

WIPO



WO/GA/30/4
ORIGINAL:English
DATE:August 15,2003

E

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

WIPOGENERALASSEMBLY

Thirtieth(16th Ordinary)Session
Geneva,September2 2toOctober 1,200 3

**RESOLUTIONSAND DECISIONSOFTHEUNITED NATIONS;
REPORTSOFTHEJOINT INSPECTIONUNIT**

ReportbytheDirectorGeneral

CONTENTS

	<u>Paragraphs</u>
INTRODUCTION.....	1- 5
I. ECONOMICANDFINANCIALMATTERS	
AssistancetoDevelopingCountries.....	6- 8
ThirdUnitedNationsConferenceontheLeast -Developed Countries.....	9- 12
IntegrationoftheEconomiesinTransitionintotheWorld Economy.....	13- 14
BusinessandDevelopment.....	15- 19
II. SCIENCEANDTECHNOLOGY	
Science and Technology for Development.....	20- 25
ConventiononBiologicalDiversity.....	26- 30
III. OTHERMATTERS	
UnitedNationsCommonSystemStaffMatters.....	31
InformationforReportsoftheSecretary -GeneraltobeSubmitted toCertainOrgansoftheUnitedNations.....	32
IV. JOINTINSPECTIONUNIT.....	33 -93

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 1, 2001, and July 1, 2003, the former date marking the end of the period covered by the previous report on this subject (document WO/GA/27/3). It also contains 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 coordination of the policies and activities of such specialized agencies, agree 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 agree 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-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.

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. 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 2001 and 2002 and the first half of 2003 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-October 2002 (see document A/37/3 and A/37/4) and in September-October 2003 (see, in particular, documents A/39/7 and A/39/8).

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 (57/246), least-developed countries (57/276), small island developing countries (56/198, 57/131, 57/262), the developing countries in Africa (56/511, 57/297), as well as certain developing countries or countries in transition to a market economy facing special difficulties (57/247). The said countries specifically mentioned include Afghanistan, Angola, Belize, Democratic Republic of the Congo, Djibouti, Ethiopia, Haiti, Kazakhstan, Liberia, Mozambique, Somalia, Sudan, Tajikistan and Timor-Leste (56/10, 56/11, 56/100, 56/104, 56/106, 56/108, 56/112, 56/220, 57/101, 57/102, 57/103, 57/104, 57/105, 57/113B, 57/146, 57/149, 57/151, 57/171, 57/183).

8. In respect of most of the countries which are the subject of the said resolutions, assistance has been provided during the period covered by the present report, and the Secretariat will continue to provide, upon the request of the government or governments of those 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 Cooperation for Development Related to Intellectual Property (PCIPD) 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. This 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 PCIPD and to the WIPO Conference (see document WO/CF/21/1).

Third United Nations Conference on the Least -Developed Countries

9. In its resolutions 56/227 and 57/276, the General Assembly emphasizes the importance of a highly visible, efficient and effective follow-up and monitoring arrangement for the implementation of the Program of Action for the Least Developed Countries (LDCs) for the Decade 2001-2010, calls upon the Secretary-General to enhance the operational capacity of organizations and bodies of the UN system in their activities aimed at supporting recipient countries, and reiterates its invitation to the organizations of the UN system and other multilateral organizations to mainstream the implementation of the Brussels Declaration and the Program of Action for the LDCs for the Decade 2001-2010 within their programs of work as well as in their intergovernmental processes.

10. It is recalled that the Director-General established the LDCs Unit in 1998 to improve the overall capacity of the LDCs to respond to intellectual property opportunities created by the rapid globalization of the world economy.

11. WIPO is among the very few specialized agencies of the United Nations to mainstream the implementation of the Brussels Declaration and the Program of Action for the LDCs for the Decade 2001-2010 within its program of work and intergovernmental processes. Indeed, WIPO was one of the few Organizations commended by the Twelfth Ministerial Conference of the Least Developed Countries held in Cotonou, Benin, in August 2002, for mainstreaming the Program of Action.

12. Considerable progress was achieved in the implementation of WIPO deliverables for LDCs. At the time of writing this report, for example, WIPONET was installed in 38 Intellectual Property Offices (IPOs) in 24 LDCs and 43 IPO personnel were retrained; under the WIPO Academy, 85 professionals from 17 LDCs benefited from training on industrial property, copyright and related rights; collective management societies for copyright and related rights were established in five LDCs, namely, Chad, Guinea-Bissau, Mozambique, Nepal and United Republic of Tanzania. Attention is drawn to the more detailed report submitted to the PCIPD and to the WIPO Conference (see document WO/CF/21/1).

Integration of the Economies in Transition into the World Economy

13. In its resolution 57/247, the General Assembly recalls its earlier resolutions reaffirming the need for the full integration of the countries with the economies in transition into the world economy, recognizes the difficulties faced by the countries with the economies in transition in responding adequately to the challenges of globalization, including in the field of information and communication technologies, and calls upon the organizations of the UN system to continue to conduct analytical activities and provide policy advice and technical assistance to the governments of the countries with the economies in transition aimed at strengthening the

social, legal and political framework for complete integration into the market-oriented reforms and emphasizes the importance of their further integration into the world economy.

14. During the period covered by this document, the Secretariat continued to promote accession of all the countries with the 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 included cooperation with the Interstate Council for the Protection of Industrial Property (ICPIP) and with the Eurasian Patent Organization (EAPO). In this connection, attention is drawn to main program 13 of the Program and Budget for the 2002-2003 biennium (document WO/PBC/4/2), pursuant to which assistance has been, and will continue in an increasing way to be, provided to certain countries in Europe and Asia, to foster their integration into the world economy.

Business and Development

15. In its resolution 56/76, the General Assembly recalls the objectives formulated in the United Nations Millennium Declaration, particularly in regard to developing partnerships through the provision of greater opportunities to the private sector, non-governmental organizations and civil society in general so as to enable them to contribute to the realization of the goals and programs of the Organization and stresses that efforts to meet the challenges of globalization could benefit from enhanced cooperation between the United Nations and all relevant partners, in particular the private sector, in order to ensure that globalization becomes a positive force for all.

16. The resolution further underlines that cooperation between the United Nations and all relevant partners, in particular the private sector, shall serve the purposes and principles embodied in the UN Charter and emphasizes that all relevant partners, in particular the private sector, can contribute in several ways to addressing the obstacles confronted by developing countries in mobilizing the resources needed to finance their sustainable development, and to the realization of the development goals of the United Nations through, *inter alia*, financial resources, access to technology, management expertise, and support for programs, including through the reduced pricing of drugs, where appropriate, for the prevention, care and treatment of HIV/AIDS and other diseases.

17. The said resolution also stresses the need for international cooperation to strengthen the participation of enterprises, especially small and medium-sized enterprises (SMEs), business associations, foundations and non-governmental organizations from developing countries and countries with the economies in transition.

18. It is recalled that in 2000 the Director General requested, and obtained, the approval of the WIPO General Assembly to establish a new program of activities, focusing on the intellectual property-related needs of SMEs worldwide (see document WO/GA/26/5 and WO/GA/26/10, paragraph 10.9). Relevant activity of the SMEs Division has included the co-organization of several events, with different host governments, aimed at broadening the scope of understanding and level of use of intellectual property by SMEs and strengthening the capacity of governments and SME support institutions to provide IP-related services to SMEs.

19. In respect of relations with the private sector, attention is drawn to Sub-Program 11.3 (Industry, NGOs and Private Sector Partnership) of the proposed Program and Budget for the 2004-2005 Biennium (see document WO/PBC/6/2). Proposed activities under the Sub-Program include the WIPO Private Sector Partnership Program, which aims to recognize the pivotal role held by the private sector, particularly industry, not only as the primary user of the intellectual property system and a major ultimate beneficiary, but also as a valuable source of expertise.

II. SCIENCE AND TECHNOLOGY

Science and Technology for Development

20. In its resolutions 56/182 and 57/295, the General Assembly stresses that the pace of globalization is influenced in large measure by the development of science and technology, recognizes that information and communication technologies are among the critical determinants for creating a global knowledge-based economy, accelerating growth, increasing competitiveness, promoting sustainable development and facilitating the effective integration of all countries into the global economy, and affirms the need to address the obstacles faced by developing countries in accessing technologies, while taking into account the need to protect intellectual property rights and the special needs of developing countries.

