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WIPO Coordination Committee

Sixty-Fifth (42nd Ordinary) Session Geneva, September 26 to October 5, 2011

ANNUAL REPORT ON HUMAN RESOURCES

prepared by the Director General

- 1. This annual report consolidates various human resources (HR) activities and initiatives which were reported on separately in past sessions of the World Intellectual Property Organization (WIPO) Coordination Committee.
- 2. The 34th session of the WIPO General Assembly approved the development of a comprehensive integrated program for organizational improvement. On the basis of this decision, WIPO developed the Strategic Realignment Program (SRP) of April 2010, as the management reform framework for the Organization. The four core values that underpin the program (Service Orientation, Working as One, Accountability for Results, and Environmental, Social and Governance Responsibility) provide the framework around which the reform initiatives are organized. Of the 19 inter-related initiatives there are a number of HR initiatives that aim to ensure WIPO's continuing evolution as a fair and fundamentally decent workplace while simultaneously enabling staff to better meet the needs of our Member States and external stakeholders. These initiatives address the areas of: Ethics, Results-Based Management, Performance Management and Staff Development System (PMSDS), Internal Controls, Culture, and Customer Interface.
- 3. A key priority for the Human Resources Management Department (HRMD) in implementing the initiatives of the SRP is the existence of a fair, robust and transparent regulatory framework. A number of proposals in this document are designed to meet this challenge; notably, initiatives to: rationalize contractual arrangements; align conditions of service for temporary employees; ensure that short-term workers are engaged to perform short-term assignments and to streamline and make accessible the recruitment process.

- 4. This annual report will provide updates on a number of HR reform initiatives as well as reporting on routine matters. Specifically the document is organized as follows:
 - I. Revision of the WIPO Staff Regulations and Staff Rules (SRRs);
 - II. Status Report on Voluntary Separation Program (VSP);
 - III. Long-serving temporary employees (LSTEs);
 - IV. Recruitment;
 - V. Performance Management and Staff Development System (PMSDS);
 - VI. Geographical representation and gender balance of WIPO Staff;
 - VII. Follow-up to the 64th (23rd Extraordinary) Session of the Coordination Committee of July 14, 2011; and
 - VIII. Other staff matters.

I. REVISION OF THE WIPO STAFF REGULATIONS AND STAFF RULES (SRRs)

- 5. In line with the SRP core values of "Working as One", "Accountability for Results" and "Environmental, Social and Governance Responsibility", it is recalled that in March 2009 the Director General appointed a working group to undertake a comprehensive review of the contractual arrangements in force at WIPO. Upon commencing the review, the working group found that changes to a number of SRRs would be required as a result of the updated contractual framework. Therefore, the working group decided to conduct a review of the SRRs in its entirety.
- 6. The purpose of the revision of the SRRs is to bring coherence to the way WIPO manages its HR. Transparency, fairness, flexibility, and efficiency are the underlying principles that are guiding this activity. Updated SRRs will simplify and improve efficiency in HRMD's daily work. The implementation of solid SRRs with streamlined procedures, as well as the implementation of the HR module of the Enterprise Resource Planning system (ERP), will allow HRMD personnel to provide added-value services to its Member States and stakeholders as well as added-value activities to other HR areas, such as: organizational design; staff development; counseling; and advisory capacity to management and staff at large.
- 7. The preliminary result of the SRRs review was presented to the WIPO Coordination Committee at its 62nd session. Following the 62nd session of the WIPO Coordination Committee, new officers were elected to the WIPO Staff Council. The new Staff Council expressed the view that additional consultations on the revised SRRs were required. Following this request, the Director General established a Consultative Group consisting of Administration and staff representatives charged with conducting a comprehensive review of the SRRs. The staff representatives assigned to the Consultative Group included three staff members elected directly from the staff, as well as one member from the WIPO Staff Council.
- 8. The second phase of the SRRs review was noted at the 63rd session of the WIPO Coordination Committee. The Director General reiterated, via the International Bureau's submission to the WIPO Coordination Committee, his commitment to updating the SRRs to reflect the principles of equity, fairness and improved administrative efficiency. A timeline for the implementation of the new SRRs was proposed, with the goal of implementing the new scheme in 2012.
- 9. The work of the newly-constituted Consultative Group started in December 2010. Both the Administration and staff representatives agreed that the work of the Group should be directed towards producing a modernized framework reflecting WIPO principles, such as: a mutually respectful work place, equal work conditions for equal work, and due process.

- 10. Since December 2010, the Consultative Group has held 14 sessions and made significant progress on a number of issues. Despite the premature end of the consultative process, several staff related regulations including those concerning contractual reform and appointment procedures were discussed by the Consultative Group.
- 11. In May 2011, the Staff Council suspended its participation in the Consultative Group due to an individual matter concerning one of its representatives to the Consultative Group. The Director General urged the Staff Council representatives to resume their participation, and to delink the individual matter from the broader mandate of the Consultative Group. Since May 2011, the Consultative Group has been unable to continue its work as the staff representatives have not attended scheduled meetings or acknowledged subsequent communications.
- 12. The Organization is at a critical juncture in the SRRs review process as WIPO staff members and employees require greater clarity and certainty in respect of their rights, obligations, and employment conditions. At the same time, as noted above in paragraph 6, the International Bureau requires certain urgent reforms in order to modernize the management of HR.
- 13. It is in this context that the Director General submits for the consideration and approval by the WIPO Coordination Committee a limited set of amendments to the existing SRRs that would address both these concerns.
- 14. The aim of the proposed amendments is to allow WIPO, in the first instance, to improve its contractual framework and recruitment procedures. The anticipated benefits will be: transparency in contract types; improved benefits for temporary staff; more efficient recruitment of staff, and a resolution of the conditions of service of LSTEs. In addition, it will provide the basis for the implementation of the HR module of the ERP system. The proposed amendments will be incorporated into the broader review of the SRRs planned for 2012. It is foreseen that a further package of revisions to the existing SRRs will be submitted for approval in 2012 to the WIPO Coordination Committee.
- 15. The amendments in question are contained in Annex I and concern the following matters:

(a) Appointment Board

The former "Appointment and Promotion Board" will be renamed "Appointment Board" to avoid confusion with promotions on merit, which have been discontinued. The Appointment Board is comprised of four persons: a chairman and three members. The three members include: the Director of HRMD or his designated representative, a Staff Council representative, and the Hiring Manager. All have equal voting rights. The appointment process has been further streamlined by formalizing the designation of alternates. The Appointment Board can also handle multiple vacancies if required.

