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RESOLUTIONS AND DECISIONS OF THE UNITED NATIONS,
THE ADMINISTRATIVE COMMITTEE ON COORDINATION
AND
THE JOINT INSPECTION UNIT

Report by the Director General

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INTRODUCTION

1. This document contains a report on the resolutions adopted and the decisions taken by the General Assembly of the United Nations at its sessions held between July 31, 1997, and July 1, 1999, the former date marking the end of the period covered by the previous report on this subject (document WO/GA/XXI/6). It also contains a summary of developments in the Spring, 1999, session of the Administrative Committee on Coordination (ACC), as well as information on reports received from the Joint Inspection Unit (JIU) concerning, among other organizations, WIPO.

2. The agreement between the United Nations and WIPO, approved by the General Assembly of WIPO on September 27, 1974, and by the General Assembly of the United Nations, on December 17, 1974, whereby WIPO as a specialized agency was brought into relationship with the United Nations, provides, in its Article 5, as follows:

“(a) The Organization, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter of the United Nations and the function and power of the Economic and Social Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to the appropriate organ of the Organization, of all formal recommendations which the United Nations may make to it.

“(b) The Organization agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its members to give effect to such recommendations, or on the other results of their consideration.”

3. None of the resolutions adopted and none of the decisions taken by the General Assembly or by the Security Council during the period covered by the present report contains any recommendation which, in its terms, is specifically addressed to WIPO as such. On the other hand, a number of those resolutions and decisions are directed, in some form or another, to the organizations of the United Nations system, extending as such to the specialized agencies and thus to WIPO; consequently, such of those resolutions and decisions which are relevant to WIPO are brought to the attention of the WIPO General Assembly in the present document.¹

¹ In the said resolutions and decisions, the General Assembly or other organs of the United Nations “requests” or “invites” or “urges” or “reminds” or “appeals” to “the organizations of the United Nations system” or “the specialized agencies” or “the international community” to take, “within their respective spheres or areas of competence,” certain action, such as providing material, financial or other assistance or adopting measures with a view to giving effect to the objective or objectives set forth in the resolution or decision concerned. For the purpose of this report, the mention in a given resolution or decision of such an organization or of the specialized agencies or of the international community is regarded as including WIPO. Unless otherwise stated, the United Nations are hereinafter referred to as “the General Assembly” and “the Secretary-

4. For reasons of economy, the full texts of the resolutions and the decisions that are the subject of this report are not attached to the present document, since they have already been circulated to Member States by the United Nations themselves. Each resolution or decision that is relevant to a given heading or sub-heading of the present document is, however, cited in the text under that heading or sub-heading. Where further indication of the scope of the resolution or decision is deemed necessary, a résumé is given. In respect of each heading or sub-heading, a summary of the action taken or proposed to be taken by the Secretariat on the subject matter of the resolution or decision cited is also given.

5. The programs implemented by the Secretariat during the years 1997 and 1998 and the first half of 1999 which bear on the matters dealt with in the resolutions and decisions that are the subject of the present report, and which are referred to in this report as part of the action taken by the Director General or the Secretariat in connection with the subject matter of the resolution or decision concerned, are mentioned only briefly in the present document. The said programs are described in more detail in the reports on the program performance of the Secretariat that have been submitted to the Assemblies at their sessions in September 1998 (see document A/33/2) and in September 1999 (see, in particular, documents A/34/6 and WO/CF/17/1).

I. ECONOMIC AND FINANCIAL MATTERS

Assistance to Developing Countries

6. In a number of separate and different resolutions, each relating to one or more developing countries, or to a group or category of developing countries, or to developing countries in general, the General Assembly calls upon the international community, including the specialized agencies, to provide or increase financial, material, technical or other assistance to those countries, to cooperate closely with the Secretary-General in organizing or implementing an international program of assistance to those countries and to provide information to the Secretary-General for inclusion in reports to be made by him to the General Assembly or other organs of the United Nations on the steps the specialized agencies have taken and on the resources that they have made available to assist those countries.

