

WIPO



WO/GA/XXI/6
ORIGINAL: English
DATE: August 29, 1997

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

WIPO GENERAL ASSEMBLY

Twenty-First Session (13th Ordinary)
Geneva, September 22 to October 1, 1997

RESOLUTIONS AND DECISIONS OF THE UNITED NATIONS

Report by the Director General

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INTRODUCTION

1. This document contains a report on the resolutions adopted and the decisions taken by the General Assembly and, as concerns the situation in the former Yugoslavia, by the Security Council of the United Nations at their sessions held between July 31, 1995, and July 1, 1997, the former date marking the end of the period covered by the previous report on this subject (document WO/GA/XVI/3).

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

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

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

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

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

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

5. The activities undertaken by the International Bureau during the years 1995 and 1996 and the first half of 1997 (from January 1 to June 30, 1997) 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 International Bureau in connection with the subject matter of the resolution or decision concerned, are mentioned only briefly in the present document. The said activities are described in more detail in the reports on the activities of the International Bureau that have been submitted to the Governing Bodies at their sessions in September-October 1996 (see documents AB/XXIX/2, 3 and 4) and in September-October 1997 (see documents AB/XXXI/4 and 5).

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 (51/122, 51/165, 51/173), least developed countries (50/103), land-locked developing countries (50/97, 51/168), island developing countries (51/16), the developing countries in Africa (50/94, 50/112, 50/160), and the developing countries in Central America (50/132, 51/197), as well as certain developing countries facing special difficulties. The developing countries specifically mentioned are Afghanistan, Angola, Burundi, Comoros, Costa Rica, Djibouti, El Salvador, Haiti, Liberia, Madagascar, Mozambique, Nicaragua, Rwanda, Somalia and Sudan (50/58, 50/85, 50/88, 50/159, 50/244, 51/30, 51/195).

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

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

Assistance to the Palestinian People

9. In its resolution 51/150, the General Assembly notes the appointment by the Secretary General in June 1994 of the UN Special Coordinator in the Occupied Territories, and calls upon relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people, with emphasis on national execution and capacity-building.

10. At the request of the Palestinian Authority, the International Bureau is providing assistance in the drafting of a law on intellectual property.

Cooperation between the United Nations and the Southern African Development Community

11. In its resolution 50/118, the General Assembly calls upon the organs, organizations and bodies of the United Nations system that have not yet established contact and relationship with the Southern African Development Community (SADC) to explore the possibility of doing so, and appeals to relevant organizations and bodies of the United Nations system to extend appropriate assistance to the SADC in order to enable it to advance further the process of regional economic integration.

12. In its resolution 51/431, the General Assembly, welcoming the establishment of the Southern African Development Community Organ on Politics, Defense and Security, which effectively supersedes the front-line States, notes with appreciation the support being rendered to the SADC by donor countries, organizations of the United Nations system and non-governmental organizations. In the said resolution, the General Assembly strongly urges the international community to continue to provide financial, material and technical assistance to enhance the collective capacity of the SADC countries in their efforts for the reconstruction, rehabilitation and development of their economies.

13. In this connection, the Director General draws attention to the fact that the Governing Bodies of WIPO and the Unions administered by WIPO are being asked to grant observer status in their meetings to the SADC.

Cooperation between the United Nations and the Latin American Economic System

14. In its resolution 50/14, the General Assembly, considering that the Latin American Economic System (SELA) is developing joint activities with the specialized agencies of the United Nations system, such as the World Intellectual Property Organization, urges the specialized agencies to continue and intensify their support for, and cooperation in the activities of, SELA.

15. Among areas of cooperation were a visit to WIPO by the Permanent Secretary of SELA to discuss with the Director General and other WIPO officials how best to strengthen cooperation between WIPO and SELA, as well as a "Mega Symposium" organized by WIPO, in cooperation with the government of Venezuela, and with the assistance of SELA. These activities are described in Document AB/XXXI/4, paragraphs 729 and 1143. In March 1997, WIPO also organized, in cooperation with the Government of Colombia and with SELA, a WIPO Regional Symposium for Latin America and Caribbean Countries on the Economic Importance of Intellectual Property and on Enforcement of Rights under the TRIPs Agreement.