(b) Types of Appointment

In line with the contractual framework recommended by the International Civil Service Commission (ICSC), two new appointment types will be introduced, namely, temporary and continuing appointments. The ICSC has stated that it expects all Organizations to bring their Staff Regulations and Staff Rules into compliance with this contractual framework. The creation of a temporary appointment provides the Organization with the legal basis necessary to recognize temporary employees as staff members. It also aligns the duties and obligations of temporary staff with those of fixed-term staff. The "continuing" contract type will also be introduced.

¹ ICSC document A/60/30, Report of the ICSC for the year 2005, paragraph 128.

(c) Temporary Appointments

A new Staff Regulation has been created to deal specifically with temporary appointments, i.e., to accommodate clearly defined short-term needs. The new Staff Regulation sets out the obligations of the Organization regarding contractual arrangements and the conditions of service for temporary employees. The length of temporary contractual arrangements will be clearly spelled out so as to avoid the creation of a new generation of LSTEs. This will also better inform staff's expectations with regard to their possible length of service with the Organization. Special transitional measures are proposed to safeguard the interests of LSTEs.

(d) Continuing Appointments

A new Staff Regulation has been created to provide a legal basis for continuing appointments. A continuing appointment has an unlimited duration. Staff members who are currently holding Permanent Contracts will keep their contractual arrangements. Special transitional measures are proposed for staff who will become eligible for Permanent Contracts or Continuing Appointments.

- 16. While the current financial environment remains challenging, the Director General has prioritized the HR initiative of implementing a fair and transparent contract framework that will advance, within WIPO, the concept of equal treatment for equal work. In order to achieve prudently the goal of a fair and transparent contractual framework, HRMD foresees a phased implementation of the benefits and allowance package that will be offered to both short-term Professional and General Service staff. The proposed text for the new Staff Regulation covering Temporary Appointments explicitly provides for this approach.
- 17. Annex II contains a clause-by-clause analysis of the proposed amendments and a comparison with the text of the current Staff Regulations.
 - 18. The WIPO Coordination Committee is requested to approve these amendments that will come into force on January 1, 2012.
- 19. The Director General remains committed to the consultative process. Should the staff representatives decide not to continue with the Consultative Group, the Director General will offer a modified modality for consultations with staff in order to complete the review of the SRRs.
 - 20. The WIPO Coordination Committee is requested to:
 - (i) take note of the status of the Consultative Group;
 - (ii) approve the amendments to the Staff Regulations as contained in Annex I with a coming into force date of January 1, 2012; and

(iii) take note that the Director General will consult staff on the consolidated package of revisions to the existing Staff Regulations and Staff Rules for submission to the Coordination Committee in 2012.

II. STATUS REPORT ON VOLUNTARY SEPARATION PROGRAM (VSP)

- 21. The WIPO Coordination Committee, at its 61st session held in Geneva on June 15 and 16, 2009, gave its approval to a time-limited VSP. The VSP was conceived with the purpose of encouraging voluntary separation or early-retirement² in order to reinvigorate the work force and to attract new talent. This activity was undertaken in line with the SRP value "Accountability for Results" to ensure that the Organization was "fit for purpose" by ensuring that WIPO staff are effectively matched with posts that best utilize their skills. This is also an ethics initiative in that it serves the interest of LSTEs by allowing fixed-term opportunities through a competitive process to the posts vacated through the VSP exercise.
- 22. The VSP resulted in 87 posts being vacated and the functions assigned to each one were reviewed. As a result, some posts were realigned to match operational and evolving needs, in particular, to address gaps in specific language skills and technical competencies.
- 23. In accordance with the regularization strategy for LSTEs, the Organization decided to provisionally reserve 55 (43 General Service and 12 Professional level) of the 87 posts for internal competitions. The remaining 32 vacated VSP posts are being published both internally and externally.
- 24. On July 31, 2011, the VSP staffing status was:

	Number of VSP vacancies	Selections completed	Remaining VSP vacancies
Internal publication only	55	33 (16 LSTEs)	22
Internal/External publication	32	8 (2 LSTEs)	24
Total	87	41 (18 LSTEs)	46

² Employees would be on special leave without pay for pension purposes until the actual date of retirement.

Thus far, out of the 41 VSP vacancies filled, 18 were filled by LSTEs with five or more years of service. Where fixed-term or permanent appointment holders were appointed to VSP posts for internal use (55), their former posts will provide further appointment opportunities for temporary employees.

25. Most of the selections for the VSP posts are expected to be completed by early 2012.

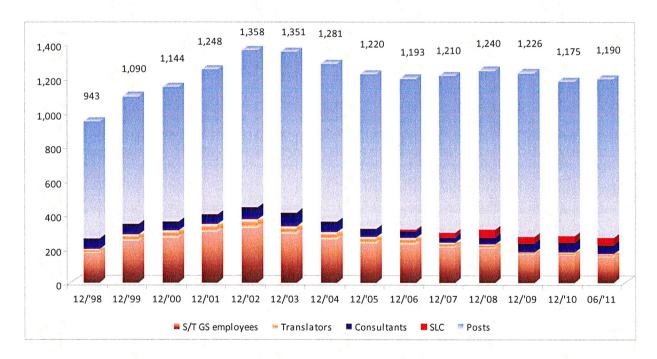
26. The WIPO Coordination Committee is invited to take note of the Voluntary Separation Program status report.