7. The said resolutions concern developing countries in general (52/169, 52/205, 53/1), least-developed countries (52/187), land-locked developing countries (52/183), land-locked countries in Central Asia (53/171), island developing countries (52/202, 53/189), the developing countries in Africa (52/198, 52/208), and the developing countries in Central America (52/176, 53/94), as well as certain developing countries facing special difficulties. The developing countries specifically mentioned include Afghanistan, Bangladesh, Burundi, Comoros, Costa Rica, the Democratic Republic of the Congo, Djibouti, El Salvador, Haiti, Kazakhstan, Lebanon, Liberia, Mozambique, Nicaragua, Niger, Somalia, Sudan and Tajikistan (52/77, 52/174, 52/211, 53/95, 53/203).

8. In respect of most of the developing countries which are the subject of the said resolutions, assistance has been provided during the period covered by the present report, and

General,” respectively, whereas the Director General of WIPO and the Secretariat of WIPO are hereinafter referred to as “the Director General” and “the Secretariat” respectively.

the Secretariat will continue to provide, upon the request of the government or governments of those developing countries or of the intergovernmental organizations concerned, and within the limits of available resources, assistance in the form of training, advisory and expert services and state-of-the-art search reports. In addition, travel costs and subsistence allowances have been or will be borne by WIPO for government officials from developing countries attending training courses, seminars and workshops, and for one governmental representative of each of the least-developed countries, members of the WIPO Permanent Committee on Intellectual Property Development attending the meeting of that Committee, as well as for one governmental representative of each of a certain number of other developing countries attending certain other meetings organized by WIPO. The said assistance is described in the documents containing the reports on programs referred to in paragraph 5, above. That assistance is also the subject of reports submitted to the WIPO Permanent Committee on Intellectual Property Development (see documents PCIPD/1/3 to 11).

Program of Action for the Least-Developed Countries

9. In its resolutions 52/187 and 53/182, the General Assembly recalls its resolution 45/206, in which it endorses the Program of Action for the least-developed Countries for the 1990s, notes with concern the reduced flow of development resources to the least-developed countries and their continued marginalization in world trade, and decides to convene the Third United Nations Conference on the least-developed countries at a high level in the year 2001.

10. In 1998, the Director General created the Least-Developed Countries Unit, a special unit to ensure that the needs of the most disadvantaged of developing countries are met. The Unit's primary task is to improve the overall capacity of the least-developed countries (LDCs) to respond to intellectual property opportunities created by the rapid globalization of the world economy. The LDC Unit coordinates the Organization's technical cooperation activities in LDCs, to ensure that they focus on the specific requirements of the countries concerned and complement the technical cooperation programs of other agencies. More detailed information on the background and activities of the LDC Unit since its creation is provided in document PCIPD/1/5.

Integration of the Economies in Transition into the World Economy

11. In its resolution 53/179, the General Assembly reaffirms the need for the full integration of the countries with economies in transition into the world economy, and calls upon the organizations of the United Nations system to continue to conduct analytical activities and provide policy advice and technical assistance to the governments of the countries with economies in transition in strengthening the social and political framework for economic and market reforms.

12. During the period covered by this document, the Secretariat continued to promote accession of all the countries with economies in transition to the various WIPO-administered treaties. The Secretariat also assisted the countries concerned in adopting their intellectual property laws to conform with the WIPO-administered treaties and the TRIPS Agreement. Other relevant activity includes cooperation with the Interstate Council for the Protection of Industrial Property of the CIS countries, with the Eurasian Patent Organization and with the Standing Commission of the Interparliamentary Assembly of the CIS countries. In this connection, attention is drawn to that part of the item "Cooperation for Development and

WIPO Worldwide Academy” of the Program and Budget for the 1998-1999 biennium, pursuant to which assistance has been, and will continue in an increasing way to be, provided to developing countries and countries in transition to a market economy, to foster their integration into the world economy.

