

Program and Budget Committee

Seventeenth Session (informal) Geneva, June 27 to July 1, 2011

WIPO GOVERNANCE STRUCTURE

Document prepared by the Secretariat

Introduction

1. At its sixteenth session held on January 12 and 13, 2011, the Program and Budget Committee (PBC) requested the Secretariat to prepare a document which should include:

- “(a) [an] update, based on Appendix I of document WO/GA38/2, on the governance structures of the United Nations and other intergovernmental organizations;
- (b) input from Member States, addressing their views on WIPO’s governance; and
- (c) a review of prior documentation on governance at WIPO”.

(see document WO/PBC/16/6/Prov., paragraph 359(v)).

2. The present document provides an update of an earlier document on WIPO’s governance structure prepared by the Secretariat¹. It includes, as attachments, (i) an updated version of Appendix I of document WO/GA/38/2²; (ii) the views received from WIPO Member States on WIPO’s governance³; and an updated version of the governance structures of the United Nations and other intergovernmental organizations.

¹ See document A/32/INF/2 (February 20, 1998).

² . The documents have been revised in a format that shows the changes made to the previous draft.

³ The views are presented in the same format, without any editorial changes, as received from Member States.

The Governance Structure of WIPO⁴

3. WIPO administers some 24 treaties, including six that establish global protection systems⁵, and four classification treaties⁶. Of those, 13 treaties establish international unions (“Unions”) that have an Assembly and in some cases an Executive Committee as well. Each Union can have both main organs, such as Assemblies and Executive Committees, as well as Working Groups, Committees, and *Ad hoc* groups pertaining to the execution of their respective treaties and related agreements. At present, the governance structure of WIPO can be conveniently grouped into the following five tiers of bodies:

(a) The Main Organs

4. The three main organs of Member States established by the WIPO Convention are the WIPO General Assembly⁷, the WIPO Conference⁸ and the WIPO Coordination Committee⁹.

⁴ The word “governance” is defined by Roget’s Thesaurus as “a system by which a political unit is controlled,” or “the continuous exercise of authority over a political unit.” In this paper, the reference to WIPO’s “governance structure” is to the system by which WIPO Member States exercise authority/control and perform functions according to the distribution of power within the Organization. The governance structure of WIPO therefore includes all the organs and bodies constituted by a WIPO-administered treaty, as well as all the subsidiary bodies established by those organs and bodies.

⁵ The Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure; the Hague Agreement Concerning the International Registration of Industrial Designs; the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration; the Madrid Agreement Concerning the International Registration of Marks; the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks; and the Patent Cooperation Treaty.

⁶ The Locarno Agreement Establishing an International Classification for Industrial Designs; the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks; the Strasbourg Agreement Concerning the International Patent Classification; and the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks.

⁷ The General Assembly consists of the States party to the WIPO Convention which are also party to the Paris or Berne Conventions. There are currently 177 Members of the General Assembly. The main tasks of the General Assembly are to:

- (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 [the WIPO] Convention;

5. In practice, the Conference never meets separately from the General Assembly. It meets during the same period and in the same room as the General Assembly, and the only ostensible difference in the proceedings is the difference in presiding officer. In practice also, the Conference hardly ever considers any separate items of business. In reality, the functional division of work originally envisaged between the General Assembly and the Conference never occurred.

[Footnote continued from previous page]

- (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.

See Article 6(2) of the WIPO Convention.

- 8 The WIPO Conference is made up of all the 184 States party to the WIPO Convention, whether or not they are also party to the Paris Convention or the Berne Convention. The tasks of the WIPO Conference are to:
- (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 [the WIPO] 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 [the WIPO] Convention.

See Article 7(2) of the WIPO Convention.

- 9 There are presently 83 Member States of the Coordination Committee. The number increases upwards each time there are additional accessions to the Paris and/or the Berne Conventions. The functions of the Coordination Committee are to:
- (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 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 [the WIPO] Convention.