21. The said resolutions call upon the UN system and the international community to strengthen South-South cooperation initiatives as well as regional and subregional cooperation in the field of science and technology, mainstream and integrate information and communication technologies more fully into development and technical cooperation activities of the organizations of the system, and encourage the use of information and communication technologies to promote the exchange of experiences and to enhance information-sharing among organizations of the system and between the organizations and Member States.

22. In this connection, it is recalled that a Global Information Network (WIPO NET) has been installed by the Secretariat. Using a combination of private networks, the public Internet and state-of-the-art technologies, WIPO NET has established a global intellectual property information network between all Member States. In linking the intellectual property offices of WIPO Member States, this project will facilitate access to and exchange of information across the globe and enhance use of the intellectual property system to foster economic and cultural development in all participating countries.

23. Other related activities include the AIMS (Administration Information Management System) Project and the Failsafe Organization-wide Customer-oriented Upgradeable Secure IT Infrastructure (FOCUS) Project. The AIMS Project was formally launched in January 2002 with the objective of replacing WIPO's 16-year-old finances system with a modern integrated accounting and budgetary controls system. The Organization successfully completed the FOCUS Project to upgrade WIPO's internal information technology networks and infrastructure in August 2002. The FOCUS Project spanned almost three years and has provided WIPO with state-of-the-art information technology capabilities that are designed to support production systems such as WIPO NET, IMPACT, and PCT-SAFE (Secure Applications Filed Electronically), well into the future.

24. WIPO's Intellectual Property Digital Library (IPDL) went online with the complete Madrid and Hague Convention registration data in January 2002. The IPDL, which now has over 20,000 registered users, was first proposed by the Permanent Committee on Industrial Property in 1997 when it recommended the use of technology to enable the global intellectual property community to disseminate and access data.

25. Attention is drawn to the documents on information technology development and the provision of industrial property information services presented by the Secretariat to the Permanent Committee on Cooperation for Development Related to Intellectual Property at its third session held in October - November 2002 (see, in particular, document PCIPD/3/4).

Convention on Biological Diversity (CBD)

26. In its resolutions 56/197 and 57/260, the General Assembly reaffirms that the Convention on Biological Diversity (CBD) is the key international instrument for the conservation and sustainable use of biological diversity and the fair and equitable sharing of benefits arising from the use of genetic resources. The resolutions underline the importance of traditional knowledge, innovations and practices of indigenous and local communities for the conservation and sustainable use of biological diversity, their development and wider application with the approval and involvement of the holders of such knowledge, innovations and practices, their protection subject to national legislation, and the fair and equitable sharing of benefits arising out of their commercial use, in accordance with the provisions of the CBD.

27. Resolution 56/197 takes note of the fact that the provisions of the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS) and the CBD are interrelated, in particular with respect to intellectual property rights and relevant provisions of the Convention, and invites the World Trade Organization (WTO) and WIPO, within their respective mandates, to continue to explore this relationship, taking into account the ongoing work in other relevant forums.

28. The WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) has, over the last two years, formed a key international forum for considering the relationship between intellectual property and the broader interests concerned with traditional knowledge, traditional cultural expressions or folklore, and genetic resources.

29. Major relevant work by the Secretariat during the reporting period included a study on the issue of disclosure of source of genetic resources and traditional knowledge, and confirmation of prior informed consent, in patent applications, following an invitation by the Conference of Parties of the CBD.

30. Attention is also drawn to the fact that the Director General of WIPO and the Executive Secretary of the Secretariat of the CBD prepared and signed, in 2002, a Memorandum of Cooperation to enhance cooperation between the CBD Secretariat and WIPO on intellectual property issues concerning access to genetic resources and benefit-sharing and the protection of the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity. The said Memorandum of Cooperation was approved by the Coordination Committee at its September 2002 session (see documents WO/CC/48/2 and WO/CC/48/3).

III. OTHER MATTERS

United Nations Common System Staff Matters

31. 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 2001 and 2002 and of the decisions and recommendations of the International Civil Service Commission (ICSC) taken in 2001 and 2002 are the subject of reports submitted by the Director General to the WIPO Coordination Committee at its sessions in 2001 and in 2002 (see documents WO/CC/47/1 and WO/CC/48/1).

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

32. 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.

IV. JOINT INSPECTION UNIT

Reports of the Joint Inspection Unit

33. During the period from July 1, 2001, to July 1, 2003, the following reports of the Joint Inspection Unit (JIU) were sent to WIPO by the JIU for submission to the WIPO General Assembly:

- (a) "Enhancing Government Oversight Role: Structure, Working Methods and Practices on Handling Oversight Reports (JIU/REP/2001/4).
- (b) "Involvement of Civil Society Organizations other than NGOs and the Private Sector in Technical Cooperation Activities: Experiences and Prospects of the United Nations System (JIU/REP/2002/1).
- (c) "Reform of the Administration of Justice in the United Nations System: Options for Higher Recourse Instances (JIU/REP/2002/5).
- (d) "United Nations System Revenue-Producing Activities (JIU/REP/2002/6).
- (e) "Managing Information in the United Nations System Organizations: Management Information Systems (JIU/REP/2002/9).
- (f) "Implementation of Multilingualism in the United Nations system (JIU/REP/2002/11)."

34. WIPO also received the "JIU Annual Report for 2001" (UN document A/57/34), the "JIU Annual Report for 2002" (UN document A/58/34), the "Programme of work of the Joint Inspection Unit for 2001 and preliminary listing of potential reports for 2002 and beyond"

(UN document A/56/84), the “Programme of work of the Joint Inspection Unit for 2002” (UN document A/57/61), the “Programme of work of the Joint Inspection Unit for 2003” (UN document A/58/64) and the “Report of the Joint Inspection Unit on experience with the follow-up system on Joint Inspection Unit reports and recommendations” (UN document A/56/356).

N

35. Copies of the JIU reports listed in paragraph 33, above, were placed on the Internet (in English, French and Spanish) by the JIU Secretariat to facilitate access by Member States throughout the world and were distributed by the United Nations to all Member States of WIPO. The documents containing the comments of the Executive Heads on those reports, whose preparation was coordinated by the Secretariat of the Chief Executives Board (CEB) for Coordination, and the documents listed in paragraph 34, above, were distributed by the United Nations to all Member States of WIPO. All of those documents are available for reference in the WIPO Secretariat.

36. During the period under review, WIPO provided input for and comments on the JIU reports listed above. WIPO also provided inputs and completed questionnaires for JIU studies on: host country agreements entered into by organizations of the United Nations system; support costs related to extrabudgetary activities in organizations of the United Nations system; senior-level appointments in the United Nations specialized agencies and the International Atomic Energy Agency; follow-up on United Nations systems support for science and technology in Africa; standards of accommodation, travel time and rest stopovers throughout the United Nations system; and a review of the United Nations budgetary process. WIPO also provided information for the JIU follow-up system.

Follow-up on Reports of the Joint Inspection Unit

37. For a number of years, the JIU has been endeavoring to have the United Nations and the Specialized Agencies take a more formalized approach to the handling and follow-up on JIU reports. The Secretariat and representatives of the JIU have therefore had a number of discussions and exchanges of correspondence over the past few years in order to come to a mutually satisfactory and agreed position on this matter. The result is presented in paragraphs 38 to 54, below.

38. Introduction. United Nations General Assembly resolution 50/233 of June 7, 1996, stressed that the impact of the Joint Inspection Unit (JIU) on the cost-effectiveness of activities within the United Nations system is a shared responsibility of Member States, the JIU and the secretariats of the participating organizations.

39. Reflecting this concept of a shared responsibility for oversight, the JIU prepared a document, entitled “Towards a more effective system of follow-up on reports of the Joint Inspection Unit” which was included as Annex I of the annual report of 1997 (UN document A/52/34). This proposed follow-up system was submitted for consideration and action by the legislative organs of participating organizations. It has been endorsed by the United Nations General Assembly in its resolution 54/16 of October 29, 1999. A copy of that document is contained in the Annex.

