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WIPO GENERAL ASSEMBLY WORKING GROUP ON CONSTITUTIONAL REFORM

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ASSEMBLIES AND OTHER BODIES OF THE MEMBER STATES OF WIPO

Document prepared by the Secretariat

- 1. At the second session of the Working Group on Constitutional Reform ("the Working Group") in July 2000, the Working Group requested the Secretariat to prepare a synoptic table listing all the governing bodies associated with WIPO and indicating their respective functions (see document WO/GA/WG-CR/2/8, paragraphs 40 and 47).
- 2. The tables entitled "Assemblies and other Bodies of the Member States of WIPO" and "Functions of the Assemblies and other Bodies of the Member States of WIPO" appear as Annexes I and II respectively to this document.
 - 3. The Working Group is invited to note the contents of this document and the Annexes to it.

[Annexes follow]

ANNEX I

ASSEMBLIES AND OTHER BODIES OF THE MEMBER STATES OF WIPO

(Status as of November 1, 2000)

Treaty	Organ	Number of Members	Periodicity Of Ordinary Sessions
WIPO Convention	WIPO General Assembly	163	Biennial
WIPO Convention	WIPO Conference	12	Biennial
WIPO Convention	WIPO Coordination Committee	72	Annual
Paris Convention	Paris Union Assembly	157	Biennial
Paris Convention	Paris Union Executive Committee	37	Annual
Berne Convention	Berne Union Assembly	144	Biennial
Berne Convention	Berne Union Executive Committee	32	Annual
Madrid Agreement on Marks	Madrid Union Assembly	67	Biennial
Hague Agreement	Hague Union Assembly	24	Biennial
Nice Agreement	Nice Union Assembly	60	Biennial
Lisbon Agreement	Lisbon Union Council	1	Biennial
Locarno Agreement	Locarno Union Assembly	38	Biennial
PCT	PCT Union Assembly	108	Biennial
Strasbourg Agreement	Strasbourg Union Assembly	46	Biennial
Vienna Agreement	Vienna Union Assembly	16	Biennial
Budapest Treaty	Budapest Union Assembly	48	Biennial

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ANNEX II

FUNCTIONS OF THE ASSEMBLIES AND OTHER BODIES OF THE MEMBER STATES OF WIPO

(Status as of November 1, 2000)

Treaty	Organ	Number of Members	Periodicity	Functions
Convention Establishing the World Intellectual Property Organization	WIPO General Assembly	163	Biennial ordinary sessions	Article 6(2) The General Assembly shall: (i) appoint the Director General upon nomination by the Coordination Committee; (ii) review and approve reports of the Director General concerning the Organization and give him all necessary instructions; (iii) review and approve the reports and activities of the Coordination Committee and give instructions to such Committee; (iv) adopt the biennial budget of expenses common to the Unions; (v) approve the measures proposed by the Director General concerning the administration of the international agreements referred to in Article 4(iii); (vi) adopt the financial regulations of the Organization; (vii) determine the working languages of the Secretariat, taking into consideration the practice of the United Nations; (viii) invite States referred to under Article 5(2)(ii) to become party to this Convention; (ix) determine which States not Members of the Organization and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers; (x) exercise such other functions as are appropriate under this Convention.

Treaty	Organ	Number of Members	Periodicity	Functions
Convention Establishing the World Intellectual Property Organization	WIPO Conference	12	Biennial ordinary sessions	Article 7(2) The Conference shall: (i) discuss matters of general interest in the field of intellectual property and may adopt recommendations relating to such matters, having regard for the competence and autonomy of the Unions; (ii) adopt the biennial budget of the Conference; (iii) within the limits of the budget of the Conference, establish the biennial program of legal-technical assistance; (iv) adopt amendments to this Convention as provided in Article 17; (v) determine which States not Members of the Organization and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers; (vi) exercise such other functions as are appropriate under this Convention.
Convention Establishing the World Intellectual Property Organization	WIPO Coordination Committee	72	Annual ordinary sessions	Article 8(3) The Coordination Committee shall (i) give advice to the organs of the Unions, the General Assembly, the Conference, and the Director General, on all administrative, financial and other matters of common interest either to two or more of the Unions, or to one or more of the Unions and the Organization, and in particular on the budget of expenses common to the Unions; (ii) prepare the draft agenda of the General Assembly; (iii) prepare the draft agenda and the draft program and budget of the Conference; (iv) [deleted] (v) when the term of office of the Director General is about to expire, or when there is a vacancy in the post of the Director