III. LONG-SERVING TEMPORARY EMPLOYEES (LSTEs)

- 27. The WIPO Coordination Committee, at its 63rd session held in Geneva from September 20 to 29, 2010, approved a regularization strategy³ for LSTEs, which *inter alia*, included the approval in principle for the creation of up to 156 posts over a five-year period. In implementing this decision of the Committee, HRMD was consistent with the SRP value "Environmental, Social and Governance Responsibility", and its underlying ethics initiative by providing additional fixed-term opportunities.
- 28. The situation of LSTEs has improved gradually since 2008. It is recalled that Member States approved the creation of 30 General Service posts in the 2008/09 Program and Budget to regularize temporary positions which had been assessed as performing continuing functions within the Organization. The staffing for these 30 General Service posts was completed in 2009.
- 29. As referenced in paragraph 23 above, 55 posts became available as a result of the VSP which provided additional regularization opportunities for LSTEs. Best efforts are being made to complete the staffing for most of these 55 posts by the end of 2011 or beginning of 2012.
- 30. There are still a number of LSTEs who have not yet been regularized, some of whom have over 10 years of service. In May 2011, a working group of management and staff representatives was established in order to identify a comprehensive approach for potential alternatives to regularize as many of the 27 longest-serving temporary employees as possible before January 2012, and submit its proposals thereon to the Director General. The working group is expected to submit its first report shortly.
- 31. In 2012, the five-year exercise (2012-2016) for the regularization of LSTEs, approved by the Members States in 2010, will be launched (see document WO/CC/63/5). Member States approved, in principle, the creation of up to 156 posts under the regular budget over a period of five years, subject to the availability of budgetary funds for this purpose. Sixty posts are included for this purpose within the draft Program and Budget 2012/13.
- 32. Also in May 2011, the remuneration levels of a group of 50 temporary employees were realigned in keeping with the principle of "Equal pay for equal work". The purpose of this realignment was to address the pay inequity between temporary and fixed-term staff performing the same functions and duties. Prior to this realignment, temporary employees were remunerated at a grade lower than their fixed-term counterparts.

http://www.wipo.int/edocs/mdocs/govbody/en/wo_cc_63/wo_cc_63_5.pdf

- 33. The total number of temporary employees as of June 30, 2011, is 259 as compared to 931 staff members on posts, for a total headcount of 1,190 staff. Temporary employees hold one of the following contract types: short-term General Service; short-term Translator; WIPO Consultant or Special Labor Contract (SLC).
 - (a) Short-term General Service and Translator contracts are issued for up to six months, or 11 months and three weeks⁴, and may be extended in line with operational needs;
 - (b) WIPO Consultant contracts are issued for a period of up to 12 months and may be extended in line with operational needs (these are distinct from Special Service Agreements or SSAs, which are non-staff contracts issued to experts for the purpose of the delivery of specific time-bound deliverables); and
 - (c) SLC contracts are issued for up to 11 months and three weeks, and are limited in duration to a maximum of three years in total.
- 34. The following chart illustrates the evolution of total headcount from 1998 to 2011 (excluding SSAs and interns).



	Dec 98	Dec 99	Dec 00	Dec 01	Dec 02	Dec 03	Dec 04	Dec 05	Dec 06	Dec 07	Dec 08	Dec 09	Dec 10	Jun 11
S/T GS employees	170	241	261	295	318	285	253	230	224	207	199	162	160	147
Translators	26	38	41	46	50	44	40	36	35	24	25	16	15	19
Consultants	62	62	54	54	73	80	60	45	41	32	38	49	56	54
SLC	: 0	0	0	0	0	0	0	0	: 6	25	44	40	39	39
Post	685	749	788	853	917	942	928	909	887	922	934	959	905	931
Total headcount	943	1.090	1.144	1.248	1.358	1.351	1.281	1.220	1.193	1.210	1.240	1.226	1.175	1.190

35. It is to be noted that while a number of temporary employees will be regularized as a result of the VSP program and the regularization strategy, additional efforts are required to contain the number of temporary appointments. Reductions in the number of temporary

Contracts of 11 months and three weeks may be issued after five years of service, as per Office Instruction No. 24/2005.

employees cannot be achieved solely by appointments to vacant posts through the competitive process as the number of posts is limited. In order to make significant progress on limiting the number of temporary employees, contractual reforms, as described in paragraph 15(c), above, with enforceable time limits on contract duration and conditions of renewal is one of a number of measures that are required to be implemented if the Organization is to avoid creating a new generation of LSTEs.

36. The WIPO Coordination Committee is invited to take note of the information provided on long-serving temporary employees.

IV. RECRUITMENT

- 37. At the end of 2010, there were 126 vacancies to be filled consisting of VSP and non-VSP posts. The high number of vacancies created a number of unprecedented institutional challenges, hampering the ability of the Organization to fill vacant positions as efficiently and expediently as possible without compromising the Organization's aim to secure candidates with the highest standards of efficiency, competency and integrity. New procedures were required as standard recruitment practices (which required the establishment of an *ad hoc* Appointment and Promotion Board for each vacancy) would not have enabled the Organization to fill the high number of vacant positions in a timely manner. This activity was consistent with the SRP value of "Accountability for Results".
- 38. In consultation with the Staff Council, and pursuant to Staff Regulation 4.9(c), temporary fast track measures were established in order to fill the 126 vacant posts as expeditiously as possible. Vacancies were clustered on the basis of function and grade so that multiple vacancies could be considered and expedited by a number of Appointment and Promotion Boards in parallel timeframes.
- 39. In addition to the fast track measures, complementary *ad hoc* selection and recruitment procedures for the 55 VSP posts were established to support the selection procedures for temporary and LSTEs⁵.
- 40. Recruitments for the 126 vacancies (VSP and non-VSP) at the beginning of 2011 were grouped into three batches according to priority:
 - Batch 1 37 vacancies (36 out of 37 selection processes completed);
 - Batch 2 56 vacancies (24 out of 56 selection processes completed); and
 - Batch 3 27 vacancies (planning for these vacancies has started).

It is to be noted that the number of selection processes for the three batches (120) is less than the 126 vacancies which were available at the beginning of 2011. This is due to a variety of different factors, e.g., posts being frozen, vacancy announcements cancelled, etc.

- 41. Best efforts are being made to complete as many of the selections as possible by the end of 2011 for vacancies in Batch 2, and in the course of 2012 for vacancies in Batch 3.
- 42. Notwithstanding the fast track measures, the Organization considers that the recruitment process is not being completed quickly enough to meet its needs (as can be seen from the statistics on the VSP staffing status in paragraph 24, above), due to the constraints of the complex regulatory framework governing recruitment.