Implementation of the Provisions of the UN Charter Related to Assistance to Third States Affected by the Application of Sanctions

16. The General Assembly, in its resolutions 50/51 and 51/208, invites the organizations of the United Nations system to continue to address more specifically and directly special economic problems of third States affected by sanctions imposed under Chapter VII of the Charter. Under the said resolution, the Secretary-General of the United Nations is requested to submit a report on the implementation of the resolution.

17. The Director General will submit to the Secretary-General any views that WIPO may have on possible innovative and practical measures of assistance to affected third States. The Director General will, upon request of any of the States so affected, and within available resources, provide advice as may be appropriate and necessary to assist the Government of any such State in continuing to carry out its activities for the protection of intellectual property.

II. SCIENCE AND TECHNOLOGY FOR DEVELOPMENT

Questions relating to Information

18. In its resolution 51/138, the General Assembly urges organizations of the United Nations system as a whole to enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries, to strengthen communication capacities and to improve the media infrastructure and communication technology in the developing countries. The resolution also stresses the need to assist in the development of the human and technical resources that are indispensable for the improvement of information and communication systems in developing countries.

19. In this connection, attention is drawn to that part of the item "Development Cooperation Activities" of the program and budget for the 1996-97 biennium, pursuant to which assistance

has been, and will continue in an increasing way to be, provided to developing countries in order to foster their capacity-building in science and technology. In particular, attention is drawn also to the meeting of the Information Technologies Working Group that was convened from July 14 to 18, 1997, and to the report of that meeting (document ITIP/WG/1/5), which deals with certain future proposals in this area.

III. SOCIAL, HUMANITARIAN AND CULTURAL MATTERS

Implementation of the outcome of the World Summit for Social Development

20. In its resolutions 50/161 and 51/202, the General Assembly invites the specialized agencies to strengthen and adjust their activities, programs and medium-term strategies, as appropriate, to take into account the follow-up to the Summit. Resolution 51/202 specifically calls on the United Nations system to promote an active and visible policy of mainstreaming a gender perspective and to use gender analysis as a tool for the integration of a gender dimension into the planning and implementation of policies, strategies and programs on social development.

21. The International Bureau continues to give particular attention to measures for the involvement of women in the activities of WIPO. As of December 31, 1996, the International Bureau had a total of 614 staff members, of which 57% were women. Fifty-four Professional and higher category posts are occupied by women. At the present time, given their family status, 32 women in the General Service category are accorded the opportunity of working part-time. During the period covered by the present document, August 1995 to June 1997, a total of 67 women were engaged as lecturers in training courses, seminars and workshops organized for officials of developing countries. As concerns women as beneficiaries of development cooperation activities of WIPO, of the total applications accepted in 1995 and 1996 for training in the fields of industrial property and copyright, 23% were in respect of women.

IV. PEACE AND SECURITY MATTERS

The Situation in the former Yugoslavia

22. In its resolution 1022, the Security Council welcomes the initialing of the General Framework for Peace in Bosnia and Herzegovina and the Annexes thereto, and decides that the measures imposed by or reaffirmed in relevant earlier resolutions² are suspended indefinitely, subject to certain defined conditions.

² As reported to the WIPO General Assembly at its 1993 session (see document WO/GA/XIV/3, paragraph 29), the measures in question included the suspension of scientific and technical cooperation and cultural exchanges and visits involving persons or groups officially sponsored by or representing the Federal Republic of Yugoslavia (Serbia and Montenegro), not importing or dealing in commodities and products originating in the Federal Republic of Yugoslavia (Serbia and Montenegro), not selling or supplying commodities or products, except supplies intended for medical purposes and foodstuffs or for essential humanitarian need, to any person or body in the Federal Republic of Yugoslavia (Serbia and Montenegro) for the purpose of any business carried on in or operated from therein, and not making available to the authorities, or to any commercial