Treaty	Organ	Number of Members	Periodicity	Functions
				General, nominate a candidate for appointment to such position by the General Assembly; if the General Assembly does not appoint its nominee, the Coordination Committee shall nominate another candidate; this procedure shall be repeated until the latest nominee is appointed by the General Assembly; (vi) if the post of the Director General becomes vacant between two sessions of the General Assembly, appoint an Acting Director General for the term preceding the assuming of office by the new Director General; (vii) perform such other functions as are allocated to it under this Convention.
Paris Convention for the Protection of Industrial Property	Paris Union Assembly	157	Biennial ordinary sessions	Article 13(2)(a) and (b) (a) The Assembly shall: (i) deal with all matters concerning the maintenance and development of the Union and the implementation of this Convention; (ii) give directions concerning the preparation for conferences of revision to the International Bureau of Intellectual Property (hereinafter designated as "the International Bureau") referred to in the Convention establishing the World Intellectual Property Organization (hereinafter designated as "the Organization"), due account being taken of any comments made by those countries of the Union which are not bound by Articles 13 to 17; (iii) review and approve the reports and activities of the Director General of the Organization concerning the Union, and give him all necessary instructions concerning matters within the competence of the Union; (iv) elect the members of the Executive Committee of the Assembly; (v) review and approve the reports and activities of its

Treaty	Organ	Number of Members	Periodicity	Functions
				Executive Committee, and give instructions to such Committee; (vi) determine the program and adopt the biennial budget of the Union, and approve its final accounts; (vii) adopt the financial regulations of the Union; (viii) establish such committees of experts and working groups as it deems appropriate to achieve the objectives of the Union; (ix) determine which countries not members of the Union and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers; (x) adopt amendments to Articles 13 to 17; (xi) take any other appropriate action designed to further the objectives of the Union; (xii) perform such other functions as are appropriate under this Convention; (xiii) subject to its acceptance, exercise such rights as are given to it in the Convention establishing the Organization. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Paris Convention for the Protection of Industrial Property	Paris Union Executive Committee	37	Annual ordinary sessions	Article 14(6)(a) and (b) The Executive Committee shall: (i) prepare the draft agenda of the Assembly; (ii) submit proposals to the Assembly in respect of the draft program and biennial budget of the Union prepared by the Director General; (iii) [deleted] (iv) submit, with appropriate comments, to the Assembly the periodical reports of the Director General and the yearly audit reports on the accounts; (v) take all necessary measures to ensure the execution of the

Treaty	Organ	Number of Members	Periodicity	Functions
				program of the Union by the Director General, in accordance with the decisions of the Assembly and having regard to circumstances arising between two ordinary sessions of the Assembly; (vi) perform such other functions as are allocated to it under this Convention. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Executive Committee shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Berne Convention for the Protection of Literary and Artistic Works	Berne Union Assembly	144	Biennial ordinary sessions	Article 22(2)(a) and (b) (a) The Assembly shall: (i) deal with all matters concerning the maintenance and development of the Union and the implementation of this Convention; (ii) give directions concerning the preparation for conferences of revision to the International Bureau of Intellectual Property (hereinafter designated as "the International Bureau") referred to in the Convention Establishing the World Intellectual Property Organization (hereinafter designated as "the Organization"), due account being taken of any comments made by those countries of the Union which are not bound by Articles 22 to 26; (iii) review and approve the reports and activities of the Director General of the Organization concerning the Union, and give him all necessary instructions concerning matters within the competence of the Union; (iv) elect the members of the Executive Committee of the Assembly; (v) review and approve the reports and activities of its Executive Committee, and give instructions to such Committee; (vi) determine the program and adopt the biennial budget of