⁵ See Office Instruction No. 45/2010 for reference.

- 43. Consequently, reforms are being proposed in the context of the revision of the WIPO SRRs to streamline appointments and recruitment, and to introduce greater efficiencies into the recruitment process (see paragraph 15, above).
- 44. In November 2010 the WIPO e-Recruitment system was launched in order to streamline the recruitment process. The launch of this system brought closure to what had been a burdensome paper-based and labor intensive recruitment process, and has resulted in cost savings and efficiency gains for the Organization.
- 45. The Organization continues to provide internship opportunities for young professionals, subject to the availability of budgetary resources. In 2010, 78 interns were engaged via internship agreements. For the period between January to July 31, 2011, 65 interns were engaged. The Organization is currently reviewing its internship policy with a view to introducing limits on the number of interns per program, mandatory breaks between internships and a modality for employment of former interns under various contractual types.
 - 46. The WIPO Coordination Committee is invited to take note of the status of recruitments.

V. PERFORMANCE MANAGEMENT AND STAFF DEVELOPMENT SYSTEM (PMSDS)

- 47. The WIPO Coordination Committee, at its 41st session held in Geneva from September 20 to 29, 2010, was informed about the establishment of a new PMSDS. The PMSDS was launched across WIPO in April 2009 and is a key element the SRP where it supports the core values of "Accountability for Results" and "Working as One".
- 48. The PMSDS was introduced in progressive phases with the final Phase III launched in January 2011 representing the full deployment of PMSDS. During Phase III, supervisors were required to evaluate staff performance on the basis of objectives and expected results which were mutually agreed to at the beginning of the evaluation period.
- 49. Feedback received from both supervisors and employees is that the PMSDS encourages continuous dialogue between supervisors and employees on performance and development needs. The continuous dialogue provides a mechanism for addressing under-performance and where necessary, for taking corrective action.
- 50. Continuous development of staff is an integral component of PMSDS. This allows supervisors and staff to identify and request development and training that may be required to meet the evolving needs of the Organization. In this regard, training and development needs (1,250 training needs in 2011) have already been extracted from the PMSDS exercise which concluded on March 31, 2011. Based on which, training is being organized in 2011 in various areas such as Management (e.g., Project Management, People Management), Communication (e.g., Presentation Skills, Customer Service), Languages and Office Automation in line with the current and future needs of the Organization.
- 51. Both management and staff are still adjusting to the new culture of performance management and staff development. Once the PMSDS has fully taken root, the Organization expects the system to be used as a platform for identifying and managing talent, facilitating staff development in support of the strategic goals of the Organization.
- 52. The Organization decided to discontinue promotions on merit on January 1, 2009. The Organization is currently researching methods for rewarding and recognizing outstanding performance. Consultations are on-going at the inter-agency level and with the ICSC in order to identify best practices and the extent to which they may be implemented at WIPO.

53. The WIPO Coordination Committee is invited to take note of the information provided on the Performance Management Staff Development System.

VI. GEOGRAPHICAL REPRESENTATION AND GENDER BALANCE OF WIPO STAFF

- 54. It is current practice for the International Bureau to systematically communicate every six months (March and September) to Ministries of Foreign Affairs, Permanent Missions to the United Nations Office in Geneva, and Intellectual Property Offices statistics on geographical representation and gender balance of WIPO staff. This is consistent with the SRP values of "Working as One", and "Customer Orientation".
- 55. The information and statistics on geographical representation and gender balance will be included, as of September 2011, in the HR report that is submitted on an annual basis to the WIPO Coordination Committee. The information and statistics contained in Annex III are up to June 30, 2011.
- 56. The statistics on geographical representation and gender balance will continue to be produced on an *ad hoc* basis upon request by any interested Member State.
- 57. The total number of Member States represented at WIPO staffing is now at 106, an increase of six per cent since October 2008.

GENDER BALANCE

- 58. As part of the Director General's commitment to "Environmental, Social and Governance Responsibility", he fully supports gender balance and gender mainstreaming. The Organization has a focal point on gender issues who is responsible for promoting greater gender balance within the Organization and for supporting the mainstreaming of gender issues in WIPO programs and activities. Since October 2008, the number of women in Professional category posts has increased by eight per cent.
- 59. It is recognized that more work needs to be done to increase the representation of women in the senior professional and management ranks of the Organization. A project initiated by the Gender Focal Point is currently underway to put WIPO on the path to meet United Nations (UN) standards for gender equality within the Organization and for mainstreaming gender perspectives in the Organization's programming and external activities.
 - 60. The WIPO Coordination Committee is invited to take note of the information contained in Annex III on the geographical distribution and gender balance of WIPO staff, and of the gender equality and mainstreaming efforts undertaken by the Organization.

VII. FOLLOW-UP TO THE 64TH (23RD EXTRAORDINARY) SESSION OF THE COORDINATION COMMITTEE

- 61. An extraordinary session of the Coordination Committee (64th Session) was held on July 14, 2011, and a draft report is available as per document WO/CC/64/3 Prov.
- 62. The International Bureau wishes to report to Member States that, the day after the 64th session, the Director General held a meeting to which all staff were invited, and also sent an email message to all staff, in which he expressed his personal commitment, and the commitment of the Senior Management Team, to engage in a constructive, open and transparent dialogue with all staff to resolve any outstanding issues.
- 63. The sound recordings of the session of the Coordination Committee were made available internally, to enable all staff to follow the important meeting on staff matters, and to form their own opinions on the outcome of the meeting.
- 64. Immediately following the Coordination Committee, the Director HRMD invited the Staff Council to resume the regular consultations that were interrupted since April 2011. Both parties met on August 4, 2011. The meeting was held in an open and constructive way.