II. SCIENCE AND TECHNOLOGY

Questions relating to Information and Science and Technology for Development

13. In its resolution 52/70, the General Assembly urges organizations of the United Nations system as a whole to enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries, to strengthen communication capacities and to improve the communication technology in the developing countries especially in the areas of training and dissemination of information. The resolution also stresses the need to assist in the development of the human and technical resources that are indispensable for the improvement of information and communication systems in developing countries.

14. The General Assembly, in its resolution 52/184, recognizes the importance for developing countries of having access to science and technology so as to enhance their productivity and competitiveness in the world market. The resolution further stresses the need to promote access to and transfer of environmentally sound technologies and the corresponding know-how, in particular to developing countries, taking into account the need to protect intellectual property rights as well as the special needs of developing countries.

15. In the said resolution, the General Assembly recognizes that information technologies are important requisites for planning, development and decision-making in science and technology, and, stressing the need to strengthen the important role of the United Nations in the field of science and technology, calls upon the Organizations of the United Nations to continue to work in a coordinated and expeditious manner to enable effective technology choice, by developing countries, of state-of-the-art technologies. The resolution also recognizes the importance of cooperation among developing countries in the field of science and technology, and the need for further advancing such cooperation through the establishment or strengthening of national technology and information centres in developing countries and networking on subregional, regional, interregional and global levels.

16. As part of a policy of exploiting leading-edge technology, the Member States of WIPO decided, in 1998, to establish a Global Information Network, popularly known as the WIPOnet. Apart from providing basic Internet connectivity to all IP Offices, through its secure, private network, WIPOnet will greatly facilitate the rapid exchange of data between intellectual property offices worldwide, provide electronic mail, file transfer and chat services. It will also provide access to huge amounts of data via the Intellectual Property Digital Libraries. WIPOnet will, among others, provide a means for electronic filing by the public of international patent applications filed under the PCT, and provide access to distance learning facilities offered by the WIPO Worldwide Academy.

17. Attention is drawn to the document on information technology development presented by the Secretariat to the Permanent Committee for Intellectual Property Development at its first session (see document PCIPD/1/9).

Global Implications of the Year 2000 Date Conversion Problem of Computers

18. In its resolutions 52/233 and 53/86, the General Assembly, recognizing that effective operation of governments, companies and other organizations is threatened by the year 2000 date conversion problem of computers, or “millennium bug,” and underlining the need for effective action to address the problem, to be taken well in advance of the inflexible date of December 31, 1999, calls upon governments, public and private sector organizations and civil society to share locally, regionally and globally, their experiences in addressing the year 2000 problem, and to develop contingency planning to address the potential for possible large-scale failures in the public and private sectors.

19. The Director General determined that, even where the risk of failure may be relatively low, the consequences in the event of failure of mission-critical areas of computer operations at WIPO are sufficiently significant to justify a more concentrated effort of the Organization to take the necessary steps to ensure the state of readiness of its information technology systems for the transition to the year 2000.

20. Accordingly, the Information Technology Steering Committee, recently created by the Director General, has been asked to establish a Year 2000 Task Force. Under the authority of the Chair of the Information Technology Steering Committee, the Task Force is, among others, co-ordinating the Year 2000 work being carried out across WIPO, completing a risk assessment of mission-critical systems, and developing a prioritized Year 2000 work plan to be applied to mission-critical hardware, software and computerized devices. With a view to providing a standard by which the organization may measure its state of readiness, WIPO has adopted the widely accepted definition of the British Standards Institution for Year 2000 conformity. Information-sharing activities include the launching of the *WIPO Y2K Newsletter*, a periodical which informs WIPO staff members about WIPO activities related to the Year 2000 problem.

Convention on Biological Diversity (CBD)

21. In its resolutions 52/201 and 53/190, the General Assembly expresses its deep concern about the continued loss of the world’s biological diversity, recognizes the contribution of indigenous and local communities to the conservation and sustainable use of biological resources, and welcomes decision IV/15, in which the Conference of the Parties stresses the need to ensure consistency in implementing the Convention on Biological Diversity and World Trade Organization agreements, including the Agreement on Trade-related Aspects of Intellectual Property Rights, with a view to promoting increased mutual supportiveness and integration of biological diversity concerns and the protection of intellectual property rights.