Treaty	Organ	Number of Members	Periodicity	Functions
				the Union, and approve its final accounts; (vii) adopt the financial regulations of the Union; (viii) establish such committees of experts and working groups as may be necessary for the work of the Union; (ix) determine which countries not members of the Union and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers; (x) adopt amendments to Articles 22 to 26; (xi) take any other appropriate action designed to further the objectives of the Union; (xii) exercise such other functions as are appropriate under this Convention; (xiii) subject to its acceptance, exercise such rights as are given to it in the Convention establishing the Organization. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Berne Convention for the Protection of Literary and Artistic Works	Berne Union Executive Committee	32	Annual ordinary sessions	Article 23(6)(a) and (b) (a) The Executive Committee shall: (i) prepare the draft agenda of the Assembly; (ii) submit proposals to the Assembly respecting the draft program and biennial budget of the Union prepared by the Director General; (iii) [deleted] (iv) submit, with appropriate comments, to the Assembly the periodical reports of the Director General and the yearly audit reports on the accounts; (v) in accordance with the decisions of the Assembly and having regard to circumstances arising between two ordinary sessions of the Assembly, take all necessary measures to ensure

Treaty	Organ	Number of Members	Periodicity	Functions
				the execution of the program of the Union by the Director General (vi) perform such other functions as are allocated to it under this Convention. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Executive Committee shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Madrid Agreement Concerning the International Registration of Marks	Madrid Union Assembly	67	Biennial ordinary sessions	Article 10(2)(a) and (b) (a) The Assembly shall: (i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement; (ii) give directions to the International Bureau concerning the preparation for conferences of revision, due account being taken o any comments made by those countries of the Special Union which have not ratified or acceded to this Act; (iii) modify the Regulations, including the fixation of the amounts of the fees referred to in Article 8(2) and other fees relating to international registration; (iv) review and approve the reports and activities of the Director General concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union; (v) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts; (vi) adopt the financial regulations of the Special Union; (vii) establish such committees of experts and working groups as it may deem necessary to achieve the objectives of the Special Union; (viii) determine which countries not members of the Special Union and which intergovernmental and international non-

Treaty	Organ	Number of Members	Periodicity	Functions
				governmental organizations shall be admitted to its meetings as observers; (ix) adopt amendments to Articles 10 to 13; (x) take any other appropriate action designed to further the objectives of the Special Union; (xi) perform such other functions as are appropriate under this Agreement. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Hague Agreement Concerning the International Deposit of Industrial Designs [Complementary Act of Stockholm of July 14, 1967 as amended on September 28, 1979]	Hague Union Assembly	24	Biennial ordinary sessions	Article 2(2)(a) and (b) (a) The Assembly shall: (i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement; (ii) give directions to the International Bureau concerning the preparation for conferences of revision, due account being taken o any comments made by those countries of the Special Union which have not ratified or acceded to this Complementary Act; (iii) modify the Regulations, including the fixation of the amounts of the fees relating to the international deposit of industrial designs; (iv) review and approve the reports and activities of the Director General concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union; (v) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts; (vi) adopt the financial regulations of the Special Union; (vii) establish such committees of experts and working groups