VIII. OTHER STAFF MATTERS

APPROVAL OF AMENDMENTS TO THE WIPO STAFF REGULATIONS AND STAFF RULES WHICH WERE PROVISIONALLY PROMULGATED UNDER WIPO STAFF REGULATION 12.1

<u>Scales of gross and net remuneration for staff members in the Professional and higher categories (Staff Regulation 3.1)</u>

- 65. By its resolution 65/248 of December 23, 2010, the General Assembly of the United Nations approved an increase of the gross and net salaries for staff members in the Professional and higher categories of 1.37 per cent with effect from January 1, 2011.
- 66. In accordance with the established practice, the revised base/floor salary scale has been implemented on a "no loss, no gain" basis. Consequently, post adjustment multipliers applicable at all duty stations will be commensurately reduced by the same percentage. The total net remuneration amount (base salary plus post adjustment) will therefore remain unchanged, except for very minor differences due to rounding.

Salaries for staff members in the General Service category in Geneva (Staff Regulation 3.1)

67. In accordance with the existing annual adjustment methodology, the net salaries of staff members in the General Service category in Geneva are adjusted, effective April 1, 2011, on the basis of the movement of the Geneva Consumer Price Index (CPI) over a period of 12 months from January 2010 to January 2011. The revised salaries represent an across-the-board increase of 0.61 per cent.

Education Grant (Staff Regulation 3.11)

- 68. By its resolution 65/248 of December 23, 2010, the General Assembly of the United Nations approved, in effect from the scholastic year in progress on January 1, 2011:
 - (a) to increase the maximum admissible expenses and the maximum education grant for eligible staff members, where education-related expenses are incurred in Austria, Denmark, France, Germany, Italy, the Netherlands, Spain, Switzerland, the United

Kingdom of Great Britain and Northern Ireland, the United States of America and the United States dollar area outside the United States;

- (b) that for Belgium, Ireland, Japan and Sweden the maximum admissible expenses and maximum education grant remain at the current levels;
- (c) to increase the normal flat rates for boarding taken into account within the maximum admissible educational expenses for France, Germany, Italy, the Netherlands, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States and the United States dollar area outside the United States;
- (d) that for Ireland and Japan the normal flat rates for boarding remain at the current levels;
- (e) that the special measures for China, Hungary, Indonesia, Romania and the Russian Federation as well as for the eight specific schools in France be maintained; and
- (f) that the special measures for Bulgaria be discontinued.

<u>Dependency Allowances for staff members in the Professional and higher categories (Staff</u> Regulation 3.12)

69. By its resolution 65/248 of December 23, 2010, the General Assembly of the United Nations approved revised dependency allowances for staff members in the Professional and higher categories.

70. The WIPO Coordination Committee is invited to approve amendments to the WIPO Staff Regulations which were provisionally decreed and applied under WIPO Staff Regulation 12.1.

TERMINATION OF EMPLOYMENT CONTRACTS

Agreed termination

71. Pursuant to the provisions of WIPO Staff Regulation 9.1(e), which requires the Director General to report all cases of termination of employment contracts to the WIPO Coordination Committee, the WIPO Coordination Committee is informed that the contracts of seven staff members were terminated in 2010 in the interest of the good administration of the Organization and with the consent of the staff members, in accordance with WIPO Staff Regulation 9.1(a)(4). Indemnities were paid in accordance with the provisions in the WIPO SRRs.

Termination with cause

72. Pursuant to WIPO Staff Rules 8.2.1 and 10.1.1(c), the Joint Advisory Committee (JAC) was convened by the Director General on May 27, 2010, to consider alleged charges of misconduct brought against an employee at grade G5 and to recommend disciplinary measures, if any. The alleged charges consisted in abuse of the FlexiTime Working Time System and unauthorized absence from work, in breach of WIPO Staff Regulation 1.5, WIPO Staff Rule 1.3.2(a), 1.3.3(b) and 1.3.6 as well as WIPO "Computerized FlexiTime Working Time System" procedure and policies.

- 73. The Director General agreed with the recommendation of the JAC and terminated the contract of the staff member on November 10, 2010.
 - 74. The WIPO Coordination Committee is invited to note the information provided on the termination of employment contracts.

INTERNATIONAL CIVIL SERVICE COMMISSION (ICSC)

- 75. Under Article 17 of its statute, the ICSC shall submit an annual report to the General Assembly of the United Nations. The Executive Heads of the other organizations of the United Nations common system shall transmit this report to their governing bodies. The annual report was submitted by the ICSC to the 65th session of the General Assembly of the United Nations in 2010 (UN document A/65/30). Since the report was included in the documentation of the said session of the General Assembly of the United Nations, it is not reproduced by the International Bureau.
 - 76. The WIPO Coordination Committee is invited to note the information contained in the preceding paragraph.

UNITED NATIONS JOINT STAFF PENSION BOARD (UNJSPF)

- 77. Under Article 14(a) of its Regulations, the United Nations Joint Staff Pension Board (UNJSPF) shall present a report to the General Assembly of the United Nations and to member organizations, at least once every two years. The 2010 report was presented by the Board of the UNJSPF to the General Assembly of the United Nations at its 65th session in 2010 (UN document (A/65/9(SUPP))). Since the report was included in the documentation of the said session of the General Assembly of the United Nations, it is not reproduced by the International Bureau. The report may be consulted on the UNJSPF website at http://www.un.org/en/documents.
 - 78. The WIPO Coordination Committee is invited to note the information contained in the preceding paragraph.

WIPO STAFF PENSION COMMITTEE

- 79. The WIPO Coordination Committee decided, at its ordinary session in 1977, that the WIPO Staff Pension Committee would consist of three members and three alternate members, with one member and one alternate to be elected by the WIPO Coordination Committee. The members elected by the WIPO Coordination Committee serve a four-year term of office.
- 80. At its 59th session in 2008, the WIPO Coordination Committee elected Mr. Vladimir Yossifov as alternate member of the WIPO Staff Pension Committee until the ordinary session of the WIPO Coordination Committee in 2011. Thereafter, however, as the term of office of a member expired in 2009 due to retirement, it was proposed that Mr. Yossifov

be elected as the new member of the WIPO Staff Pension Committee for a four-year term until 2013. The WIPO Coordination Committee accepted this proposal and elected Mr. Yossifov until 2013.