22. Resolution 53/190 further reaffirms paragraph 10 of decision IV/15, in which the Conference of the Parties emphasizes that further work is required to help develop a common appreciation of the relationship between intellectual property rights and the relevant provisions of the Agreement on Trade-related Aspects of Intellectual Property Rights and the Convention on Biological Diversity, in particular on issues relating to technology transfer and conservation and sustainable use of biological diversity and the fair and equitable sharing of benefits arising out of the use of genetic resources, including the protection of knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity.

23. Since the conclusion of the Convention on Biological Diversity in 1992, increasing interest has been shown in possible links between intellectual property aspects of biotechnology and the conservation, use, and benefit-sharing of biological resources. These links are being examined as a separate item for the first time under sub-program 11.2 of the current biennium's Program and Budget (see document A/32/2, sub-program 11.2). Activities by the Secretariat during the reporting period include the convening of a Working Group to study intellectual property aspects of biotechnology and of the implementation of the Convention on Biological Diversity, organizing regional awareness-raising seminars on patenting of biotechnology, and participation in meetings of a Working Group on indigenous knowledge established under the Convention on Biological Diversity, in work on a biosafety protocol to the Convention on Biological Diversity, the World Trade Organization Committee on Trade and the Environment, and other relevant international bodies.

III. SOCIAL, HUMANITARIAN AND CULTURAL MATTERS

International Decade of the World's Indigenous People

24. In its resolutions 52/108 and 53/129, the General Assembly recalls that the goal of the International Decade of the World's Indigenous People is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment and development. The resolution emphasizes the importance of strengthening the human and institutional capacity of indigenous people, and invites the specialized agencies of the United Nations to give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries.

25. The Secretariat continues to explore the use of the intellectual property system by new beneficiaries, such as holders of indigenous knowledge and innovations. During the reporting period, WIPO undertook various fact-finding missions to study the problems encountered by the indigenous peoples and other holders of traditional knowledge in North America, the South Pacific, South Asia and West Africa. The missions sought to explore the difficulties faced by holders of traditional knowledge in trying to protect their creativity and innovation, with a view to establishing the contribution the intellectual property system can make to such protection.

26. In addition to the WIPO Roundtable on Intellectual Property and Indigenous Peoples held in July 1998, the Secretariat is convening a similar Roundtable on November 2 and 3, 1999, to facilitate an exchange of views among policy-makers and indigenous people concerning more effective application and possible improvements of the intellectual property system to protect traditional knowledge.

The Fiftieth Anniversary of the Universal Declaration of Human Rights

27. In its resolution 52/117, the General Assembly recalls that in adopting the Universal Declaration of Human Rights, on December 10, 1948, it recognized the inherent dignity and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world. In the said resolution, the General Assembly calls upon the relevant United Nations organs and agencies, in the light of the principles set forth in the Declaration, to make, within their respective mandates and fields of action, an assessment of the state of implementation, and invites them, in coordination with the United Nations High Commissioner for Human Rights, to mark the anniversary by intensifying their own contributions to United Nations system-wide efforts to promote and protect all human rights and fundamental freedoms.

28. In this connection, it is recalled that the fiftieth anniversary of the Universal Declaration of Human Rights provided a timely opportunity to reiterate the fundamental and universal character of intellectual property rights and to promote greater awareness about their status in the international legal system. During 1998, WIPO provided technical advice and information on intellectual property matters where these arise in relation to certain groups which have had little or no effective access to the intellectual property system, such as the United Nations Commission on Human Rights' Sub-Commission on the Prevention of Discrimination and Protection of Minorities. The Organization also co-sponsored with the United Nations High Commissioner for Human Rights a public panel discussion in December 1998 on the fiftieth anniversary of the Universal Declaration of Human Rights.