Treaty	Organ	Number of Members	Periodicity	Functions
				as it may deem necessary to achieve the objectives of the Special Union; (viii) determine which countries not members of the Special Union and which intergovernmental and international nongovernmental Organizations shall be admitted to its meetings as observers; (ix) adopt amendments to Articles 2 to 5; (x) take any other appropriate action designed to further the objectives of the Special Union; (xi) perform such other functions as are appropriate under this Complementary Act. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks	Nice Union Assembly	60	Biennial ordinary sessions	Article 5(2)(a) and (b) (a) Subject to the provisions of Articles 3 and 4, the Assembly shall: (i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement; (ii) give directions to the International Bureau concerning the preparation for conferences of revision, due account being taken o any comments made by those countries of the Special Union which have not ratified or acceded to this Act; (iii) review and approve the reports and activities of the Director General of the Organization (hereinafter designated as "the Director General") concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union; (iv) determine the program and adopt the biennial budget of

Treaty	Organ	Number of Members	Periodicity	Functions
				the Special Union, and approve its final accounts; (v) adopt the financial regulations of the Special Union; (vi) establish, in addition to the Committee of Experts referred to in Article 3, such other committees of experts and working groups as it may deem necessary to achieve the objectives of the Special Union; (vii) determine which countries not members of the Special Union and which intergovernmental and international nongovernmental organizations shall be admitted to its meetings as observers; (viii) adopt amendments to Articles 5 to 8; (ix) take any other appropriate action designed to further the objectives of the Special Union; (x) perform such other functions as are appropriate under this Agreement. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Lisbon Agreement for the Protection of Appellations of Origin and their International Registration	Lisbon Union Assembly	18	Biennial ordinary sessions	Article 9(2)(a) and (b) (a) The Assembly shall: (i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement; (ii) give directions to the International Bureau concerning the preparation for conferences of revision, due account being taken o any comments made by those countries of the Special Union which have not ratified or acceded to this Act; (iii) modify the Regulations, including the fixation of the amount of the fee referred to in Article 7(2) and other fees relating to international registration;

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				(iv) review and approve the reports and activities of the Director General of the Organization (hereinafter designated as "the Director General") concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union; (v) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts; (vi) adopt the financial regulations of the Special Union; (vii) establish such committees of experts and working groups as it may deem necessary to achieve the objectives of the Special Union; (viii) determine which countries not members of the Special Union and which intergovernmental and international nongovernmental organizations shall be admitted to its meetings as observers; (ix) adopt amendments to Articles 9 to 12; (x) take any other appropriate action designed to further the objectives of the Special Union; (xi) perform such other functions as are appropriate under this Agreement. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.

Treaty	Organ	Number of Members	Periodicity	Functions
Locarno Agreement Establishing an International Classification for Industrial Designs	Locarno Union Assembly	38	Biennial ordinary sessions	Article 5(2)(a) and (b) (a) Subject to the provisions of Article 3, the Assembly shall: (i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement; (ii) give directions to the International Bureau concerning the preparation for conferences of revision; (iii) review and approve the reports and activities of the Director General of the Organization (hereinafter designated as "the Director General") concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union; (iv) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts; (v) adopt the financial regulations of the Special Union; (vi) decide on the establishment of official texts of the international classification in languages other than English and French; (vii) establish, in addition to the Committee of Experts set up under Article 3, such other committees of experts and working groups as it deems appropriate to achieve the objectives of the Special Union; (viii) determine which countries not members of the Special Union and which intergovernmental and international nongovernmental organizations shall be admitted to its meetings as observers; (ix) adopt amendments to Articles 5 to 8; (x) take any other appropriate action designed to further the objectives of the Special Union; (xi) perform such other functions as are appropriate under this Agreement.