- 81. In order to replace Mr. Yossifov as the alternate member, the Norwegian authorities had proposed that Mr. Jan Hjelle be elected by the WIPO Coordination Committee. Mr. Hjelle, a national of Norway (born on May 2, 1970), has a master's degree in political science and economics from the University of Oslo (1995). From January 1996 until September 2000, he was Special Consultant to the Director General of Health in the Akershus County (Norway), engaged in the management of hospitals. Thereafter, he was Special Advisor and Deputy Director General in the Ministry of Government Administration and Reform from September 2000 until the end of 2006, where he was engaged in financial management within the area of the Norwegian Public Service Pension Fund, including duties related to the national pension reform.
- 82. From January 2007 until mid-June 2009, Mr. Hjelle was Senior Advisor in the Ministry of Finance with responsibilities for the Government Agency for Financial Management and Financial Management Regulations, and in mid-June 2009, he returned to the Ministry of Government Administration and Reform as Director responsible for the management of the Norwegian Public Service Pension Fund, including occupational accident and collective life insurance. The Norwegian Public Service Pension fund comprises 900,000 members and the estimated obligations amount to the equivalent of 66 billion Swiss francs. From January 1, 2010, the responsibility for the management of the Norwegian Public Service Fund was transferred to the Ministry of Labour. Mr. Hjelle continued as Director responsible for this area in the Ministry of Labour.
- 83. The WIPO Coordination Committee decided to elect Mr. Hjelle as alternate member of the WIPO Staff Pension Committee for an initial period until the ordinary session in 2011 of the WIPO Coordination Committee.
- 84. Mr. Hjelle has confirmed his interest in continuing to serve the WIPO Staff Pension Committee as alternate member for a four-year term until 2015.
 - 85. The WIPO Coordination Committee is invited to elect Mr. Jan Hjelle as the alternate member of the WIPO Staff Pension Committee for the period until the ordinary session of the WIPO Coordination Committee in 2015.

ETHICS

86. In line with the SRP value "Environmental, Social, and Governance Responsibility", the new WIPO Ethics Office was created in June 2010. It assumed responsibility for the administration of the Declaration of Interest Program, which achieved one hundred per cent filing compliance in 2010. A draft Code of Ethics was developed and was made available for comment from all staff members and the Staff Council. Comments have been received from the Staff Council and staff members, and a revised version is in the process of being developed. The Ethics Office will begin a cycle of annual reporting on its activities at the end of its first full calendar year of operation, namely at the end of 2011.

[Annexes follow]

AMENDMENTS TO THE STAFF REGULATIONS AND STAFF RULES

Scope and Purpose

(a) The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of staff members of the International Bureau. They lay down the broad principles of personnel policy for recruitment and administration of the Secretariat. The Director General, in his capacity as chief administrative officer, shall, in accordance with Regulation 12.2, establish such Staff Rules consistent with these principles as he considers necessary. The application of these Regulations and Rules shall be the responsibility of the Director General.

(abis)For the purposes of these Regulations and Rules, "staff members" or "staff" shall refer to all staff members of the International Bureau whose contractual relationship is established by a letter of appointment subject to the Staff Regulations approved by the WIPO Coordination Committee and pursuant to Article 9, paragraph 7 of the WIPO Convention, as amended from time to time.

- (b) Except where otherwise stated, the Staff Regulations and Staff Rules shall apply to all staff members of the International Bureau with the exception of:
 - (1) staff specifically engaged for technical assistance projects ("project personnel") who normally serve in the field and are appointed for periods of less than one year or from one to five years; the conditions of recruitment and service applicable to this category of staff are the subject of specific Rules established by the Director General in the light of the conditions applicable within the United Nations common system;
 - (2) [Deleted];
- (c) the Director General shall decide, in each case, to which posts part-time employment may apply, and shall determine by means of specific rules the particular conditions applicable to staff members so employed, on a pro rata basis of their normal working week in relation to that of staff members in full-time employment.

Regulation 4.9

Appointment Boards

- (a) The Director General shall set up Appointment Boards to advise him in all cases where a vacancy has been the subject of a competition in the General Service, Professional or Special category.
- (b) Each Appointment Board shall consist of a chairman and three members, whose grade shall be not lower than that of the vacant post, appointed by the Director General. One of the three members shall be the Director of the Human Resources Management Department, or his representative. One of the remaining two members shall be the hiring manager, the other one shall be designated from a list of names submitted by the Staff Council. Each member shall have one vote. The chairman and each member shall have one or more designated alternates who shall sit on the Appointment Board when either the chairman or any one of the three members is unable to do so.

- (c) The Human Resources Management Department shall provide a secretary to the Appointment Board.
- (d) The Director General shall establish the Rules of Procedure for Appointment Boards. The deliberations of Appointment Boards shall be secret.

Regulation 4.14

Types of Appointment

- (a) Staff members in the Special, Professional and General Service categories shall be granted either temporary, fixed-term, continuing, or permanent appointments.
- (b) Deputy Directors General and Assistant Directors General shall be granted fixed-term appointments.

Regulation 4.14bis

Temporary Appointments

- (a) Temporary appointments under Regulation 4.14(a) are appointments granted for a period of up to 12 months. Any such appointment may, at the discretion of the Director General, be extended one or several times provided that the cumulative length of the temporary appointment does not exceed a period of five years.
- (b) Selection procedures for temporary appointments shall be established by the Director General.
- (c) Notwithstanding references contained elsewhere in the Staff Regulations and Staff Rules, the allowances and benefits for temporary appointments shall be fixed exclusively by the Director General in an Office Instruction. A temporary appointment does not confer any right or entitlement, or any expectancy of a right or entitlement, which is not fixed explicitly by the Director General in this Office Instruction.
- (d) Persons having reached the maximum cumulative length of five years for a temporary appointment may not be re-employed on a temporary appointment by the Organization for a period of at least one year.
- (e) No initial temporary appointment or any extension thereof shall carry with it any expectancy of, nor imply any right to, (further) extension.
- (f) The Director General shall establish special transitional measures for persons holding short-term contracts with five or more years of continuous service on January 1, 2012.

Regulation 4.15bis

Continuing Appointments

Continuing appointments under Regulation 4.14(a) are appointments of unlimited duration. The Director General shall prescribe which staff members are eligible for consideration for continuing appointments.