See Article 8(3) of the WIPO Convention.

6. In addition to the three main organs, there are Assemblies of each Union constituted by a treaty administered by WIPO¹⁰, such as the Paris Union Assembly as well as an Executive Committee of the Paris Union and an Executive Committee of the Berne Union.

7. Certain governing bodies that were envisaged at the time the relevant treaties were adopted have not yet been constituted. An example is the Executive Committee of the PCT Union, as provided for in Articles 53 and 54 of the PCT. And in the case of treaties first concluded before the 1967 Stockholm Diplomatic Conference, where there are States party to an Act earlier than the Stockholm Act, but not yet party to the Stockholm Act, there are Conferences of Representatives under the earlier Act¹¹.

8. In terms of the main organs of WIPO, there are a total of 20¹² such bodies, and they generally meet in ordinary or extraordinary sessions annually or bi-annually; this is generally referred to as the annual meeting of the Assemblies of Member States.¹³

¹⁰ In 1991, the Assembly of the Union for the International Registration of Marks (the TRT Union) decided to “freeze” the TRT and to suspend future ordinary sessions of the TRT Union Assembly (see document TRT/A/VII/1, paragraphs 3 and 4, and document TRT/A/VII/2, paragraph 6). The Assembly of the Union for the International Registration of Audiovisual Works (the FRT Union) similarly suspended, in 1993, ordinary sessions of the FRT Union Assembly (see document FRT/A/III/2, paragraph 22, and document FRT/A/III/3, paragraph 19). For all practical purposes, these Assemblies can no longer be considered to be part of the governance structure of WIPO.

¹¹ Examples are the Conference of Representatives of the Paris Union, of which the Dominican Republic and Nigeria are the only members, and the Conference of Representatives of the Berne Union, of which Lebanon, Madagascar and New Zealand are the only members. The Conference of Representatives for the Paris Union, Berne Union, Nice Union, and the Hague Union met for the last time in 2000, along with the Lisbon Union Council. In practical terms, given the fact that the powers conferred on the Conferences of Representatives by their constituent instruments were extremely limited, that the bodies have never considered any item of substantive business, and that their convening has tended to be a formality only, all these bodies can no longer be considered part of the governance structure of WIPO.

¹² The WIPO General Assembly, the WIPO Conference, the WIPO Coordination Committee, the Paris Union Assembly, the Paris Union Executive Committee, the Berne Union Assembly, the Berne Union Executive Committee, the Madrid Union Assembly, the Hague Union Assembly, the Nice Union Assembly, the Lisbon Union Assembly, the Locarno Union Assembly, the IPC (International Patent Classification) Union Assembly, the PCT (Patent Cooperation Treaty) Union Assembly, the Budapest Union Assembly, the Vienna Union Assembly, The WCT (WIPO Copyright Treaty) Assembly, the WPPT (WIPO Performances and Phonograms Treaty) Assembly, the Singapore Treaty on the Law of Trademarks Assembly and the PLT (Patent Law Treaty) Assembly.

¹³ The general rule is that they meet in ordinary session once every two years, and in extraordinary session once every two years. In effect, they meet every year, alternating between ordinary and extraordinary sessions. There are exceptions to the general rule, such as the Coordination Committee and the Paris and Berne Executive Committees which meet in ordinary session every year.

(b) Committees Established by Treaty Provisions

9. In the case of four treaties, in addition to the Assembly of the Union constituted under the treaty, committees called “Committees of Experts” are established directly by the treaty. These are the four treaties establishing international classification systems, namely, the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of 1957, the Locarno Agreement Establishing an International Classification for Industrial Designs of 1968, the Strasbourg Agreement Concerning the International Patent Classification of 1971 and the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks of 1973. Under each of these treaties, a Committee of Experts is constituted for the purpose of adopting revisions to the classifications established by the treaties.