Treaty	Organ	Number of Members	Periodicity	Functions
				(b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Patent Cooperation Treaty	PCT Union Assembly	108	Biennial ordinary sessions	Article 53(2)(a) and (b) (a) The Assembly shall: (i) deal with all matters concerning the maintenance and development of the Union and the implementation of this Treaty; (ii) perform such tasks as are specifically assigned to it under other provisions of this Treaty; (iii) give directions to the International Bureau concerning the preparation for revision conferences; (iv) review and approve the reports and activities of the Director General concerning the Union, and give him all necessary instructions concerning matters within the competence of the Union; (v) review and approve the reports and activities of the Executive Committee established under paragraph (9), and give instructions to such Committee; (vi) determine the program and adopt the triennial* budget of the Union, and approve its final accounts; [*Editor's Note: Since 1980, the budget of the Union has been biennial] (vii) adopt the financial regulations of the Union; (viii) establish such committees and working groups as it deems appropriate to achieve the objectives of the Union; (ix) determine which States other than Contracting States and subject to the provisions of paragraph (8), which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers; (x) take any other appropriate action designed to further the objectives of the Union and perform such other functions as are

Treaty	Organ	Number of Members	Periodicity	Functions
				appropriate under this Treaty. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Strasbourg Agreement Concerning the International Patent Classification	Strasbourg (or IPC) Union Assembly	46	Biennial ordinary sessions	Article 7(2)(a) and (b) (a) Subject to the provisions of Article 5, the Assembly shall: (i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement; (ii) give directions to the International Bureau concerning the preparation for conferences of revision; (iii) review and approve the reports and activities of the Director General concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union; (iv) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts; (v) adopt the financial regulations of the Special Union; (vi) decide on the establishment of official texts of the Classification in languages other than English, French and those listed in Article 3(2); (vii) establish such committees and working groups as it deems appropriate to achieve the objectives of the Special Union; (viii) determine, subject to paragraph (1)(c), which countries not members of the Special Union and which intergovernmental and international non-governmental organizations shall be admitted as observers to its meetings, and to those of any committee or working group established by it; (ix) take any other appropriate action designed to further the objectives of the Special Union;

Treaty	Organ	Number of Members	Periodicity	Functions
				 (x) perform such other functions as are appropriate under this Agreement. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks	Vienna Union Assembly	16	Biennial ordinary sessions	Article 7(2)(a) and (b) (a) Subject to the provisions of Article 5, the Assembly shall: (i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement; (ii) give directions to the International Bureau concerning the preparation for revision conferences; (iii) review and approve the reports and activities of the Director General concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union; (iv) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts; (v) adopt the financial regulations of the Special Union; (vi) decide on the establishment of official texts of the Classification of Figurative Elements in languages other than English and French; (vii) establish such committees and working groups as it deems appropriate to achieve the objectives of the Special Union; (viii) determine, subject to paragraph (1)(c), which countries not members of the Special Union and which intergovernmental and international non-governmental organizations shall be admitted as observers to its meetings, and to those of any committee or working group established by it; (ix) take any other appropriate action designed to further the

Treaty	Organ	Number of Members	Periodicity	Functions
				objectives of the Special Union; (x) perform such other functions as are appropriate under this Agreement. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure	Budapest Union Assembly	48	Biennial ordinary sessions	Article 10(2)(a) and (b) (a) The Assembly shall: (i) deal with all matters concerning the maintenance and development of the Union and the implementation of this Treaty; (ii) exercise such rights and perform such tasks as are specially conferred upon it or assigned to it under this Treaty; (iii) give directions to the Director General concerning the preparations for revision conferences; (iv) review and approve the reports and activities of the Director General concerning the Union, and give him all necessary instructions concerning matters within the competence of the Union; (v) establish such committees and working groups as it deems appropriate to facilitate the work of the Union; (vi) determine, subject to paragraph (1)(d), which States other than Contracting States, which intergovernmental organizations other than intergovernmental industrial property organizations other than intergovernmental industrial property organizations as defined in Article 2(v) and which international non-governmental organizations shall be admitted to its meetings as observers and to what extent international depositary authorities shall be admitted to its meetings as observers; (vii) take any other appropriate action designed to further the objectives of the Union; (viii) perform such other functions as are appropriate under this

Treaty	Organ	Number of Members	Periodicity	Functions
				Treaty. (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.

[End of Annex II and of document]