40. In endorsing that system, the United Nations General Assembly also observed that, in order for JIU reports to be thoroughly and effectively utilized, the recommendations included in JIU reports must be (a) directed at correcting clear deficiencies with practical,

action-oriented measures to solve significant problems; (b) convincing and well-supported by the facts and analysis in the report; (c) realistic in terms of implied resource commitments and technical capabilities; (d) cost-effective; and (e) specific regarding actions to be taken and those responsible for taking actions, so that implementation and resulting impact can be clearly tracked.

41. For recommendations of JIU reports that satisfy the conditions given in the preceding paragraph, effective follow-up is essential for those recommendations to have value. At the same time, it is necessary to avoid unduly burdening the already heavy agenda of the WIPO General Assembly.

42. Against this background, the following pilot scheme has been prepared by the Secretariat in consultation with the JIU. It is understood that this initial approach is subject to review and adjustment, based on experience, and in consultation with the JIU.

43. Pilot Scheme. The provisions of the JIU Statute, in particular its Chapter IV, constitute the basic framework for the handling of JIU reports.

44. Upon receipt each year of the Program of work of the JIU for that year and preliminary listing of potential reports for the following year and beyond, WIPO will provide the JIU with its preliminary reaction on whether the reports included therein are relevant to WIPO.

45. At the very beginning of the preparation of the reports, the JIU will circulate a more detailed justification of the report, including a description of the objectives, focus and scope, and main problems to be addressed.

46. Upon receipt of the draft of a JIU report for comments, WIPO will indicate whether it considers the report to be relevant to WIPO or not, giving reasons if considered not relevant. In case of a difference of opinion between WIPO and the JIU on the relevance of a report, both parties will endeavor to reach agreement on the matter.

47. This set of criteria to be used in determining the relevance of reports, and their recommendations, to WIPO are the following. First, is the subject matter related to the mandate and activities of the Organization? Second, does the subject matter relate to a significant (or only very marginal) part of WIPO's activities? Third, has the JIU report identified clear deficiencies and/or significant problems within WIPO to be addressed? Fourth, do the recommendations, which must be in conformity with paragraph 40, above, provide specific solutions that will effectively resolve these problems?

48. Only reports which are relevant to WIPO will be sent by the JIU to WIPO for action, in accordance with Article 11, paragraph 4(a) of the JIU Statute.

49. It is recognized that, even when a particular report is relevant to WIPO, not all of its recommendations might be relevant. Those recommendations which are not relevant will not be addressed to WIPO for action. The JIU will endeavor to tailor its recommendations, when necessary and feasible, to the specific needs of WIPO.

50. Once JIU reports of relevance to WIPO are made available in electronic form to the Director General in all of their language versions (namely, Arabic, Chinese, English, French, Russian and Spanish), the WIPO Secretariat will immediately transmit them to the Member

States of WIPO using the “push technology” of sending e-mails (through the WIPO net and the Internet) including embedded hyperlinks to the reports in the JIU website on the Internet. The JIU intend to develop its website to include all of those language versions. (It is recalled that paper versions of all JIU reports are already circulated to all Member States by the United Nations.)

51. The JIU intend to introduce a practice of segmenting the recommendations into those addressed to the executive heads and those addressed to the legislative organs of the organizations. Therefore the JIU reports to be considered by the WIPO General Assembly will be those which include recommendations, relevant to WIPO, addressed to the legislative organs for action. The documents submitted to the WIPO General Assembly will summarize the relevant JIU recommendations of the JIU reports, provide the recommendations addressed to the WIPO General Assembly for action, and give the Director General’s comments on those. It is expected that the discussion at the WIPO General Assembly will focus on those recommendations.

52. The WIPO document concerning JIU reports relevant to WIPO, for consideration by the WIPO General Assembly at its next ordinary session, will include the JIU reports for which the six language versions are available. JIU reports will normally be considered under the agenda item “Resolutions and Decisions of the United Nations; Reports of the Joint Inspection Unit”, unless the subject of the report fits under another agenda item (in which case the report would be referred to there).

53. The JIU may introduce its reports at the session of the WIPO General Assembly.

54. The Director General will regularly provide the WIPO General Assembly and the JIU with status reports on the implementation of recommendations approved by the WIPO General Assembly, and will provide the JIU with status reports on the implementation of relevant recommendations addressed to and accepted by the Director General.

Implementation of Pilot Scheme

55. Pursuant to the pilot scheme referred to above, the following paragraphs provide, for the JIU reports listed in paragraph 33, above, a summary of the recommendations, and reproduce the recommendations addressed to the legislative organs of the organizations (including the WIPO General Assembly) along with the Director General’s comments on those.

Enhancing Government Oversight Role: Structure, Working Methods and Practices on Handling Oversight Reports (JIU/REP/2001/4)

56. Noting that the oversight responsibility of the legislative organs of the organizations is a key aspect of the overall governance, this JIU report has the objective of contributing to enhancing the effectiveness and quality of this oversight role exercised primarily by the “executive” legislative organs (such as Executive Board or Council) and their subsidiary bodies responsible for oversight issues. The report focuses on the governance structure, working methods and practices of legislative organs covering oversight, and the procedures of the legislative organs for handling reports prepared by oversight mechanisms, particularly JIU reports.

57. Thereport has four recommendations, the first three being addressed to the legislative organs of the organizations. The first recommendation reads as follows:

“RECOMMENDATION 1:

The Legislative organs may wish to adopt, as a matter of principle, the following *modus operandi* for enhancing the effectiveness of their oversight functions [*]

- (a) Following the intent of the United Nations General Assembly as expressed in resolution 50/233 and decision 55/461, list thematic oversight reports, as far as feasible and practical, under the appropriate substantive agenda items, together with any other relevant reports listed under the same agenda items;
- (b) When more than one report (including an oversight report) is listed under a specific agenda item, review all the relevant parts of the reports listed in a comprehensive and coordinated manner;
- (c) Link fully the review made in (b) above to setting policy and/or management directives on the issue (under the agenda item) in question, with specific legislative actions on the strategic/policy matters whenever required;
- (d) In addition, make organizational arrangements to ensure that consideration of programme matters is linked systematically to the consideration of administrative/budgetary/financial matters;
- (e) Furthermore, consider/verify, either separately or as a part of the review exercise in (b) above, secretariat compliance with approved oversight recommendations while ensuring, at the same time, reinforcement of a system of secretariat accountability and responsibility.”

58. Comments of the Director General: As indicated in the first sub -paragraph of the recommendation, this recommendation is patterned on the situation in the United Nations. It is recalled that the United Nations General Assembly meets for a number of months each year, with a number of Main Committees meetings as well as Plenary sessions; the proposed *modus operandi* is therefore reasonable for the United Nations itself. However, for highly technical specialized agencies, it is simply not relevant. The annual meetings of the Assemblies of the Member States of WIPO generally involve only five days of deliberations, and an examination of the present and past agendas shows that the subject matter of JIU reports does not easily fit into “appropriate substantive agenda items”, but that it is more reasonable to consider JIU reports generally under the agenda item “Resolutions and Decisions of the United Nations; Reports of the Joint Inspection Unit”. This has been agreed with the JIU, and is reflected in the above mentioned Pilot Scheme (reference paragraph 52, above), with paragraph 54 of the Pilot Scheme specifically responding to Recommendation 1 (e).

* To avoid confusion, reference to paragraphs within the individual JIU reports have been deleted in the recommendations quoted here.

59. Thesecond recommendation reads as follows:

“RECOMMENDATION 2:

In applying the *modus operandi* in Recommendation 1 above, the legislative organs, depending on the existing arrangements, may wish to adopt measures to rationalize or strengthen governance structures as well as their working methods along the lines indicated below:

- (a) For the organizations with more than one committee (covering oversight at least as a part of the terms of reference, and subsidiary to the “executive” legislative organ) (FAO, ITU, UNESCO and WHO):
 - (i) consolidate (or convert) the existing committees basically into two; i.e., programme and administrative/budget/finance committees (option 1); or
 - (ii) establish a single standing committee as subsidiary to the “executive” legislative organ by consolidating the existing committees (option 2).
- (b) For the organizations with a single committee (ILO, UNIDO, UPU, WIPO, WMO and IAEA), maintain the single committee, but fully embody the *modus operandi* in Recommendation 1 in respect of its organization and working methods, and for that purpose, broaden, when necessary, its terms of reference and enhance its authority regarding all oversight matters excluding purely technical areas.
- (c) For the organizations with no committee (United Nations Funds and Programmes, and IMO), what is required is to embody the same *modus operandi* in the functioning of the “executive” legislative organ itself, with the necessary structural [re-]arrangement (including the possible creation of a sessional committee).
- (d) Furthermore, where it is not the case, the “executive” legislative organs, depending upon the size, resources and needs of their respective organizations, could be assisted by a small expert advisory body on administrative/financial and related managerial questions reporting to the administrative/budget/finance committee/the single committee or direct to the “executive” legislative organ (IMO).”