(c) Committees Constituted Under One or More of the Main Organs

10. There are a large number of committees constituted for various purposes under one or more of the main organs established by the WIPO Convention or the treaties administered by WIPO. They may be divided, somewhat arbitrarily, into three categories:

- (i) The Program and Budget Committee, the members of which are elected for two-year terms by the WIPO General Assembly¹⁴;
- (ii) Four Standing Committees, namely:
 - Standing Committee on Copyright and Related Rights (SCCR);
 - Standing Committee on the Law of Patents (SCP);
 - Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT); and
 - Committee on WIPO Standards (CWS).
- (iii) The Advisory Committee on Enforcement (ACE)¹⁵;

¹⁴ The PBC was established in 1998, as a result of the merger between the Budget Committee and the Premises Committee to deal with program, budget, premises and finance. The merger of the two Committees was premised on the increasing number of program issues with budgetary implications for consideration by Member States, the consideration that WIPO Member States could attend the meetings of both Committees, and the need to streamline WIPO’s governance structure in a more cost-effective and efficient manner (see documents WO/GA/23/4 (July 24, 1998) and WO/GA/23/7 (September 15, 1998)). There are currently 53 States that are members of the PBC.

While the mandate of the PBC is to deal with program, budget, premises and finance, it is recalled that the WIPO Financial Regulations and Rules define the PBC as “the Committee constituted by the General Assembly to deal with program, budget, *personnel resources*, premises and finance.” (emphasis supplied)

¹⁵ The ACE was established in October 2002. The mandate of the Committee in the field of enforcement, “which excludes norm setting, was limited to technical assistance and coordination,” and it was tasked to focus on the following objectives: “coordinating with certain organizations and the private sector to combat counterfeiting and piracy activities;

(iv) The Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)¹⁶; and

(v) The Committee on Development and Intellectual Property (CDIP)¹⁷.

(d) Working Groups

11. A fourth category of body within WIPO consists of working groups established by a Committee, a Committee of Experts or by one of the main organs. The WIPO General Rules of Procedure, which govern the meetings of all bodies convened under the auspices of WIPO to the extent that any such body does not adopt special rules of procedure (see Rule 1(1) of the WIPO General Rules of Procedure), make provision for the establishment of such working groups for specific purposes (see Rule 12 of those Rules). Similarly, certain special rules established for a particular body envisage that such working groups may be constituted. In general, it may be said that working groups are intended to have limited missions and limited lives and to facilitate the discussion and resolution of particular questions that, because of the technical or confidential nature of the questions, are more appropriately dealt with in a small group than in the larger Committee of Experts or Standing Committee¹⁸.

(e) Others

12. Finally, in the governance structure of WIPO, is the WIPO Independent Advisory Oversight Committee (IAOC or former Audit Committee) as well as the External Auditor. The IAOC, whose terms of reference were reviewed by the PBC in January 2011 and will be submitted for approval to the General Assembly in September 2011, include “promoting internal control”; “focusing

[Footnote continued from previous page]

public education; assistance; coordination to undertake national and regional training programs for all relevant stakeholders and exchange of information on enforcement issues through the establishment of an Electronic Forum”. See document WO/GA/28/7, paragraphs 82-120 (October 1, 2002).

¹⁶ The IGC was established in October 2000 for the purpose of discussions on genetic resources, traditional knowledge and folklore. See documents WO/GA/26/6 (August 25, 2000) and WO/GA/26/10 (October 3, 2000).

¹⁷ The CDIP was established in October 2007 to: “(a) develop a work program for implementation of the adopted recommendations [in respect of a WIPO Development Agenda]; (b) monitor, assess, discuss and report on the implementation of all recommendations adopted, and for that purpose it shall coordinate with relevant WIPO bodies; and (c) discuss intellectual property and development related issues as agreed by the Committee, as well as those decided by the General Assembly”.

See document A/43/16, paragraph 334 (November 12, 2007).

