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STAFF MATTERS

Memorandum of the Director General

CONTENTS

	<u>Paragraphs</u>
I. AMENDMENTS TO THE STAFF REGULATIONS AND RULES . . .	1 to 14
A. Amendments to the Staff Regulations provisionally decreed and applied under Staff Regulation 12.1	1 to 11
B. Amendment to the Staff Rules under Staff Regulation 12.2	12 to 14
II. ADVICE ON APPOINTMENTS TO POSTS AT GRADE D.1	15 to 23

I. AMENDMENTS TO STAFF REGULATIONS AND RULES

A. AMENDMENTS TO THE STAFF REGULATIONS PROVISIONALLY DECREED AND APPLIED UNDER STAFF REGULATION 12.1

Scale of Pensionable Remuneration for the Professional and Higher Categories – Regulation 3.15

1. Effective November 1, 1996, the post adjustment multiplier in New York changed, resulting in an increase of 3.75 per cent (rounded figure) in the net remuneration of the staff members in the Professional and higher categories in that city.
2. As a consequence, and in accordance with the provisions of Article 54(b) of the Regulations of the United Nations Joint Staff Pension Fund, the scale of pensionable remuneration for the above-mentioned categories has been adjusted with effect from November 1, 1996, by the same percentage as the net remuneration increase.
3. The revised scale of pensionable remuneration for the Professional and higher categories is reproduced in Annex I.

Salaries and Pensionable Remuneration for the Professional and Higher Categories – Regulations 3.1 and 3.15

4. Effective January 1, 1997, the General Assembly of the United Nations approved (resolution 51/216 of December 18, 1996) an increase of 5.68 per cent in the net salary scale for staff members in the Professional and higher categories in conjunction with a consolidation of 5.26 per cent of the post adjustment. The post adjustment multiplier for January 1997 has been established at a level such that the changes will result in an average increase of 0.4 per cent (rounded figure) in the overall remuneration of the above-mentioned categories.
5. By the same resolution, the General Assembly of the United Nations approved, with effect from January 1, 1997, a revised scale of staff assessment for gross salary purposes and a related revised scale of gross salaries.
6. By the same resolution, the General Assembly of the United Nations approved, with effect from January 1, 1997, a revised scale of staff assessment for pensionable remuneration purposes and a related revised scale of pensionable remuneration.
7. The revised salary scale and pensionable remuneration scale for the Professional and special categories are reproduced in Annex II.

Internal Taxation for the Professional and Higher Categories – Regulation 3.16bis

8. Together with the revised salary scales referred to in paragraphs 4 to 7 above, the General Assembly of the United Nations approved, also with effect from January 1, 1997, changes in the rates of internal taxation used to derive gross salaries and pensionable remuneration from net salaries for staff members in the Professional and higher categories.

9. The corresponding amendments to Staff Regulation 3.16bis (Internal Taxation) are reproduced in Annex III.

Dependency Allowances for the Professional and Higher Categories – Regulation 3.12

10. With effect from January 1, 1997, the General Assembly of the United Nations approved (resolution 51/216 of December 18, 1996) an increase of 7.98 per cent in the allowance payable in respect of a dependent child to staff members in the Professional and higher categories (i.e., for Geneva, an increase from 2,718 Swiss francs to 2,935 Swiss francs per annum) and in the allowance payable to the staff members in the said categories in respect of a secondary dependant (i.e., for Geneva, an increase from 1,211 Swiss francs to 1,308 Swiss francs per annum).

11. The corresponding amendments to Staff Regulation 3.12 (Dependency Allowances) are reproduced in Annex IV.

B. AMENDMENT TO THE STAFF RULES UNDER STAFF REGULATION 12.2Education Grant – Rule 3.11.1

12. With effect from the scholastic year in progress on January 1, 1997, the General Assembly of the United Nations approved (resolution 51/216 of December 18, 1996) increases in the maximum amount of the education grant and in the lump sum in respect of boarding expenses, where education-related expenses are incurred in Dutch guilder, Italian lira, Norwegian kroner, Swedish kronor, Swiss francs, United Kingdom pounds and the United States dollar (limited to expenses incurred in the United States of America).

13. The revised amounts of education grant and lump sum in respect of boarding expenses are reproduced in Annex V.

14. *The WIPO Coordination Committee is invited to approve the amendments to the Staff Regulations provisionally decreed and applied by the Director General (paragraphs 1 to 11, above) and to note the amendment to the Staff Rules reported in paragraphs 12 and 13, above.*

II. ADVICE ON APPOINTMENTS TO POSTS AT GRADE D.1

15. The advice of the Coordination Committee is sought on the following three intended promotions.

16. *Mr. Kurt Kemper*, a national of Germany, is to join the International Bureau on February 1, 1997, as Senior Counsellor to Assistant Director General M. Ficsor. Before joining the International Bureau, Mr. Kemper served for 23 years in legal positions in the Ministry of Justice of Germany. Mr. Kemper started in June 1973 as *Referent* (Legal Officer) in the Federal Ministry of Justice. He was then appointed in November 1977 as Counsellor to the Law Treaties Section, in November 1980 to the Human Rights Section and in November 1982 to the Insurance Law Section in the same Ministry. In November 1984, he was promoted as Head of the Penal Law Section and, in 1987, as Head of the Penal Procedure Section. As from March 1991, Mr. Kemper was appointed Head of the Copyright Law Section of the Ministry of Justice of Germany. In that latter capacity, Mr. Kemper was responsible for the preparation of Governmental bills in copyright and neighboring rights, including their adaptation to EC Directives and the TRIPS Agreement. He was also the representative of the German Government in negotiations on EC copyright Directives and on other international negotiations on copyright matters. Mr. Kemper has studied at the University of Freiburg and at the University of Bonn and has a Law degree from the University of Bonn; he also has a diploma from the University of Nancy in France.