60. Comments of the Director General: For WIPO, the “committee” referred to here has been taken by the JIU to be the WIPO Program and Budget Committee. That Committee already reviews every two years the Report of the External Auditor on the Auditing of the Accounts of WIPO for the preceding biennium, and also reviews other special oversight reports that have been requested by the Assemblies of the Member States of WIPO. A recent example was the “Evaluation Report of the External Auditor on the New Construction” (document WO/PBC/5/3). As regards Recommendation 2(b), for the same reasons as those given in paragraph 58, above, it is difficult to envisage either that the suggested *modus operandi* for the Program and Budget Committee would be in any way an improvement over its present operations or that anything would be gained by having that Committee review JIU reports, given the very limited relevance of most JIU recommendations to WIPO. As regards Recommendation 2(d), it is considered that the large number of governing bodies for WIPO

and its Assemblies, including a number of bodies subsidiary to the Assemblies of particular Unions, already bring in a wider range of highly expert input into the decision-making by the Assemblies of the Member States of WIPO, so it would be inappropriate to consider adding further bodies (especially as the current moves are in the opposite direction, namely, reducing the number of bodies in order to streamline governance).

61. The third recommendation reads as follows:

“RECOMMENDATION 3:

In the interest of efficiency, effectiveness and economy in governance oversight, and drawing on practices in some of the United Nations organizations, the legislative organs, where applicable, may also wish to review the following questions:

- (a) numerical composition of the “executive” legislative organs and/or their subsidiary committees, including an option of maintaining a limited/selected core membership of the committees where such is the practice, while allowing wider participation as observers by interested members of the “executive” legislative organs;
- (b) expertise and experience of the members of the “executive” legislative organs and/or their committees covering oversight, which should be represented or accompanied, to the extent possible, by individuals having managerial expertise in administrative and financial matters in addition to technical knowledge of the work of the organizations concerned;
- (c) frequency and duration of the sessions, including, *inter alia*, the possibility of less frequent and shorter sessions, with more streamlined agendas and focused consideration on issues requiring legislative actions; as well as
- (d) travel and subsistence allowance paid to the delegates, as far as such practices are in existence, including the possibility of abolishing such practices (entirely, or partially; e.g., maintain travel allowance only) as a matter of principle with due regard, however, to the capacity of countries, in particular the least developed countries, to finance their representation.”

62. Comments of the Director General: The process of constitutional reform that has been underway since 1998 has addressed these and many other matters in detail, and resulted already in the discontinuation/abolition of six governing bodies. As regards Recommendation 3(a), the size of subsidiary “executive” legislative organs (namely, the WIPO Coordination Committee, the Paris Union Executive Committee and the Berne Union Executive Committee) is established by the applicable Convention and the membership is determined by the Assemblies; other countries are already free to participate as observers. As regards Recommendation 3(b), the membership of each delegation is a matter for each Member State to decide. Efforts are made on an ongoing basis to achieve the benefits implicit in Recommendation 3(c). As regards Recommendation 3(d), it is recalled that, for meetings of the Madrid Union Assembly and of the PCT Union Assembly, travel expenses (airfare, daily subsistence allowances and terminal expenses) are paid to one delegate per Member of the Madrid Union Assembly and to one delegate per Member of the PCT Union Assembly, respectively.

63. The final recommendation asks Executive Heads to include in relevant sections of their program and budget a summary of the relevant recommendations and related follow-up action taken. For the same reasons as those given in paragraph 58, above, this is not relevant to WIPO. Follow-up is already provided for in the Pilot Project (reference paragraph 54, above).

Involvement of Civil Society Organizations other than NGOs and the Private Sector in Technical Cooperation Activities: Experiences and Prospects of the United Nations System (JIU/REP/2002/1).

64. The objective of this JIU report was to examine the profile of civil society and analyze how the increased involvement and cooperation of its organizations in economic and social programs of selected United Nations entities can be better structured and expanded. The report found an extremely wide variety of civil society organizations (CSOs) working with the organizations of the United Nations system, and a wider range of modalities of cooperation, ranging from various cooperative arrangements to full partnership in the design and implementation of technical cooperation policies and programs.

65. The JIU recommends the following: CSOs should be involved in technical cooperation activities during all stages of program planning (including design, sustainability, implementation/execution, monitoring and evaluation as well as follow-up). A sufficiently flexible standard framework could be usefully established to be adapted to the different situations and needs of United Nations organizations. Organizations particularly active in technical cooperation without a focal point for CSOs should consider appointing one. In connection with meetings of the Chief Executives Board (CEB) for Coordination, consultations among focal points could be envisaged when relevant issues on sustainable development are examined. The CEB should recognize and institutionalize cooperation between United Nations organizations and CSOs, especially in the area of economic and social activities. The High-Level Committee on Programmes should take into account the role of CSOs when economic and social issues are reconsidered. To enable national CSOs to assume further their increasing roles as partners of the system, each organization should make it part of their objective to train and empower CSOs as well as strengthen their organizational structures in terms of legal and managerial capacity, and should assist women in general, and those in the developing countries in particular, to enhance their organizational and managerial skills including information technology; Member States and donors should provide financial resources intended for this purpose. The financial autonomy of CSOs and their entities should be encouraged by donors and recipient countries to reduce their dependence on sporadic donations and contributions. Specific staff training is required in development programmes to be approved and implemented at the national level involving CSOs. For improvements in United Nations staff training, the United Nations System Staff College could be one appropriate structure. The existing mechanism at the country level has to be revised and amplified, to involve CSOs during the planning and execution process of technical cooperation activities in synergy with governments. Those United Nations organizations dealing with economic and social developments should be encouraged to include in their websites selected information on CSOs engaged in technical cooperation activities; for CSOs already equipped with a website, it would be useful for United Nations system organization websites to have these CSO hyperlinks embedded. Major conferences, meetings, seminars/workshops organized by the United Nations system and of special interest to CSOs should be part of the appropriate printed work, radio and website information.

66. The JIU recommendations addressed to the legislative organs of the organizations are the following:

“RECOMMENDATION 3

- (a) Accountability and reporting procedures must be taken into account in the partnership between the United Nations system organizations and CSOs;
- (b) Even in cases where such a requirement is already pragmatically satisfied in existing agreements, contracts and Staff Rules and Regulations, a policy should be recommended by the legislative organ to develop a common set of principles to guide United Nations system engagement with CSOs.”

“RECOMMENDATION 6(a)

The prevailing informal and pragmatic cooperation with CSOs should be better structured through the definition of policy guidelines. This development will give further input to ongoing initiatives by the secretariats and should be translated into policy actions by legislative organs.”

67. Comments of the Director General: These recommendations appear to be addressed primarily to organizations which have significant partnership arrangements with CSOs, often involving financing the CSOs to implement cooperation for development projects. WIPO’s involvement in working with CSOs in cooperation for development projects is at a very different level, as described in paragraph 34 of the report in question (JIU/REP/2002/1), which reads as follows:

“World Intellectual Property Organization (WIPO) – Reflecting the continuing needs of developing countries for a modern and effective intellectual property system, and to enable the intellectual property user community to effectively use this system, the WIPO cooperation for development programme traditionally keeps close cooperation links with Civil Society and attaches great importance to their capacity building. The user community includes industry, in particular Small and Medium-Sized Enterprises (SMEs), research and development institutions, academia, artists, musicians, writers, composers, collective management societies, inventors and trade associations, attorneys, associations of intellectual property rights owners, and consumer associations. Numerous WIPO training activities are supported and assisted by Civil Society institutions, such as training institutes and intellectual property associations, which regularly cooperate with WIPO by hosting or co-organizing training sessions. Moreover, WIPO cooperates with academic institutions and universities by providing training for professors in the field of intellectual property law. The WIPO World Wide Academy works closely with a large number of cooperating universities, research institutes, industrial property and copyright offices, and is seeking to further increase this collaboration in the next biennium. The WIPO SME programme maintains constructive links with relevant Civil Society institutions to encourage dynamic linkages among universities, research and development institutions, financing and venture capital institutions, and other SMEs.”