IV. ADMINISTRATIVE AND BUDGETARY MATTERS

United Nations Common System Staff Matters

29. Those provisions of the WIPO Staff Regulations and Staff Rules that have been, or are proposed to be, modified as a consequence of decisions of the General Assembly taken in 1997 and 1998 and of the decisions and recommendations of the International Civil Service Commission (ICSC) taken in 1997 and 1998 are the subject of reports submitted by the Director General to the WIPO Coordination Committee at its session in 1997 (see document WO/CC/XXXIX/1) and at its session in 1998 (see document WO/CC/42/2).

V. LEGAL MATTERS

United Nations Decade of International Law

30. In its resolutions 52/153 and 53/100, the General Assembly recalls that the main purposes of the United Nations Decade of International Law are, among others, to encourage the progressive development and the codification of international law, and to encourage the teaching, study, dissemination and wider appreciation of international law. The resolutions invite international organizations to provide, update or supplement information on activities they have undertaken in implementation of the UN Decade, and encourage international organizations entitled to do so to accede to the 1986 Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations.

31. In the areas of the teaching, study, dissemination and wider appreciation of international law, WIPO's activities over the relevant period include the following: the creation of the WIPO Worldwide Academy, an institution dedicated to optimizing the use of intellectual property systems by enhancing human resource development programs at national and regional levels. In 1998 alone, some 500 participants attended 60 inter-regional courses and seminars, and 84 officials from almost as many countries attended five Academy sessions in Geneva designed as teaching and training activities.

32. Several other Divisions and Units of the WIPO Secretariat continue to organize conferences, training workshops and other meetings directed at increasing and promoting acceptance of and respect for the principles of intellectual property law worldwide. As part of its efforts to encourage the dissemination and wider appreciation of international intellectual property law, WIPO is in the process of developing an accessible database containing up-to-date information on the status of accessions to WIPO-administered treaties and making that database available on the Internet. In respect of WIPO's Internet Domain Name Process and the Organization's activities in the field of electronic commerce, attention is drawn to documents WO/GA/24/1 and WO/GA/24/2.

33. The WIPO Office of Legal and Organization Affairs is currently reviewing the 1986 Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations with a view to recommending to the WIPO Coordination Committee to consider authorizing the Organization to accede to the Convention in the Year 2000.

VI. OTHER MATTERS

Information for Reports of the Secretary-General to be submitted to Certain Organs of the United Nations

34. In response to requests from the Secretariat of the United Nations, the WIPO Secretariat provided, and will continue to provide, information on the activities of WIPO for inclusion in reports on various matters, submitted, or to be submitted, by the Secretary-General to the General Assembly or to other organs of the United Nations on the implementation of the resolutions of the General Assembly and of other organs of the United Nations.

VII. ADMINISTRATIVE COMMITTEE ON COORDINATION (ACC)

35. The Administrative Committee on Coordination (ACC) held its Spring Session on April 9 and 10, 1999, in Geneva with the participation of the UN Secretary-General and the Heads of the specialized agencies, including the IMF and the World Bank. At the said meeting, the Director General presented his views on the transformation of the ACC. He proposed to set up a Policy and Coordination Board to perform the ACC functions. The UN Secretary-General would chair the Board while his colleagues would serve as Directors. Task forces and working groups that are time-bound would be established if necessary. The proposal was well received, and it will be substantially discussed by the ACC in October 1999.

36. The ACC also addressed the issue of the UN interaction with the private sector. The Secretary-General considered that through its quest for peace, the UN also creates the environment for the private sector to operate. While emphasizing the importance of globalization, he was looking forward to a global “compact” or understanding based on UN core values such as human rights, labor standards and the environment. The ACC agreed that in pursuing a “compact” or understanding with the private sector, the following should be borne in mind:

“(a) the importance of stressing both the narrative and development dimension in the interaction with the private sector; and

(b) the importance of getting other partners involved – including, *inter alia*, NGOs, trade unions, other levels of government, as well as parliamentarians and municipal authorities.”