17. The activities and responsibility of the copyright law sector have increased recently and will continue to increase in the forthcoming program periods due to the impact of new technologies, particularly digital technology, with the ever wider use of the Internet for the dissemination of works and other productions protected by copyright and neighboring rights. The activities of the copyright law sector will extend not only to the promotion of the adherence to and implementation of the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT) adopted on December 20, 1996, but also to the preparatory work of further possible treaties, such as a protocol to the WPPT concerning audio-visual performances, a treaty on *sui generis* protection of databases and a treaty on the rights of broadcasters. Furthermore, the copyright law sector will also deal with the questions of the management of rights and the private international law aspects of the Global Information Infrastructure, and with certain other important issues, such as the implementation of the copyright-related provisions of the TRIPS Agreement and the legal protection of folklore. The responsibility of the copyright law sector has increased also because of the fact that the number of member States of the Berne Union has increased in the last 10 years from 76 to 121. For these reasons, the Assistant Director General responsible for the copyright law sector needs to be assisted by a Director-Advisor. Grade D.1 is in line with the level of duties of a Director-Advisor.

18. *Mr. Sherif Saadallah*, a national of Egypt, joined the International Bureau in April 1991, as Special Assistant, Office of the Director General. In January 1993, he was transferred to the Development Cooperation and External Relations Bureau for Arab Countries and was promoted as Head of that Bureau in November 1995. Before joining the International Bureau, Mr. Saadallah served for eight years as a diplomat with the Ministry of Foreign Affairs of Egypt, in particular in the Permanent Mission of Egypt in Geneva. He has a B.A. in Economics and Political Sciences from the American University in Cairo, Egypt, and has

studied at the Diplomatic Institute for International Studies in Cairo and at the *Institut Universitaire de Hautes Études Internationales* in Geneva. He knows Arabic, English and French.

19. Mr. Saadallah's predecessor as Head of the Development Cooperation and External Relations Bureau for Arab Countries was at the D.1 level. The post was vacated when its incumbent, Mr. Kamil Idris, was appointed as Deputy Director General. Mr. Saadallah was appointed as Head of the Bureau at the P.5 level. After 18 months of highly satisfactory service in that capacity, it is intended to promote him to the D.1 level. Grade D.1 is in line with the level of the corresponding duties.

20. *Mr. Albert Tramposch*, a national of the United States of America, joined the International Bureau in January 1993 in the Industrial Property Division, was appointed in May 1994 as Head, Patent Law Section, Industrial Property Law Department and, in March 1996, as Senior Legal Counsellor, Office of Deputy Director General F. Curchod. His assignments included, in particular, the participation in meetings and negotiations on the WIPO-WTO Agreement and other tasks relating to the TRIPS Agreement, and all industrial property issues related to global digital networks. Before joining the International Bureau, Mr. Tramposch served, from mid-1990 to early 1993, as Director and Associate Professor of Law at the Center for Intellectual Property Law, The John Marshall Law School, Chicago, Illinois, where he administered the intellectual property law educational program and initiated the creation of a Master of Intellectual Property program for foreign attorneys and agents. From 1988 to 1992, he served as Associate Director of the Center for Advanced Study and Research on Intellectual Property, Seattle, Washington. From 1986 to 1987 and from 1988 to 1990, he was engaged in the private practice of intellectual property law and, in 1987-1988, he served as judicial clerk to a judge of the United States Court of Appeals for the Federal Circuit in Washington, D.C. Mr. Tramposch has a B.A. in Biological Sciences from the John Hopkins University in Baltimore, Maryland, and a Juris doctor from the University of Washington School of Law, Seattle, Washington.

21. The industrial property activities of the International Bureau have recently increased due to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and the Agreement between WIPO and the World Trade Organization (WTO). Such activities include, in particular, the preparation of studies on the TRIPS Agreement and its relation to the industrial property treaties and conventions administered by WIPO, representation of WIPO at WTO meetings, particularly those of the Council for TRIPS, as well as the monitoring of the implementation of the WIPO-WTO Agreement. The International Bureau is also studying industrial property issues arising from the new Global Information Infrastructure, including the Internet, in particular, issues related to trademarks and Internet domain names and issues related to private international law aspects, in relation to industrial property. The International Bureau is participating, and expects to continue participating, in discussions at the international level which involve modifications of procedures concerning the Internet that are relevant to industrial property. It is also organizing, and expects to continue organizing, WIPO meetings to discuss such matters. For these reasons, the Deputy Director General responsible for industrial property matters (other than development cooperation activities) needs to be assisted by a Director-Advisor. Grade D.1 is in line with the level of duties of a Director-Advisor.

22. The Director General will, if the Coordination Committee agrees, promote Messrs. Kurt Kemper, Sherif Saadallah and Albert Tramposch to grade D.1.

23. *The WIPO Coordination Committee is invited to advise the Director General in respect of the intended promotions referred to in the preceding paragraph.*