WIPO's partnership arrangements with the CSOs in the implementation of cooperation for development projects generally involve each partner providing agreed elements of the project, whether financing certain items or providing certain facilities and expertise. In those few cases where WIPO provides funds to CSOs to cover certain local costs, that is undertaken in full conformity with WIPO's Financial Regulations and Financial Rules. Given the wide range of CSOs with which WIPO is working, and the fact that the individual agreements with them clearly spell out the contribution to be provided, the Director General does not consider it necessary to devote efforts to developing further policy guidelines and principles to govern WIPO's dealings with CSOs.

Reform of the Administration of Justice in the United Nations System: Options for Higher Recourse Instances (JIU/REP/2002/5)

68. This objective of this JIU report was to consider, in the context of the reform of the administration of justice in the United Nations system, the possibility of establishing a higher instance in respect of the binding decisions of the International Labour Organization Administrative Tribunal (ILOAT) and the United Nations Administrative Tribunal (UNAT), in consultation with the organizations of the United Nations system, and bearing in mind the national legal systems of Member States.

69. The JIU recommends the following: Every effort should be made to ensure the independence of all bodies concerned with the administration of justice; organizations should consider establishing independent offices grouping all bodies and institutions dealing with the administration of justice. To strengthen the organizations' capacity for informal conciliation, mediation and negotiation, organizations that have not yet done so should establish an independent ombudsman function. ILOAT and UNAT should be enabled to mediate between parties so that those tribunals may resort to conciliation to resolve disputes. In considering the desirability of eventually merging ILOAT and UNAT, the competent legislative organs of the United Nations and the ILO may wish to require the harmonization of their statutes and working procedures, and a detailed timetable for such a merger should be developed in consultation with their participating organizations. Regarding internal advisory bodies, executive heads should adopt the practice of accepting the unanimous recommendations of those bodies, publish annual reports on the number and nature of cases heard and on their disposition, and give appropriate consideration to holding oral hearings before all appellate bodies. The United Nations General Assembly may wish to request the Sixth Committee to study the desirability of establishing an ad hoc panel responsible for reviewing judgments of the ILOAT and UNAT or a future single tribunal, and such a panel could include a number of specified features. Executive heads should ensure collaboration with staff associations in developing comprehensive legal insurance schemes.

70. No recommendations were addressed by the JIU to the legislative organs of the organizations.

United Nations System Revenue - Producing Activities (JIU/REP/2002/6)

71. The objective of this JIU report was to review United Nations system policies and practices relating to revenue-producing activities, with a view to establishing a coherent policy framework for these activities and improving their management efficiency and effectiveness.

72. Since revenue-producing activities provide the bulk of WIPO's income, there is certainly of interest. Indeed its figures, provided for the 1998-1999 biennium, show that while WIPO's budget was only 4% of the total budgets of all of the organizations of the United Nations system, the income from WIPO's revenue-producing activities (involving fees under the PCT, Madrid and Hague systems, income from the WIPO Arbitration and Mediation Center, sales of publications, and other sources of income) comprised 35% of the total income generated by the revenue-producing activities of all of the organizations of the United Nations system, and 72% of such income of all of the specialized agencies. Not surprisingly, the report makes a number of very positive observations about WIPO's work, including the following (the paragraph references are to the report JIU/REP/2002/6):

- "It should be added that these fee-financed activities are central to the WIPO treaties and to its corporate performance, and also burnish its public profile." (paragraph 53)
- "Accordingly, as emphasized in previous chapters, maximizing revenue from the activities reviewed in this report, including publications, is not only a quantitative indicator of their efficient management but is also supportive of their primary statutory purposes, as indisputably demonstrated by UNICEF and WIPO for example." (paragraph 98)
- "More significantly, the publishing performance of ICAO, IMO, ITU and WIPO attests in a way to their intellectual productivity and, by extension, effectiveness in promoting their legislative mandates..." (paragraph 102(f))
- "With the exception of WIPO, which reports extensive promotional efforts undertaken for its fee-for-service activities, the marketing function is by and large the weakest link in the chain of the organizations' revenue-producing activities." (paragraph 127)
- "However, publications and greeting cards (UNICEF) probably require more periodic market studies than other activities because, with some exceptions, they generally lack the type of privileged market niche and customer loyalty enjoyed, for example, by the organizations' procurement services or by the WIPO fee-for-service activities." (paragraph 129)
- "Yet, the publishing performance of ICAO, IMO, ITU and WIPO as noted earlier, makes it beyond doubt that the organizations' publications programmes can be managed efficiently and effectively as profit centres yielding substantial surplus income, thanks particularly to systematic cost-reduction efforts which impact positively on pricing, penetration and sales value." (paragraph 134)
- "The WIPO fees schedules are based on its broad definition of costs to be recovered in respect of its fee-for-service activities. The costs are traced to virtually all technical, promotional and administrative support services of its secretariat. Processing costs have been reduced thanks to extensive streamlining of procedures to make them more efficient. This effort extends to the development of major information technology systems for the processing of international patent, trademark and industrial design applications." (paragraph 139)

- “These combined efficiency measures have enabled WIPO to reduce the level of fees under the PCT and Hague Agreements system on a number of occasions. For the PCT system, these fee reductions have occurred as the customer base expands. Since the international business community appreciates the many advantages offered by the PCT system, its ongoing modernization, the quality and efficiency of its services and the continuing process of fee reductions, the use of PCT system has been growing rapidly year after year. Thus, with ever-increasing numbers of international patent applications, there have been increases in overall fee revenue, which in turn has made fee reductions possible.” (paragraph 140)

73. The JIU makes two series of recommendations, one addressed to the United Nations itself, and the other addressed to all the organizations. The recommendations to the United Nations deal with matters of new management arrangements for United Nations revenue-producing activities, enhancing public access and visibility for bookshops and gift centers, extending the geographical spread of some activities, exploring outsourcing options, and reviewing the existing agreements concerning the United Nations Postal Administration.

74. The JIU recommendations addressed to all the organizations are the following: The competent legislative organ for each organization should further strengthen the existing directives for income-producing activities (see paragraph 75, below). Various measures should be taken to increase revenue from publications, including adjusting the balance between free and paid distribution, expanding the geographical coverage of marketing and sales operations, promoting licensing for translations and low-cost local editions, and sharing best practices at regular inter-agency meetings. Public information products with marketable value, especially audio-visual productions, should be identified and developed for purposes of advocacy and income generation. Electronic databases and related products (such as software programs) should be identified which could be marketed in order to generate further income. Organizations should strengthen their comparative advantages in international procurement of goods and services for third parties, and should consider charging appropriate bidding or registration fees for private-sector entities submitting proposals to tender for procurement and outsourcing contracts. A common science and technology policy on patents should be formulated. Organizations should consider extending or establishing training and lecture programs for which fees would be charged, as well as fee-paying courses offered over the Internet. The marketing and sales functions for revenue-producing activities should be reinforced through various measures, including periodic market research studies, appropriate pricing approaches and cooperative distribution and sales services.

75. The only recommendation addressed to the legislative organs of the organizations is the following:

“RECOMMENDATION 6

Policy objectives

The competent legislative organ of each organization should further strengthen, within a coherent policy framework, existing directives for revenue-producing activities, including, inter alia, the following objectives:

- (a) To promote the legislative mandates and global public image of the organization while also maximizing revenue, where appropriate, for the discretionary allocation of the member States;
- (b) To ensure the long-term financial sustainability of the activities through the reinvestment of an appropriate percentage of their proceeds in the organizational and author units directly concerned (to support their enhanced information technology needs, further research and development, production and reproduction, as well as marketing and sales efforts); to that end, self-financing mechanisms, such as special revolving funds, should be established where non-existent at present, and some flexibility may be given to the services concerned to mobilize their own resources, in kind or cash, from public and private sources to meet their needs for start-up capital, working capital, or operational reserves, in keeping with the financial regulations and rules of each organization;
- (c) To encourage organizational creativity and performance measurement based on financial results;
- (d) To tap the financial benefits of intellectual property protection rights;
- (e) To strengthen the comparative advantages of each organization concerned;
- (f) To adhere to ethical standards consistent with United Nations system values and the ethical framework existing in each organization for cooperation with the international business community.”