¹⁸ Some working groups over the past few years, including those established under treaties administered by WIPO, include the Working Group on the Review of Rule 3(4) to (6) of the Regulations Under the Singapore Treaty on the Law of Trademarks, Patent Cooperation Treaty Working Group, the Working Group on the Legal Development of the Madrid System for the International Registration of Marks, the Working Group on Audit Committee Related Matters and the Working Group on the Development of the Lisbon System.

assurance resources”; and “overseeing audit performance.” It makes such recommendations to the PBC on issues within its terms of reference as it considers appropriate¹⁹.

13. The External Auditor, designated by the General Assembly, is responsible for the auditing of the accounts and “may make observations with respect to the efficiency of the financial procedures, the accounting system, the internal financial controls and, in general, the administration and management of the Organization”²⁰.

Conclusion

14. In the overall context of the governance structure of WIPO, it is recalled that the Member States in 2003 adopted constitutional reform measures which are aimed at simplifying and rationalizing the governance structure of WIPO. These constitutional reform measures, which were adopted by the WIPO General Assembly and the other concerned Assemblies of the Unions in September 2003, related to: (i) the abolition of the WIPO Conference; (ii) a change in the periodicity of the ordinary sessions of the WIPO General Assembly and the other Assemblies of the Unions, from once every two years to once every year; and (iii) in respect of the unitary contribution system and the changes in contribution classes, the formalization in the treaties of what is already in practice²¹.

15. The Member States of WIPO have been invited to accept the amendments to the relevant treaties in accordance with their respective constitutional processes. The said amendments will enter into force one month after written notifications of acceptance have been received from three-fourths of the WIPO Member States²².

[Annexes follow]

¹⁹ See documents WO/GA/34/15 (September 18, 2007) and WO/GA/34/16 (November 12, 2007).

²⁰ See Article 11(10) of the WIPO Convention and Regulation 8.5 of the WIPO Financial Regulations and Rules.

²¹ The proposals on constitutional reform which were studied by a Working Group on Constitutional Reform, established by the General Assembly at its meeting in September 1999, had also included: (i) an amendment of the WIPO Convention, the Paris Convention, the Berne Convention and the PCT by abolishing the Executive Committees of the Paris, Berne and (yet to be established) PCT Unions; (ii) an amendment of the relevant conventions and other documents in order to discontinue the Conferences of Representatives (referred to above); and (iii) an amendment of the relevant treaties and conventions in order to reduce the number of WIPO governing bodies to one single Assembly. All these other proposals were not included in the final three recommendations on which agreement was reached by the members of the Working Group on Constitutional Reform for submission to the General Assembly in September 2002.

²² In respect of the WIPO Convention, the total number of Member States of WIPO when this amendment was adopted stood at 180. The total number of notifications of acceptance required from Member States for its entry into force is 135. As of April 15, 2011, a total of 13 such notifications had been received by the Director General.

UN SYSTEM OVERSIGHT/AUDIT COMMITTEES

This table contains data collected by the WIPO Audit Committee ([document WO/GA/38/2, Appendix I](#))
The data was verified by 12 organizations. It is to be considered as work in progress.

[This Data has since been verified and confirmed or revised by all (except UNHCR and ICAO). With the exception of UNHCR and ICAO, the information provided is thus accurate as of April 15, 2011]

