

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

WIPO COORDINATION COMMITTEE

Thirty-Eighth Session (11th Extraordinary)
Geneva, March 20 and 21, 1997

REPORT

adopted by the Coordination Committee

1. The Coordination Committee was concerned with the following items of the Consolidated Agenda (document AB/XXX/1 Prov.Rev.2): 1, 2, 5, 6 and 7.
2. Mr. Wilhelm Höynck (Germany), Chairman of the Coordination Committee, presided over the meetings of the Committee, except for parts of the meeting dealing with items 1, 2 and 7, which were presided over by Mr. Moses F. Ekpo (Nigeria), Chairman of the WIPO General Assembly and item 6 which was presided over by Marc Georges Séry-Kore (Côte d'Ivoire), Vice-Chairman of the Coordination Committee.
3. The report on the said items, with the exception of item 5, is contained in the General Report (document AB/XXX/4).
4. The report on item 5 is contained in the present document.

ITEM 5 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

5. Discussions were based on document WO/CC/XXXVIII/1.

Amendments to the Staff Regulations provisionally decreed and applied under Staff Regulation 12.1

6. The WIPO Coordination Committee approved the amendments to Staff Regulations 3.15, 3.1, 3.16*bis* and 3.12 as referred to in paragraphs 1 to 11.

Amendment to the Staff Rules under Staff Regulation 12.2

7. The WIPO Coordination Committee noted the amendment to Staff Rule 3.11.1 as reported in paragraphs 12 and 13.

Advice on appointments to posts at grade D.1

8. Discussions were based on paragraphs 15 to 23 in which the advice of the Coordination Committee was sought for the intended promotion to grade D.1 of Mr. Kurt Kemper, Mr. Sherif Saadallah and Mr. Albert Tramposch.

9. The Delegation of the United States of America expressed the view that there was no pressing reason to take up the question of promotions at the present meeting. Although this question could have been better addressed in September, the Delegation did not object to considering the proposal now. The Delegation of the United States of America also would have preferred to see a more thorough documentation related to the proposed appointments at the D.1 level to the duties of D.1 Professional staff and why these positions have greater responsibilities than those at the P.5 level. For that reason, the Delegation would not be in a position to support these promotions.

10. The Delegation of Canada, speaking on behalf of the other members of Group B, supported the intended promotions referred to in the document under discussion.

11. The Delegation of Germany supported the proposed upgradings and promotions. This referred to all three staff members, but especially to the intended promotion of Mr. Kurt Kemper to the post of Director-Advisor. In the past several Member States had urged the strengthening of the copyright sector. The Delegation of Germany was confident that the promotion of Mr. Kemper would strongly contribute to the realization of this objective. Having been responsible for the copyright law in the German Federal Ministry of Justice for many years, Mr. Kemper was highly esteemed for his excellent professional ability.

12. The Delegation of Egypt thanked the Director General for having submitted these proposals. The Delegation supported the proposals for promotions and, in particular, that of

Mr. Sherif Saadallah, a national of Egypt. The Delegation stressed the efforts Mr. Saadallah has made in view of his considerable experience in the Arab region and his work in cooperating with the countries members of this region. Mr. Sherif Saadallah certainly deserved this promotion. The Delegation also agreed entirely with the proposals to promote the other candidates.

13. The Delegation of Algeria wished to support wholeheartedly the proposal put forward by the Director General concerning the promotions mentioned in this document. The Delegation underlined the importance that all issues on the agenda be considered and, in particular, this document dealing with the proposal for promotions. The Delegation supported these proposed promotions and particularly the promotion of Mr. Sherif Saadallah and predicted that cooperation within the Arab region office will derive great benefits from this promotion.

14. The Delegation of Slovenia wished to express full support for the promotions as proposed by the Director General. All three persons who are proposed to be promoted deserved these promotions.

15. The Delegation of Nigeria wished to support the proposal by the Director General for the promotion of the three staff. The Delegation recalled that during the last meeting it had indicated the need to beef up the staff position in the copyright sector. These recommendations seemed to be in line with this need. The three officers who are recommended for the promotions have made a lot of contribution to the work of the Organization and there was no reason at all why these promotions should not be recommended.