76. Comments of the Director General: In the light of the very high amount of WIPO's income that comes from its revenue-producing activities, and the very positive observations that the JIU report makes about WIPO's work, it is clear that WIPO is at the leading edge as regards revenue-producing activities, and already has in place a coherent policy framework and directives concerning revenue-producing activities. For these organizations which have only a limited source of income from their revenue-producing activities, this recommendation would appear to be very pertinent. However, in the case of WIPO, it is not considered necessary to strengthen the existing policy framework and directives.

Managing Information in the United Nations System Organizations: Management Information Systems (JIU/REP/2002/9)

77. The objectives of this report were to review the experience on management information systems in the United Nations system organizations, draw lessons from that, and provide guidelines aimed at strengthening information management, and improving the design and implementation of management information systems as effective tools for better management in those organizations.

78. The report has five recommendations, the first three being addressed to the legislative organs of the organizations. The first recommendation reads as follows:

“RECOMMENDATION1:

Legislative organs should request the Executive Heads of the respective United Nations system organizations that have not yet done so to prepare and submit, for review and appropriate action, a comprehensive strategy for information management/MI systems (including indication of required resources for development and implementation), with due regard to a full introduction of results -based management approach.”

79. Comments of the Director General : WIPO is developing its management information system under the “Administration Integrated Management System” (AIMS) project. This was described in detail in document WO/PBC/3/3 (“Information Technology Projects to be Financed by Surplus Resources”), which was considered by the Program and Budget Committee at its April 2001 session; in document SCIT/ITPWG/1/11 (“Technical Review of Information Technology Projects Proposed for Implementation in the 2002 -2003 Biennium”) which was considered by the Information Technology Projects Working Group of the Standing Committee on Information Technologies at its September 2001 session; and in document WO/PBC/4/2 (“Revised Draft Program and Budget 2002 -2003”) which was approved by the Assemblies of the Member States of WIPO at their September -October 2001 meetings.

80. These second recommendation reads as follows:

“RECOMMENDATION2:

Legislative organs should request the Executive Heads of the respective United Nations system organizations that have not yet done so to take the following measures:

- (1) Designate/appoint a senior official to serve as Chief Information Officer (CIO) who would have the functions indicated as (a), (b), (c), (d) and (e) below. Depending upon organization -specific circumstances, however, the “CIO” functions could be performed by an appropriate unit or, in the case of small organizations that cannot afford CIO, by a senior official with organization -wide coordinating responsibilities as well as some IT knowledge;
 - (a) Keep the organization’s information management strategy and IT alignment with its corporate business plan;
 - (b) Ensure that information management policies and standards are strictly followed and the IT infrastructure is well managed;
 - (c) Ensure that key decision -makers on both substantive and administrative matters have proper and timely information;
 - (d) Facilitate developing and maintaining a culture for improving information management in the organization by exploring new technological possibilities as required; and
 - (e) Seek compatibility, to the extent possible, in MI systems -related policies and practices with other organizations in the UN system, and represent the organization in the inter -agency meetings and consultations.

- (2) In the context of (1) above, the 'CIO' or the official (including the chief of "an appropriate unit") who has 'CIO' functions should report directly to the Executive Head, if so warranted in view of the size of an organization, to the Deputy Executive Head in charge of Programmes."

81. Comments of the Director General : Mr. Allan Roach was appointed as Chief Information Officer in October 2001, with responsibilities analogous to those contained in the recommendation; he reports directly to the Director General.

82. The third recommendation reads as follows:

"RECOMMENDATION 3:

Legislative organs should request the Executive Heads:

- (1) To take, as far as they have not yet done so, the following steps prior to introducing and/or developing a new MIS system:
 - (a) Streamline existing work processes, procedures and practices in such a way as to support results -based management, and identify functional requirements to meet their mission -critical objectives on the basis of streamlined work processes/procedures/practices, with due consideration of a possible outsourcing of support functions such as payroll, accounting, etc..
 - (b) Establish a plan for integrating various management systems (like financial and human resources management systems), with a view to introducing/developing an integrated and organization -wide management information systems such as ERP [Enterprise Resource Planning].
 - (c) Carry out an in -depth review of functionality that ERP applications can provide, and make a cost -benefit analysis of various options available to each organization (such as developing in house, sharing services with other United Nations entities, buying a commercial package, including the possibility of changing procedures to adapt to the best industry practices rather than 'customizing' commercial products to adapt to the requirements of the organizations), bearing in mind the need, to the extent possible, for interagency cooperation and coordination.
- (2) To report, for review and appropriate action, on the measures taken on the above, and, on a regular basis, on the progress made in MIS system project implementation."

83. Comments of the Director General : The recommended steps were already taken in developing the AIMS project , which was formally commenced in January 2002.

- (a) Before that date, considerable preparatory work was undertaken, including a rigorous and comprehensive review of existing business processes, and the identification of opportunities for streamlining to improve efficiency and productivity. This analysis was used as the basis for selecting an ERP solution in September 2002, following an

extensive and structured evaluation process with significant participation from the user communities which would be involved in the project.

- (b) The scope of the current phase of the AIMS project covers the core financial and budgetary control and reporting processes. However, in undertaking the initial preparatory work, WIPO identified important extensions to the system being implemented under the AIMS project, particularly in the areas of procurement, travel management, human resources management and payroll, which would enable streamlining of cross-functional administrative processes and the consolidation of most of WIPO's administrative and management information on a single integrated platform.
- (c) During the preparatory phase, WIPO undertook discussions and reviews with numerous other organizations of the United Nations system, as well as other international organizations (including ILO, UNHCR, ITU, WHO, WMO, WTO and the Red Cross in Geneva; OSCE and UNDCP in Vienna; and FAO and WFP in Rome) in order to benefit from both their experience in developing such systems and the lessons learned. A comprehensive evaluation was undertaken of the three ERP products currently in use in the UN system organizations (namely SAP, Oracle Financials and Peoplesoft), which led to the selection of Peoplesoft. An integral part of the approach to the project in the design phase is a rigorous in-depth review of the standard functionality provided by Peoplesoft, to identify the fit with WIPO's own requirements, with the intention of minimizing customizations while ensuring that all business requirements are met. Further, the AIMS team is continually exchanging information with the major Peoplesoft projects in the other UN system organizations, namely IFAD, UNDP and UNHCR.
- (d) WIPO's extensive reporting and review mechanisms (including reports to the Standing Committee on Information Technologies and to the Program and Budget Committee) ensure that Member States are continually informed on the status of all major IT projects.

84. The final two recommendations essentially request the High Level Committee on Management of the CEB to establish a standardized cost classification, to be used for cost estimates of management information system projects implemented by the United Nations system organizations, in order to enhance transparency and comparability of financial implications of such projects; and, in order to enhance cooperation and coordination in designing and implementing management information systems in the United Nations system organizations, to intensify consultations considering joint designing and/or joint implementation of such systems, sharing services with other United Nations system organizations, outsourcing common support functions to other organizations, application hosting by organizations which have already developed an Enterprise Resource Planning system and/or possible enhanced use of the International Computing Centre.

Implementation of Multilingualism in the United Nations System (JIU/REP/2002/11)

85. The objective of this report was to assist legislative bodies and Secretariats in their efforts to address the challenges of maintaining and improving the multilingual content of services required by the universal character of the United Nations system organizations.