[Annex II follows]

CLAUSE-BY-CLAUSE ANALYSIS ON THE PROPOSED AMENDMENTS

Reasons for Amendment		[Unchanged]	This is a clause that defines "staff" or "staff member" in the context of the Staff Regulations and Staff Rules.
Revised Staff Regulation	Scope and Purpose	(a) The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of staff members of the International Bureau. They lay down the broad principles of personnel policy for recruitment and administration of the Secretariat. The Director General, in his capacity as chief administrative officer, shall, in accordance with Regulation 12.2, establish such Staff Rules considers necessary. The application of these Regulations and Rules shall be the responsibility of the Director General.	(abis) For the purposes of these Regulations and Rules, "staff members" or "staff" shall refer to all staff members of the International Bureau whose contractual relationship is established by a letter of appointment subject to the Staff Regulations approved by the WIPO Coordination Committee and pursuant to Article 9, paragraph 7 of the WIPO Convention, as amended from time to time.
Existing Staff Regulation	Scope and Purpose	(a) The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of staff members of the International Bureau. They lay down the broad principles of personnel policy for recruitment and administration of the Secretariat. The Director General, in his capacity as chief administrative officer, shall, in accordance with Regulation 12.2, establish such Staff Rules consistent with these principles as he considers necessary. The application of these Regulations and Rules shall be the responsibility of the Director General.	

Reasons for Amendment	[Unchanged]	[Unchanged]	Paragraph b(2) has been deleted. Temporary employees will be considered as staff members to the extent provided for under new Regulation 4.14bis. A number of conditions of service, basic rights and obligations will become applicable to temporary employees. The recognition of temporary employees as staff members introduces greater fairness and equity among staff and in their conditions of service.
Revised Staff Regulation	(b) Except where otherwise stated, the Staff Regulations and Rules shall apply to all staff members of the International Bureau with the exception of:	(1) staff specifically engaged for technical assistance projects ("project personnel") who normally serve in the field and are appointed for periods of less than one year or from one to five years; the conditions of recruitment and service applicable to this category of staff are the subject of specific Rules established by the Director General in the light of the conditions applicable within the United Nations common system;	(2) [Deleted];
Existing Staff Regulation	(b) Except where otherwise stated, the Staff Regulations and Rules shall apply to all staff members of the International Bureau with the exception of:	(1) staff specifically engaged for technical assistance projects ("project personnel") who normally serve in the field and are appointed for periods of less than one year or from one to five years; the conditions of recruitment and service applicable to this category of staff are the subject of specific Rules established by the Director General in the light of the conditions applicable within the United Nations common system;	(2) staff specifically engaged for short-term service, that is for periods of less than one year, as well as maintenance staff, who shall be subject to particular conditions of service determined by the Director General in the light of the practice of the other intergovernmental organizations of the United Nations common system at the duty station;

Reasons for Amendment	[Unchanged]		The term "Promotion" has been deleted from the heading and text of Regulation 4.9 to avoid confusion with "promotion on merit" which has been discontinued. Staff may still be promoted to a post of a higher grade either through competition, or exceptionally, as a result of a re-classification of the post.	The sentence "The Board shall consider, in addition to the candidatures submitted, all staff members in the grade immediately below that of the vacant post, due account being taken of seniority" has been deleted as it serves no functional purpose. Deletion of this sentence would require interested staff to apply for vacant positions during the prescribed timeframe.
Revised Staff Regulation	(c) the Director General shall decide, in each case, to which posts part-time employment may apply, and shall determine by means of specific rules the particular conditions applicable to staff members so employed, on a pro rata basis of their normal working week in relation to that of staff members in full-time employment.	Regulation 4.9	Appointment Boards	(a) The Director General shall set up Appointment Boards to advise him in all cases where a vacancy has been the subject of a competition in the General Service, Professional or Special category.
Existing Staff Regulation	(c) the Director General shall decide, in each case, to which posts part-time employment may apply, and shall determine by means of specific rules the particular conditions applicable to staff members so employed, on a <i>pro rata</i> basis of their normal working week in relation to that of staff members in full-time employment.	Regulation 4.9	Appointment and Promotion Board	(a) The Director General shall set up an Appointment and Promotion Board to advise him in all cases where a vacancy has been the subject of a competition in the General Service, Professional or Special category. The Board shall consider, in addition to the candidatures submitted, all staff members in the grade immediately below that of the vacant post, due account being taken of seniority.

Reasons for Amendment	The selection procedure has been streamlined by removing the limitation that individual Boards have to be established for each and every vacancy. This limitation causes undue delays and creates inefficiencies in the recruitment process. This means that a Board can handle multiple vacancies if so required. The composition of the Board has been fixed to four members: a chairman, the Director of Human Resources (or representative), and two other staff members, all with equal voting rights. The Director of Human Resources or his designated representative has been given the right to vote so that the Organization may benefit from the expertise of a human resources specialist in the recruitment of	efficiency, competency and integrity. The composition of the Board has also been enlarged to include alternates in situations where either the chairman or any one of the three members is unable to serve on the Board. This sub-paragraph is consistent with current practice. Minor drafting changes were made to this sub-paragraph.
Revised Staff Regulation	(b) Each Appointment Board shall consist of a chairman and three members, whose grade shall be not lower than that of the vacant post, appointed by the Director General. One of the three members shall be the Director of the Human Resources Management Department, or his representative. One of the remaining two members shall be the hiring manager, the other one shall be designated from a list of names submitted by the Staff Council. Each member shall have one vote. The chairman and each member shall have one or more designated alternates who shall sit on the Appointment Board when either the chairman or any one of the three members is unable to do so.	(c) The Human Resources Management Department shall provide a secretary to the Appointment Board. (d) The Director General shall establish the Rules of Procedure for Appointment Boards. The deliberations of Appointment Boards shall be secret.
Existing Staff Regulation	(b) The Appointment and Promotion Board shall consist of a chairman and three members, whose grade shall be not lower than that of the vacant post, appointed by the Director General. At least one of the three members shall be designated from a list of names submitted by the Staff Council. The Director of the Human Resources Management Department, or his representative, shall be a member of the Board ex officio, without the right to vote, and shall act as Secretary to the Board.	(c) The Director General shall establish the Rules of Procedure of the Appointment and Promotion Board. The Board's deliberations shall be secret.