V. ADMINISTRATIVE AND BUDGETARY MATTERS

Staff Matters

United Nations Common System: Post-Adjustment Matters

23. In its resolution 50/208, the General Assembly requests the International Civil Service Commission (ICSC) to establish, in respect of staff members whose duty station is Geneva, a single post adjustment index (PAI) that is fully representative of the cost of living of all staff working in the duty station. In its resolution 51/216, Section I, the General Assembly reiterates its request to the ICSC urgently to complete its study regarding the methodology for establishing a single PAI for Geneva, and to complete the study needed to implement the single post adjustment at the earliest date, and no later than January 1, 1998.

24. The Director General has submitted to the ICSC and to the Under-Secretary-General for Legal Affairs and Legal Counsel of the United Nations the comments of WIPO on the proposal to create a single PAI. The Director General will continue to consult with the ICSC on questions concerning a single PAI.

Other United Nations Common System Staff Matters

25. 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 1995 and 1996 and of the decisions and recommendations of the International Civil Service Commission (ICSC) taken in 1996 and 1997 are the subject of reports submitted by the Director General to the WIPO Coordination Committee at its session in 1996 (see document WO/CC/XXXVI/6) and at its session in 1997 (see document WO/CC/XXXVIII/2).

VI. LEGAL MATTERS

Electronic Treaty Database

26. In its resolution 51/158, the General Assembly requests the Secretary-General to continue to give priority to the implementation of the computerization program in the Treaty Section of the Office of Legal Affairs of the Secretariat, and invites the specialized agencies of the United Nations system, other international organizations and Member States with depositary functions for multilateral treaties to use their best endeavors to provide Internet access to treaties and treaty law-related information as soon as practicable.

industrial or public utility undertaking therein, any funds or any other financial or economic resources, except payments exclusively for strictly medical or humanitarian purposes and foodstuffs, as well as the freezing of funds derived from property of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), or of any commercial, industrial or public utility undertaking therein, so as to ensure that those funds are not made available to those authorities or undertakings.

27. The International Bureau is currently reviewing various means by which it can achieve efficiencies in registering WIPO-administered treaties with the United Nations Secretariat in view of the recent move of the Treaty Section of the United Nations Secretariat to the electronic reporting of registrations.

28. WIPO publication No. 423 (“Contracting Parties or Signatories of Treaties Administered by WIPO; Members of the WIPO Governing Bodies and Committees”) is posted on the WIPO web site (www.wipo.int) and is updated regularly on that site.

United Nations Decade of International Law

29. In its resolution 51/157, the General Assembly adopts the program for the activities for the final term (1997-1999) of the Decade contained in the annex to the resolution (the Program) and invites international organizations and institutions to undertake the relevant activities outlined in the Program and to provide information in this respect to the Secretary-General for transmission to the General Assembly at its fifty-fourth session. The Program encourages international organizations to provide assistance and technical advice to States, in particular to developing countries, to facilitate their participation in the process of multilateral treaty-making, including their adherence to and implementation of multilateral treaties, in accordance with their national legal systems. The Program also invites international organizations, including the United Nations system of organizations, to submit to the Secretary-General of the United Nations summary information regarding the program and results of their work relevant to the progressive development of international law and its codification.

30. During the period covered by this document, August 1995 to June 1997, the International Bureau continued to promote accession by States to the various treaties administered by WIPO. Numerous memoranda explaining the advantages of accession to WIPO-administered treaties were prepared and sent to the interested authorities. The International Bureau provided travel costs and subsistence allowances for government officials from 57 developing countries attending the Diplomatic Conference on Certain Copyright and Neighboring Rights Questions held in Geneva from December 2 to 20, 1996. The various other forms of assistance and technical advice to States in this area are described in document AB/XXXI/4, in particular paragraphs 1541 to 1543.

VII. OTHER MATTERS

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

31. In response to requests from the Secretariat of the United Nations, the International Bureau 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.

DECISIONS INVITED

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

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