86. The JIU recommends that the Executive Heads of the Organizations do the following. In reporting on the use of languages, submit information to their governing bodies on the status of languages used for work within the Secretariat, indicating the requirements for establishing an enabling environment to foster the strict application of rules concerning the use of mandated working languages, the career implications of not using or being proficient in a de facto working language, and the extent to which other languages are used by staff in all duty stations in undertaking their work. To maintain equal opportunity for candidates for posts, apply uniform rules governing which languages are essential and which are desirable, depending on the requirements of posts; stipulate principal language of education rather than mother tongue; indicate the language requirements of posts in the Professional and higher categories in the periodic reports submitted to the governing bodies; ensure that on-line vacancy announcements are in at least two working languages; allow candidates to consult vacancy announcements and to apply on-line for posts through local representatives of the Organization and through United Nations Resident Coordinators. Request evaluation and internal audit units to include in their work program for 2004 the undertaking of an exhaustive inventory of the existing language knowledge of the staff and an evaluation of language training programs, and the undertaking of an inquiry (both internal and in recipient countries) to ensure that the available language knowledge of the staff does not delay approval or efficient implementation of projects, particularly when the official languages of such countries are not the working languages of the Organization. Survey the users' satisfaction of different target groups with the services provided in different languages for meetings and for the dissemination of information. Keep under constant review the workloads and other working conditions of language units, and take any required corrective measures. Encourage their staff, particularly senior staff, to make fuller use of their linguistic capabilities in the workplace. The JIU also recommends that the Secretary-General of the United Nations should indicate how CEB machinery is enhancing the multilingual content of its own websites and is fostering improved access to information on global issues from the websites of the Organizations.

87. The report has three recommendations addressed to the legislative bodies of the organizations. The first reads as follows:

“RECOMMENDATION I

On the basis of data to be submitted by Secretariats indicating for each language the level of language services being currently provided in relation with meetings and for the dissemination of information, legislative bodies may wish to review and clarify the status of the different languages used in their Organization so as to provide further guidance on Member States' expectations thereof, along the following principles.

- (a) Within the framework of applicable rules governing the use of languages, the prime objective of language arrangements for any meetings should be to provide to all participants an equal opportunity to contribute to the legislative process or to the formulation of the meeting's outputs as the case may be;
- (b) For meetings of governing bodies and other intergovernmental meetings, language arrangements as called for in the rules of procedure should be strictly adhered to, unless otherwise decided by the membership; when Secretariats are unable to provide pre-session documents in all prescribed languages for reasons beyond their control, they should exceptionally submit such documents temporarily in abridged

formatorexecutivesummaryintheconcernedlanguageswithinthestablished deadlines;

- (c) Othercategoriesofmeetingsuchasexpertgroupmeetingsorseminarsshouldbe organizedtakingintoaccountthelanguageproficiencyofthosecalleduponto attend;
- (d) Whilelanguagesusedforthedisseminationofinformationshouldaimat outreachingtothelargestextentpossibletargetedaudiencesintheframeworkofthe mandate ofeachOrganization,theirscopesshouldincludealllanguagesnormally usedbyeachOrganization,dueregardbeinggiven tothoseapplicableatfield level.”

88. CommentsoftheDirectorGeneral :TheworkinglanguagesofWIPO(i.e.,thelanguagesusedforoneormoreofinterpretation,documents,publicationsorcorrespondence) areArabic,Chinese,English,French,Portuguese,RussianandSpanish.Someorallofsix languages,namely,Arabic,Chinese,English,French,RussianandSpanish,areusedfor simultaneousinterpretationandfortheproductionofdocumentsforcertainmeetings,andare usedfortheproductionofpublications;correspondencemaybereceivedbytheSecretariat in thoselanguagesandissentinEnglish,FrenchandSpanish.TheWIPOwebsiteisalsoin thosesixlanguages.PursuanttoGeneralAssemblydecisionin2000,Portugueseisused,as appropriate,in certainmeetingsin developmentcooperationactivitiesfordeveloping countriesandleastdevelopedcountries;promotionalmaterialisproducedinPortuguese regardingWIPO-administeredtreaties;partofWIPO’swebsiteprovidespublicationsin Portuguese,andpassiveinterpretation(allowingdelegates to speakinPortuguese)isprovided fordipomaticconferencesandformeetingsoftheGeneralAssembly.InterpretationatWIPO meetingsisprovidedgenerallybyexternalinterpreters.Thetranslationofdocumentsfor meetingsinundertakenbythestaffoftheLanguageService,aidedbyexternaltranslators. ThelanguageservicesprovidedbyWIPOarecomparabletothosegenerallyprevailinginthe organizationsandagenciesoftheUnitedNationssystem.Notwithstandingbudgetary limitations,greatattentionispaidinWIPOtoensuretheprovisionofhighqualityandtimely languageservices.Theimportantpolitical,budgetaryandotherconsiderationsassociated withtheuseoflanguagesareclearlyrecognized.Inthelightofthese,decisionsbythe AssembliesoftheMemberStatesofWIPO,followingprinciplesanalogoustothose contained intheJIUrecommendationquotedabove,haveledtothefollowingsituationastotheuseof languagesinWIPO.TheuseofArabic,Chinese,English,French,RussianandSpanish(plus passivePortugueseinterpretation)applies tomeetingsoftheWIPOGeneralAssemblyand diplomaticconferences.TheuseofArabic,Chinese,English,French,RussianandSpanish applies tomeetings ofothermajorbodies,namely,theAssembliesoftheMemberStatesof WIPOandtheWIPOProgramandBudgetCommittee.ThevariousStandingCommittees haveinterpretationinArabic,Chinese,English,French,RussianandSpanish,withdocuments inEnglish,FrenchandSpanish.Otherbodiesgenerallyhavealessernumberoflanguagesfor documentsandinterpretation,sometimesonlyEnglishandFrench;thechoiceofwhich languagesfordocumentsandinterpretationwouldbeappropriateforagivenmeetingisa matterfordecisionbytheDirectorGeneral.

89. Asregardsthe languagesusedforthedisseminationofinformation,publicationsare producedintheabove-mentionedworkinglanguages,aswellasinotherlanguagesas appropriate,includingGerman,ItalianandJapanese.Recurrentpublicationsareproduced in thelanguagespreviouslydecidedupon,andnewpublicationsareproducedinasmany

languages as appropriate. Extensive information materials are posted on WIPO's website in all the working languages of the Organization, and this provides important world-wide outreach. Moreover, recalling that international patent applications under the PCT may be filed in any language which the receiving Office accepts for that purpose, and since there are currently 121 States member of the Patent Cooperation Treaty, international applications may be filed in many languages. During the course of the year 2002, a total of 114,048 international applications were filed in the following 20 languages (listed by order of use): English, German, Japanese, French, Korean, Chinese, Swedish, Spanish, Russian, Finnish, Dutch, Italian, Norwegian, Danish, Hungarian, Croatian, Czech, Slovene, Slovakian, Turkish. Since these applications are later published as PCT pamphlets, including a translation of the abstract and certain other material into both English and French (unless the application is filed in one of these languages), it is clear that WIPO disseminates information in a large number of languages.

90. The next recommendation addressed to the legislative bodies of the organizations reads as follows:

“RECOMMENDATION 6(b)

In order to maintain or improve the quality and multilingual content of outputs provided in the different languages of the Organizations... Governing bodies may wish to reassess their needs for recurring documentation and to reconsider current provisions related to the submission of documents originating from Member States in order to supplement efforts made by Secretariats towards the overall reduction of documentation and their timely submission.”

91. Comments of the Director General: There are ongoing efforts to keep the number and length of documents to the minimum, both in the interests of readers and as regards the translation, reproduction and distribution workload for the Secretariat and related budgetary implications. Considerable efforts are also undertaken to ensure that the provision of documentation for meetings is made in a timely manner as possible, and a document tracking system has been established within the Secretariat to oversee the timely preparation, translation, reproduction and distribution of documents. Most documents are published on the WIPO website, with many being distributed in electronic form, enabling ready and quick access for delegates located throughout the world. Since the Secretariat is now essentially at the limit of its ability to translate documents, any direction from the Assemblies of the Member States of WIPO which would have the effect of reducing the volume of documentation would be welcome.