37. The Secretariat will continue to inform the Assemblies about further developments in the ACC.

VIII. JOINT INSPECTION UNIT

38. During the period from July 1, 1997, to July 1, 1999, the following JIU reports were received, concerning, among other organizations, WIPO:

(a) “Coordination at Headquarters and Field Level Between United Nations Agencies Involved in Peace-building: an Assessment of Possibilities” (JIU/REP/97/4). In this report, the JIU addresses issues and makes proposals for improving coordination among the United Nations system organizations involved in post-conflict peace-building.

(b) “The Challenge of Outsourcing for the United Nations System” (JIU/REP/97/5). This report provides an overview of outsourcing as presently practiced in the organizations of the United Nations system. In evaluating the use of outsourcing by UN organizations, the report notes that WIPO stands out with its long-standing experience and extensive use of outsourcing. The report puts forward several recommendations concerning outsourcing in the organizations of the UN system, and encourages an enhanced coordination among the organizations on the use of outsourcing.

(c) “More Coherence for Enhanced Oversight in the United Nations System” (JIU/REP/98/2). This report emphasizes the increasing importance of oversight to promote and ensure proper management practices in the organizations of the UN system. The JIU calls for enhanced coherence regarding the conduct of oversight, stressing the need for shared responsibility for oversight between the Secretariats and Member States, and noting the separate yet complementary roles of internal and external oversight mechanisms. The recommendations, which relate, *inter alia*, to planning for and reporting on internal oversight activities, and highlighting good practices, are intended to increase the effectiveness of oversight in the UN system.

(d) “United Nations System Common Services at Geneva. Part I: Overview of Administrative Cooperation and Coordination” (JIU/REP/98/4). Noting that the Geneva-based organizations of the UN system have very few common services, the JIU recommends a new framework for cooperative approaches in the management of common services, including a revitalization of the services provided to UN entities by the United Nations Office in Geneva, and development of joint services for ILO and WHO, and for ITU, WIPO and WMO, with each agency managing or hosting a proportionate share of pooled services.

(e) “United Nations Office for Project Services (UNOPS): Broader Engagement with United Nations System Organizations” (JIU/REP/98/5). In this report, the JIU examines the evolving structure and functions of the new UNOPS, and makes recommendations aimed at improving the operations of UNOPS and enhancing cooperation between UNOPS and the United Nations system organizations.

(f) “Review of the Administrative Committee on Coordination and its Machinery” (JIU/REP/99/1). In this report, after describing past efforts to reform the ACC and its machinery, the JIU makes a series of recommendations aimed at improving the role of the ACC and the operations of the various subsidiary bodies, enhancing the system-wide management of information, and improving inter-agency coordination and the interaction between the ACC and intergovernmental bodies.”

39. WIPO also received the JIU 1997 Annual Report (A/52/34), the JIU 1998 Annual Report (A/54/34) and the “Program of Work of the Joint Inspection Unit for 1999 and preliminary listing of potential reports for 2000 and beyond.” Copies of these JIU reports were distributed by the United Nations to all Member States of WIPO, and are available for reference in the WIPO Secretariat.

40. During the period under review, WIPO provided comments on several of the reports listed above, as well as on the draft reports received from the JIU on the following subjects: “Information Systems and Technology in the United Nations System: Strengthening Existing Uses,” “Information Systems and Technology in the United Nations System: Effective Management for the Future,” and “A Comparative Analysis of Procedures and Costs for the Reproduction and Distribution of Documents in the Organizations of the United Nations System.” WIPO also provided inputs and completed questionnaires for JIU studies on projects in science and technology in Latin America and the Caribbean, on results-based budgeting, on

the use of private management consulting firms, on the production and distribution of documents, and on the handling of JIU reports.

DECISION INVITED

41. The WIPO General Assembly is invited to note the information contained in this report and to approve the actions taken or proposed to be taken, as stated in this report.

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