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
UN Secretariat (also covers UNCTAD, UNEP, UN-HABITAT and OHCHR)	Independent Audit Advisory Committee Established Feb. 2006 (Res. A/RES/60/248)	Members: 5 Status: Non-staff members <u>Nominated by Member States and Elected by GA</u> based on recommendations by GA's Fifth Committee (Administrative and Budgetary)	<u>Role/Purpose:</u> Subsidiary body of the General Assembly that serves in an expert advisory capacity and assists the Assembly in fulfilling its oversight responsibilities <u>Reporting:</u> Reports to General Assembly. Annual reports and reports on specific issues published on UN website	<u>General:</u> Advise GA on: scope, results and effectiveness of audit as well as other o/sight functions; measures to ensure compliance of management with audit and other o/sight recs; <u>Internal oversight:</u> Examine OIOS workplan (taking into account workplans of the other o/sight bodies, with the Under-Sec-Gen for IOS and advise GA thereon; Review budget proposal of OIOS, taking into account its workplan, and make recs to GA through ACABQ; the formal report of IAAC should be made available to GA and ACABQ prior to their consideration of the budget; Advise GA on effectiveness, efficiency and impact of audit activities and other oversight functions of OIOS; <u>Management of risk and internal controls:</u> Advise GA on quality and overall effectiveness of risk management procedures; Advise GA on deficiencies in internal control framework of UN; <u>Financial reporting:</u> Advise GA on operational implications for UN of issues and trends apparent in fin. statements of the Org. and reports of Board of Auditors; Advise GA on appropriateness of accounting policies and disclosure practices and assess changes and risks in those policies; <u>Other:</u> Advise GA on steps to increase and facilitate cooperation among United Nations oversight bodies.	up to 4 per year	Dedicated Secretariat with autonomy similar to that of ACABQ and ICSC Secretariats
UN Funds and Programs						
UNDP	Audit Advisory Committee Established 2006 (replacing former	Members: 5 Status: Non-staff members	<u>Role/Purpose:</u> To assist the Administrator in fulfilling his/her responsibilities regarding <u>oversight</u> , financial management and reporting, internal and <u>investigation</u> , external audit- matters , risk management- arrangements , and	(a) <u>Review and Advise</u> the Administrator on all issues arising from its activities under these terms of reference and make appropriate recommendations to him/her policies significantly affecting	At least 4 per year	Associate Administrator Provided by <u>Office of Audit and Investigations</u> 1- x P5 <u>part time</u>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
	Management Review and Oversight Committee est. 1996)	Appointed by the Administrator	<p>systems of internal control and accountability. To advise the Administrator, taking into consideration the Financial and Staff Regulations and Rules as well as policies and procedures applicable to UNDP and its operating environment.</p> <p><u>Reporting:</u> Annual Report submitted to the Administrator, which is presented to the Executive Board for information. Report published on the UNDP website.</p>	<p><u>financial management and reporting, the internal audit and investigation functions, and the effectiveness of UNDP's systems of internal control and accountability; including its governance, risk management and control processes;</u> b) Review and advise the Administrator on policies significantly impacting financial management and reporting, the internal audit function, and the effectiveness of UNDP's systems of internal control and accountability on fraud and corruption prevention policy, ethics function including the code of ethics and whistle blower policy; c) Review and advise the Administrator on UNDP's financial statements and reports Consult on any proposed changes to the Financial Regulations and Rules; d) Promote the understanding and effectiveness of the audit and investigation functions within UNDP, and provide a forum to discuss internal control and matters raised by the internal and external audits Review and advise on UNDP's financial statements and reports, including any significant changes in accounting policies, presentation and disclosures; e) Monitor and advise on risk management arrangements Promote the understanding and effectiveness of the audit and investigation functions, provide a forum to discuss internal control and matters raised by the BOA and OAI as well as strive to maintain open communication with them; f) Review and provide comments on the OAI strategy and annual work plan In relation to OAI review and advise on: (i) The Charter; (ii) The appointment, performance evaluation, extension and dismissal of the Director; (iii) The strategy, annual work plans, budget and periodic reports; (iv) The quality and assurance improvement programme, including internal and external</p>		1-x G4 part time