Existing Staff Regulation	Revised Staff Regulation	Reasons for Amendment
Regulation 4.14	Regulation 4.14	
Types of Appointment	Types of Appointment	
(a) Staff members in the Special, Professional and General Service categories shall be granted either fixed-term or permanent appointments.	(a) Staff members in the Special, Professional and General Service categories shall be granted either temporary, fixed-term, continuing, or permanent appointments.	In line with the International Civil Service Commission (ICSC) recommended contractual framework, two new appointments types have been introduced, namely, temporary and continuing appointments. The creation of a temporary appointment provides the Organization with the legal basis necessary to recognize temporary employees as staff members. It also aligns the duties and obligations of temporary staff with those of fixed-term staff. The continuing contract
(b) Deputy Directors General and Assistant Directors General shall be granted fixed-term appointments.	(b) Deputy Directors General and Assistant Directors General shall be granted fixed-term appointments.	type has also been introduced. [Unchanged]
	Regulation 4.14bis	
	Temporary Appointments	This is a new regulation that is being proposed in order to provide Member States, management, and staff with certainty and clarity in the conditions of service for temporary employees. Temporary appointments shall be granted for periods of less than one year to accommodate defined,

Reasons for Amendment	short-term needs of the Organization, and may be extended to meet clearly defined operational needs.	The period of appointment may be up to 12 months and may be renewable at the discretion of the Director General. The maximum period of temporary appointment is fixed at five years.		Temporary employees will ultimately have access to certain allowances and benefits to be fixed in an Office Instruction by the Director General. The allowances and benefits will be linked to contract duration and length of service. It is also stated that temporary appointments do not confer any rights or entitlements or than those explicitly specified by the Director General.	The maximum period for temporary employment is five years. During this time, temporary employees may apply for fixed-term posts that become available during their period of temporary employment. After
Revised Staff Regulation		(a) Temporary appointments under Regulation 4.14(a) are appointments granted for a period of up to 12 months. Any such appointment may, at the discretion of the Director General, be extended one or several times provided that the cumulative length of the temporary appointment does not exceed a period of five years.	(b) Selection procedures for temporary appointments shall be established by the Director General.	(c) Notwithstanding references contained elsewhere in the Staff Regulations and Staff Rules, the allowances and benefits for temporary appointments shall be fixed exclusively by the Director General in an Office Instruction. A temporary appointment does not confer any right or entitlement, or any expectancy of a right or entitlement, which is not fixed explicitly by the Director General in this Office Instruction.	(d) Persons having reached the maximum cumulative length of five years for a temporary appointment may not be re-employed on a temporary appointment by the Organization for a period of at least one year.
Existing Staff Regulation					

Existing Staff Regulation	Revised Staff Regulation	Reasons for Amendment
		the period of five years has elapsed, temporary employees may not be re-employed on a temporary basis for a period of at least one year.
	(e) No initial temporary appointment or any extension thereof shall carry with it any expectancy of, nor imply any right to, (further) extension.	This clause states that any renewal will not be automatic and is subject to the needs of the Organization.
	(f) The Director General shall establish special transitional measures for persons holding short-term contracts with five or more years of continuous service on January 1, 2012.	Special measures will be introduced by the Director General in order to safeguard the interests of long-serving temporary employees currently employed by the Organization.
	Regulation 4.15bis Continuing Appointments	
	Continuing appointments under Regulation 4.14(a) are appointments of unlimited duration. The Director General shall prescribe which staff members are eligible for consideration for continuing appointments.	This is a new clause governing continuing appointments. This clause will be applied on a prospective basis only. Practically speaking, there is no difference between a continuing and permanent appointment. The permanent appointment is retained for persons who currently hold this type of appointment.

[Annex III follows]

ANNEX III

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(*) Based on post grade.

Annex III, page 2

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(*) Based on post grade.

Annex III, page 3

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	Sri Lanka	Sudan	Sweden	Switz	Syria	Tanz	Thail	Trini	Tunisia	Turkey	Uganda	Ukraine	Unite	Uruguay	NSA	Vene	Zimb	

Total number of nationalities represented: 106

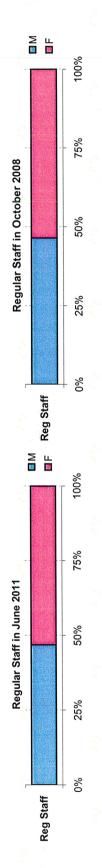
926

69

The total number of nationalities represented in October 2008 was 100.

120	1	-:								
	Reç	Regular Staff**	Staff** in June 2011	011		Reg	Regular Staff in October 2008	October	2008	
	N	Per Cent	L	Per Cent	Total	Σ	Per Cent	4	Per Cent	Total
D2	-	%9'82	3	21.4%	14	12	85.7%	2	14.3%	14
2	29	82.9%	9	17.1%	35	26	%2'98	4	13.3%	30
Sub total	40	81.6%	6	18.4%	49	38	86.4%	9	13.6%	44
P5	74	70.5%	31	29.5%	105	73	%6:02	30	29.1%	103
P4	100	28.8%	70	41.2%	170	83	61.5%	52	38.5%	135
P3	49	43.0%	65	%0'.29	114	52	45.6%	62	24.4%	114
P2	7	16.7%	35	83.3%	42	18	30.0%	42	%0.07	09
Sub total	230	53.4%	201	46.6%	431	226	54.9%	186	45.1%	412
29	8	16.3%	41	83.7%	49	15	24.2%	47	75.8%	62
99	64	32.2%	135	%8'.29	199	55	28.8%	136	71.2%	191
G 5	84	44.7%	104	22.3%	188	89	37.6%	113	62.4%	181
G4	17	54.8%	14	45.2%	31	29	74.4%	10	25.6%	39
63	:	100.0%			1		100.0%			1
Sub total	174	37.2%	294	62.8%	468	168	35.4%	306		474
Total	444	46.8%	504	53.2%	948	432	46.5%	498	23.5%	930

The DG, DDGs and ADGs are not included in this report.



^(*) Based on post grade. (**) Staff on posts funded from i) regular budget, ii) the reserve funds (PPP), and iii) Funds-in-Trust (FIT).