92. The third recommendation addressed to the legislative bodies of the organizations reads as follows:

“RECOMMENDATION 7

Legislative bodies may wish to:

- (a) Decide that, as a matter of policy, the regular budget should be the prime source of funding to support efforts aimed at reducing current imbalances in the use of languages, in conformity with approved resolutions and decisions;

- (b) Request that, for future budget cycles and through appropriate consultations with Member States, executive heads should submit in the Proposed programme budget predefined objectives for improved multilingualism and expect ed results derived from phased priorities, due regard being paid to all opportunities for partnerships and from extra -budgetary sources of funding;
- (c) Request executive heads to indicate in particular in their budget proposal the languages in which planned publications will be issued as well as languages in which information materials will be posted on the different websites; in that connection, they should demonstrate that languages and related resources used for these outputs are linked to the attainment of expected accomplishments;
- (d) To monitor progress made when considering either specific reports on multilingualism, or reports on programme performance in which pertinent indicators should be included.”

93. Comments of the Director General : The regular budget of WIPO is used to pay the interpreters who provide interpretation in multiple languages and the translators who produce documents in multiple languages. Increasing the number of languages of interpretation and of documents for any given meeting has clear budgetary implications. The understandable desire to have more languages of interpretation and to have documents and publications produced in more languages must therefore be balanced with all of the other equally important demands placed upon the budget, and that balancing has led to the present situation given in paragraphs 88 and 89, above, regarding the use of languages. The wishes of Member States are naturally of fundamental importance in the establishment of policies and program priorities, including the allocation of adequate budgetary resources. It is, however, difficult to envisage increasing the use of languages without additional budgetary resources. If the Assemblies of the Member States of WIPO wish to increase the budget of the Organization in order to provide for a greater use of languages, that would be welcome.

94. *The WIPO General Assembly is invited:*

(i) to note the information contained in this report and to approve the action taken or proposed to be taken, as stated in this report;

(ii) to endorse the pilot scheme for follow-up on reports of the Joint Inspection Unit, as described in paragraphs 43 to 54, above;

(iii) to consider the recommendations addressed to it by the JIU, as given in paragraphs 57 to 62, 66 and 67, 75 and 76, 78 to 83, and 87 to 93, above.

[Annex follows]

ANNEX

From UN Document A/52/34 (Report of the Joint Inspection Unit for 1997)

TOWARDS A MORE EFFECTIVE SYSTEM OF FOLLOW-UP
-UPON REPORTS
OF THE JOINT INSPECTION UNIT

A. Introduction

1. The value of a JIU report depends on effective follow-up. Effective follow-up requires (a) that the reports be given active and serious consideration by the legislative organs of the participating organizations, with the benefit of specific and timely comments on them by the secretariats, and (b) that there is expeditious implementation of the approved recommendations contained in them, with full reporting on the implementation measures taken and analysis of the resulting impact.

2. This system of follow-up is based on the JIU statute, which has been accepted by all JIU participating organizations, and on General Assembly resolution 50/233 of 7 June 1996, including the resolutions reaffirmed therein.

B. Necessary conditions for effective follow-up

3. The General Assembly, in resolution 50/233, stressed that the impact of the Unit on the cost-effectiveness of activities within the United Nations system was a shared responsibility of the Member States, the Unit and the secretariats of participating organizations.

1. Joint Inspection Unit

4. In order for the JIU reports to be thoroughly and effectively utilized by the legislative organs of participating organizations, as called for by the General Assembly in paragraph 13 of resolution 50/233, the recommendations included in JIU reports must be (a) directed at correcting clear deficiencies with practical, action-oriented measures to solve significant problems; (b) convincing and well-supported by the facts and analysis in the report; (c) realistic in terms of implied resource commitments and technical capabilities; (d) cost-effective; and (e) specific regarding actions to be taken, and those responsible for taking actions, so that implementation and resulting impact can be clearly tracked.

5. The Unit should submit its reports to the executive heads of its participating organizations sufficiently in advance of the meetings of legislative organs to be thoroughly and effectively utilized at the meetings.

2. Executive heads of the participating organizations

6. Upon receipt of reports, the executive heads concerned will distribute them immediately, with or without their comments, to the member States of their organizations as called for in article 11, paragraph 4(c), of the JIU statute.
7. The executive heads concerned with a report will assure that the report, with their comments, will be submitted to the appropriate legislative organs within the time-frames specified in article 11, paragraphs 4(d) and (e), of the JIU statute, that is, for a report concerning only one organization, not later than three months after receipt of the report for consideration at the next meeting of the competent organ, and for reports concerning more than one organization, not later than six months after receipt of the Unit's report for consideration at the next meeting of the competent organs concerned.
8. The executive heads, in addition to assuring that their comments on reports are timely, will also assure that their comments are specific in addressing the recommendations of the report and well supported.
9. As called for by the General Assembly in paragraph 4 of its resolution 50/233, the executive heads will take the necessary measures to ensure that the thematic reports of the Unit are listed under the appropriate substantive agenda items of the work programme of the appropriate legislative organs of the participating organizations.
10. The executive heads should assist the appropriate legislative organs in planning their work programmes to assure that sufficient time is allocated for active and serious consideration of JIU reports.

3. Legislative organs

11. With the assistance of the executive heads, the legislative organs should plan their work programmes so that sufficient time is allocated to allow for active and serious consideration of the relevant JIU reports.
12. The legislative organs should take concrete action on each recommendation of a JIU report under consideration, as called for in paragraph 8 of General Assembly resolution 50/233, rather than just taking note of the report as a whole. This is a necessary requirement for JIU reports to have impact, in view of article 5, paragraph 5, of the JIU statute, which provides that the Inspector of the Unit may make recommendations but has no power of decision.

C. Follow-up procedures

13. Procedures to assure effective follow-up would involve tracking and reporting on (a) steps taken to assure active and serious consideration of the JIU reports after they have been issued by the Unit and (b) measures taken to implement approved/accepted recommendations and determine their impact.

1. Consideration of JIU reports

14. The unit will establish a systematic process for tracking each step taken towards consideration of a report by the appropriate legislative organs, including measures taken by secretariat officials, in accordance with article 11, paragraph 4, of the JIU statute. This tracking system will be updated to reflect each step taken, and reports in the form of a matrix will be issued quarterly for the information of Member States. This continually updated matrix will also be made available on-line.

15. To the extent that the matrix indicates that the reporting time-frames specified in article 11 of the JIU statute are not being met, reminder notices will be sent, initially to the JIU focal points in the appropriate organizations, and later to the executive heads if the delays are not corrected, with copies sent to the presiding officers of the concerned legislative organs. The sending of such reminder notices will be included in the matrix.

16. The JIU annual report will include consideration of problems experienced in having reports given active and serious consideration by appropriate legislative organs.

2. Implementation of approved/accepted recommendations

17. Once a report is considered by the legislative organs and decision taken on the report as a whole and on specific recommendations, the executive heads of the concerned organizations will ensure expeditious implementation of approved/accepted recommendations (see para. 19 below) and full reporting on measures taken to the appropriate legislative organs. JIU will monitor action taken.

18. Recommendations accepted by the executive heads of concerned organizations, even if not acted upon by the appropriate legislative organs, will be subject to follow-up and compliance.

19. At the conclusion of the meetings of the legislative organs, the executive heads of the participating organizations will send to the Unit a list of JIU reports given consideration at those meetings and indicate those recommendations within each report that were approved, including, with explanation, those recommendations the organizations believe have already been implemented.

20. The executive heads of concerned organizations, following a format developed by JIU, will prepare a chart (matrix) for each report given consideration at a meeting of a legislative organ, indicating:

- (a) Recommendation;
- (b) Unit responsible for implementation;
- (c) Official in charge of implementation;
- (d) Timetable for implementation;
- (e) Initial impact of implementation.

21. The completed chart will be sent to JIU and to the bureau of the appropriate legislative organ.
22. Executive heads will submit reports on the implementation of JIU recommendations and their impact to the appropriate legislative organs in accordance with the established meeting schedules of the legislative organs, with copies sent to the JIU sufficiently in advance to allow for comments as the Unit considers appropriate.
23. In accordance with article 12 of the JIU statute, the legislative organs should systematically verify the implementation of approved recommendations and request the unit to issue follow-up reports as they deem appropriate.
24. JIU will include in its annual report information and analysis on the implementation of JIU recommendations and their impact. This section of the report will note the extent to which established timetables for implementation of recommendations are being maintained. It will also indicate the status of action on specific recommendations, such as no action yet taken, action underway, action completed, or no action intended.
25. The legislative organs will examine these reports and give appropriate guidance to the executive heads concerned and the Unit.

[End of Annex and of document]