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
				<p>assessments; (v) <u>Relevant reports and management letters; (vi) The status of implementation by management of audit recommendations; (vii) Policy for disclosure of internal audit reports and implementation thereof; g) Review and advise the Administrator on the budget of OAIIn relation to BOA review and advise the Administrator on (i) Audit scope and related matters; (ii) BOA reports and relevant management letters; (iii) The status of implementation by management of audit recommendations; h) Review and provide comments on the OAI annual report to the Executive BoardConsider the risk and control implications of audit reports and management letters and highlight, as appropriate, issues that may need further examination with due consideration as to confidentiality and due process; i) Review and advise the Administrator on the appointment, performance evaluation, and dismissal of the Director of OAIOn the governance, development and management of information technology systems impacting financial management and reporting; j) Discuss BOA audit work plansReview and advise on any issues arising from activities covered by these TOR; k) Consider all relevant reports and management letters by OAI and BOA, including reports on UNDP's financial statements; l) Consider the risk and control implications of audit reports and highlight, as necessary, audit issues that may need further investigation with due considerations to confidentiality and due process; m) Monitor the implementation by management of OAI and BOA audit recommendations; n) Advise on UNDP's fraud prevention policy, code of ethics and whistleblower policy; and o) Prepare and submit an annual report on its activities to the Administrator that is also presented to</u></p>		

