coordination Committee shall nominate another candidate; this

procedure shall be repeated until the latest nominee is appointed by the General Assembly.” (Article 8(3))

“The General Assembly shall: (i) appoint the Director General upon nomination by the Coordination Committee;” (Article 6(2)). “For the appointment of the Director General ... the required majority [that is, according to Article 6(3)(d), two-thirds of the votes cast] must be attained not only in the General Assembly but also in the Assembly of the Paris Union and the Assembly of the Berne Union.” (Article 6(3)(d) and (g))

“The Director General shall be appointed for a fixed term, which shall be not less than six years. He shall be eligible for reappointment for fixed terms. The periods of the initial appointment and possible subsequent appointments, as well as all other conditions of the appointment, shall be fixed by the General Assembly.” (Article 9(3)).

3. As far as the procedural steps leading to the nomination are concerned, the following is proposed:

(i) On October 31, 1996, a circular would be sent by the Chairman of the Coordination Committee to the Government of each of the States member of WIPO and/or the Paris Union and/or the Berne Union (hereinafter referred to as “the Member States”) inviting it to propose, if it so desires, one or several nationals of its State as candidate or candidates for the post of Director General and to send the proposal, through diplomatic channels, to the Chairman of the Coordination Committee by February 28, 1997.

(ii) A copy of each proposal would be sent to all the Governments of the Member States by the Chairman of the Coordination Committee on March 31, 1997.

(iii) The Coordination Committee would meet, at the Headquarters of WIPO, in extraordinary session on June 19 and 20, 1997, in order to nominate a person as its candidate for appointment by the WIPO General Assembly to the post of Director General.

(iv) The Chairman of the Coordination Committee would communicate the nomination of the Coordination Committee to the Governments of the Member States by June 30, 1997.

4. As far as the procedural steps leading to the appointment are concerned, the following is proposed:

(v) The General Assembly of WIPO and the Assemblies of the Paris and Berne Unions would have, on the agendas of their ordinary sessions of 1997 (which will be held from September 22 to October 1, 1997), an item entitled “Appointment of the Director General.”

(vi) When the General Assembly of WIPO appoints the nominee of the Coordination Committee, it would decide the period and the other conditions of the appointment.

5. A draft of the circular mentioned in paragraph 3(i) is annexed to the present memorandum. Annex I of the Circular will consist of the copy of the same provisions of the WIPO Convention which are quoted in paragraph 2 of this memorandum, whereas Annex II of the circular will consist of the decisions that the Coordination Committee will make in respect of the proposals made in this memorandum.

*6. The Coordination Committee is invited to pronounce itself on the procedural steps proposed in paragraphs 3 and 4, above, and on the annexed draft of the circular mentioned in paragraph 5, above.*

[The Annex follows]

ANNEX

Draft Circular

C.N...

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The Chairman of the Coordination Committee of the World Intellectual Property Organization (WIPO) presents [his] [her] compliments to the Minister of Foreign Affairs and has the honor to communicate to the Government of each State member of WIPO and/or the Paris Union and/or the Berne Union the following.

The term of office of the present Director General of WIPO, Dr. Arpad Bogsch, expires on November 30, 1997.

In accordance with the provisions of the Convention Establishing WIPO (see Annex I) and pursuant to the decisions of the WIPO Coordination Committee made at its session from September 23 to October 2, 1996 (see Annex II), it will be the task of the WIPO Coordination Committee at its extraordinary session on June 19 and 20, 1997, to nominate a person for appointment by the WIPO General Assembly as the next Director General. The decision on that nomination will be made by the WIPO General Assembly in its ordinary session from September 22 to October 1, 1997.

The Government of every State member of WIPO and/or the Paris Union and/or the Berne Union may, if it so desires, propose the name of one or more of its nationals as a candidate or candidates for nomination by the WIPO Coordination Committee. Any proposal should be accompanied by a curriculum vitae of the person proposed and should be addressed to the Chairman of the WIPO Coordination Committee, at the address of WIPO in Geneva, by the Minister for Foreign Affairs of the Member State making the proposal.

October 31, 1996

[End of Annex and of document]