16. The Delegation of Sudan fully supported the proposal put forward by the Director General to promote the three staff members to the post of D.1. The three deserved to be promoted to D.1 and in particular Mr. Saadallah, who has shown great efficiency and capability since he was appointed as Head of the Arab Bureau. He has been doing a great job and he deserves to be promoted. The same also applied to the other two staff members proposed for promotion.

17. In the name of the Latin American and Caribbean countries, the Delegation of Colombia stated that nothing could be further from their minds than opposing any promotion in terms of staff within this Organization, because the persons in question deserved their promotion, nor indeed than impeding the strengthening of the Organization. The criteria that it had with respect to the opinions on promotions and the regional balances needed to be reflected. It was extremely important that it be taken into account the respectful requests from the Latin American and Caribbean Group that the multilateral essence of an organization such as WIPO should be clearly reflected, particularly at the highest level. This issue had to be given consideration by the new, nominated Director General. It was felt that this debate should not be taking place at this stage but that it had no objection to the majority of views expressed by the participants in this debate.

18. The Delegation of Oman said that it would like to pay tribute to the Director General and to the Arab Bureau for the assistance provided to Oman. This Delegation also congratulated the Organization to have chosen Dr. Kamil Idris who will guide this Organization and lead it into the next century. The Delegation of Oman thanked the Director General for his unstinting support for the Arab offices regarding industrial property and

supported his proposal to promote Mr. Saadallah to the post of Director. This proposal showed the importance that WIPO attaches to the Arab countries. The Delegation also supported the other promotions and wished to cooperate with WIPO's secretariat and with the present and future Directors General.

19. The Delegation of Denmark supported the proposed promotions put forward by the Director General, based on the professionalism, qualifications and experience of the three persons concerned.

20. The Delegation of Côte d'Ivoire expressed its appreciation of the proposed promotions and noted with satisfaction the reclassification of the post of Mr. Saadallah, a worthy son of Africa, whose qualities have always been recognized and now in more specific terms by the promotion which will make him a Director. He will be a competent Director and of invaluable assistance to the Arab Bureau. The Delegation stressed that the Latin American Group had put forward some very real concerns on the principle of geographical distribution. The question whether it might be desirable for the present Director General to continue to make recommendations after a decision by the Coordination Committee for further nominations when there is a new Director General-in-waiting in the wings might be raised. A decision ought to be taken in a fully informed way on whether more account should be given of geographical representation and whether the new Director General would be able to put forward further proposals. The Latin American and the Caribbean countries, as well as the Asian countries, have very serious concerns and those concerns are shared by the African Group.

21. The Delegation of Jamaica found it very useful when Member States can have an open discussion on the geographical balance in any organization. The item is "Appointment to posts at the level of D1" and some Delegations have identified this subject as a matter of classification of posts and duties related to the post as distinct from a promotion of an individual occupying a post for outstanding service. The Delegation of Jamaica was of the view that if posts are to be reclassified, then that reclassification should be part of a wider picture so that all Member States could see how that reclassification fits with other aspects of what might be considered to be restructuring or changes of the Organization as a whole. The Delegation would therefore not comment on the specific recommendations here but used this opportunity to once again flag this issue and hoped that an appropriate opportunity to deal with this subject in its proper context be found.

22. In the name of the Asian Group, the Delegation of Sri Lanka supported the proposals made by the Director General with regard to the three promotions and expressed its satisfaction on the reasoning for these promotions given by the Director General. For the efficient and smooth functioning of this Organization, these promotions should be carried out, though there were some concerns in the Asian Group with regard to the promotions and appointments in this Organization. During the last Coordination Committee meeting, in September 1996, the Asian Group raised its concerns about the inadequate geographical distribution of posts in this Organization and called upon the Director General at that time to look into this matter with the Groups concerned and to take whatever action possible in order to rectify this situation. It was regrettable that up to now nothing has happened. In this context, the Asian Group appealed for an early opportunity with the present Director General and with the Director General designated to discuss such matters. However, it is not the Delegation's intention to oppose the three promotions. It is felt very necessary to have an

early appointment to discuss these issues during this transition period in the context of the changes that are now being considered in the interest of this Organization.

23. The Delegation of Israel supported the proposals made by the Director General. They were in line with the great achievement of the Director General and of the Organization in maintaining highly qualified personnel. In comparing this Organization to many other organizations, it was indeed a great achievement of the Director General and of the Organization to be able to maintain the high level of qualification of the persons in charge of the various departments. It was hoped and trusted that this would continue in the future. In the final analysis, it was for the better future of the Organization to maintain this highly qualified personnel. However, the Delegation of Israel wished to share to some extent the concerns expressed on the issue of geographical balance and geographical distribution of the various posts. The three countries represented by the proposed promotions were highly represented in the Secretariat at the highest level. In the first place, emphasis should be given to the personal qualifications of the candidates. It would be useful to take into account also the candidatures of highly qualified candidates coming from other countries for high level posts in the Organization.

24. The Delegation of Brunei Darussalam subscribed fully to the statement made by the Delegation of Sri Lanka. The Group of the Latin American and Caribbean countries had raised a very important point. Based on that, the Delegation of Brunei Darussalam reiterated that, on behalf of the Asean countries, the Asian region as a whole was under-represented at all levels in the WIPO Secretariat. It was imperative to achieve a better geographical distribution, and it had been proposed that the Director General examine the matter with the Asian Group and report to the Coordination Committee. During the meeting last year of the Governing Bodies, Asean countries associated themselves with the view that Asian countries were under-represented in the staff and that countries should have an equitable share of the promotions. In the coming weeks, the Director General designate would be conducting consultations with the Member States regarding a number of matters of vital interest to the future of WIPO. One of those matters would concern the management and administrative structure of the Secretariat. It was of paramount importance to the future Director General that in discharging the responsibilities to the full satisfaction of the Member States, he be seconded by a team of deputies who possess exceptional talent and proven track records. His choice of the team should also give way to the prevailing and future importance of Member States' interests. The Asian countries members of the Group of 77, and Asean countries in particular, formed a preponderant and growing Grouping of countries in which intellectual property activities, trade investment, economy and cultural development were becoming more important than ever on the world stage. Recognition of the economic strength and contributions of the Asean countries—seven at the present time and 10 eventually—was also demonstrated in the close cooperation that Asean regional Grouping had established with other countries of the world within the context of the Group of 77, Asia Pacific economic cooperation and with the European Union to name a few examples. For the foregoing reasons, the Group of Asean countries strongly urged that the Asean Group be represented at the highest echelons of the WIPO Secretariat which would help to ensure the continued effectiveness, efficiency, vitality and relevance of WIPO's work in the future.

25. The Delegation of Tunisia supported the proposals made by the Director General for promotion which would ensure continuity and smooth running of WIPO.

26. The Delegation of China noted the concerns expressed with regard to geographical balance. Nevertheless, the Delegation agreed with the Director General's proposed promotions.

27. The Delegation of India supported the statement made by the representative and coordinator of Asian countries, the delegate of Sri Lanka. Although it agreed with the proposals made by the Director General which take into account the qualifications and experience of the candidates, it wished, at the same time, to emphasize that the concerns expressed by the delegate of Sri Lanka on behalf of the Asian Group regarding the under-representation of the Asian region in the International Bureau should be taken note of and should be redressed at the earliest possible opportunity.

28. The Delegation of the United States of America did not intend to block an agreement on the promotions but wanted it to be noted that it did not join in the decision. The Delegation also associated itself with the remarks of the Delegation of Jamaica which noted the importance of taking a thorough look at the organizational structure and position reclassifications in the Organization with a view to ensuring that it was in a position to carry out its mission most effectively.

29. Replying to the Delegation of Côte d'Ivoire, the Director General said that there were appointments for which the Director General needed to first obtain the advice or agreement of the Coordination Committee. He would not, as long as he was in office, address himself to the Coordination Committee for such advice or appointment. This meant, of course, that there would be no appointments of this nature until Mr. Idris takes over the position of Director General.

30. The WIPO Coordination Committee gave a favorable advice on the intent of the Director General to promote to grade D.1 Mr. Kurt Kemper, Mr. Sherif Saadallah and Mr. Albert Tramosch.

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