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
				<p>the Executive Board for information</p>		
UNFPA	<p>Audit Advisory Committee</p> <p>Established: 2006</p>	<p>Members: 5</p> <p>Status: Non-staff members</p> <p>Appointed by Executive Director</p>	<p><u>Role/Purpose:</u> To assist Executive Director. To further enhance accountability and transparency within the Organization</p> <p><u>Reporting:</u> Annual Report submitted to the Executive Director. Report published on the UNFPA website. Reports verbally to the Executive Director after each AAC meeting. Prepares AAC Minutes.</p>	<p>The Audit Advisory Committee (AAC) shall assist the Executive Director in fulfilling the Executive Director's responsibilities for financial management and reporting, external audit matters, risk management, the systems of internal control and accountability, and the oversight process (hereinafter referred to as internal audit, evaluation, and investigative functions). The primary role of the AAC is to advise the Executive Director taking into account the organization's process for monitoring compliance with the Rules and Regulations adopted by the UNFPA's Governing Bodies.</p>	<p>In 2008-7 meetings (3 x in person and 4 x tele-conference)</p> <p>3 x per year in person</p>	<p>Provided by Exec. Director's Office and Division of Oversight Services. No specific staff members assigned to AAC</p>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
UNICEF	UNICEF Audit Advisory Committee	<p>Members: 5</p> <p>Status: Non-staff members <u>External Members who are independent of both UNICEF and the Executive Board</u></p> <p>Appointed by Executive Director</p>	<p>Role/Purpose: To assist advise the Executive Director and <u>to inform the Executive Board on the conduct of management responsibilities, taking into consideration in discharging their governance and oversight responsibilities for UNICEF Financial Regulations and Rules and the United Nations Staff Regulations and Rules as well as directives, policies and procedures applicable to UNICEF operations</u></p> <p><u>The responsibilities of the Audit Advisory Committee cover the independent review of the functioning of the UNICEF oversight system; the review of UNICEF's accounting and reporting practices and systems of control; the review of internal and external audit matters; and the review of financial management and reporting.</u></p> <p>Reporting: Annual Report submitted to the Executive Director. Minutes of meetings confidential. Annual Report made available <u>submitted</u> to the Executive Board Director. Annual report also included in the annual report of the Office of Internal Audit (OIA) that is presented to the Executive Board.</p>	<p>To provide assurance over the functioning of the UNICEF oversight system, by helping to: a) ensure review of the quality of financial reporting, governance, risk management and internal controls in UNICEF; b) ensure management takes appropriate action on audit recommendations; c) ensure the independence, effectiveness and objectivity of the internal audit/oversight and external audit functions; and d) strengthen communication among stakeholders, external and internal auditors and management. The primary responsibility of the Committee is to play an advisory role, without management powers or executive responsibilities. The Committee provides advice to the Executive Director and informs the Executive Board in fulfilling their governance and oversight responsibilities by:</p> <p>(a) <u>Reviewing and advising on the adequacy and effectiveness of financial reporting, governance, risk management and internal controls in UNICEF;</u></p> <p>(b) <u>Reviewing and advising on actions taken by management on audit recommendations; and</u></p> <p>(c) <u>Reviewing and advising on the independence, effectiveness and objectivity of the internal audit/oversight and external audit functions.</u></p>	<p><u>At least 3</u> per year</p>	<p>Support provided by OIA Secretariat. 1 x P5 part-time and 1 x G6 part-time</p>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
UNHCR	Oversight Committee Established: 1997	Members: 6 Status: 3 x non-staff and 3 x staff members	<p><u>Role/Purpose:</u> To assist the High Commissioner in overseeing the financial and operational management of the Office, to monitor the independence and effectiveness of the internal oversight functions and to ensure that oversight findings and recommendations are adequately addressed.</p> <p><u>Reporting:</u> Reports to the High Commissioner. Reports not published.</p>	<p>The latest Terms of Reference (August 2008) of the Committee state that its core responsibilities are to ensure that UNHCR's risks are appropriately identified; that the UNHCR oversight functions, including audit, inspections, investigations and evaluation, design and implement coordinated plans to mitigate the identified risks; that plans are implemented as approved; and that there is accountability in the management of the organization. In the discharge of its responsibilities, the Committee reviews the activities of all oversight bodies within UNHCR with a view to optimizing their complementarities and cooperation; monitors the status of implementation of oversight recommendations; and, as necessary, takes steps to ensure their adequate implementation. (Extract UN document A/AC.96/1055* Oct. 2008 page 22 §83)¹</p>	4 per year	Secretary: Audit Coordinator
WFP	Audit Committee Reconstituted June 2004 External as of Jan. 2007	Members: 5 Status: External Members Appointed by the Executive Board upon recommendation of the Executive Director	<p><u>Role/Purpose:</u></p> <p>An independent advisory body reporting to the Executive Board and the Executive Director. The Audit Committee serves in an expert advisory capacity to assist WFP's Executive Board and Executive Director in exercising their governance responsibilities for the financial reporting, internal control arrangements, risk management processes and other audit-related matters with respect to WFP's operations</p> <p><u>Reporting:</u></p> <p>As of 2009: Submits Annual report on the Audit Committee's work for the Executive Director and for presentation to and consideration by the annual session of the Executive Board each</p>	<p>Since 2004: 1) Appraise adequacy of audit plans, scope and effectiveness of audit services and suggest potential audit areas; 2) Coordinate with external auditor the scope and approach of internal audits, assess the implications of findings on existing policies, systems, procedures, oversee implementation of recommendations; 3) Ensure audits are undertaken in accordance with acceptable auditing standards; 4) recommendations to ED; 5) Evaluation of audit and other issues, identification of those needing refinement; 6) Review of final draft of response prepared by FS to ensure adequacy and recommending to ED appropriate action/follow-up (FS = office responsible for liaison with external auditor)</p> <p>Proposed new ToR 2009 – Principles approved by Executive Board: Advise on</p>	4 per year (minimum)	<p>Secretariat: Assistance provided by the WFP Secretariat for logistical and administrative support, and technical preparation of reports and related documents for the Audit Committee meetings and discussions.</p> <p>1 x D1 – 1 x G7 and 2 x G5. Personnel are involved as and when required to prepare for the Audit Committee meetings and discussions.</p> <p>Proposed 2009. The Secretariat function for the</p>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
			<p>year. The report will include an annual performance evaluation of its work. Periodically review the adequacy of its terms of reference and mandate where appropriate recommending changes to the Executive Board for approval.</p> <p>Annual Report published on WFP website</p>	<p>all issues arising from its activities under these Terms of Reference and make appropriate recommendations to the Executive Director and/or the Executive Board.b) Review and advise on policies significantly affecting accounting and financial reporting issues; and the effectiveness of the Programme’s internal controls, internal audit function and operational procedures.c) Review and advise on the Programme’s risk management strategy, processes and issues.d) Review and advise on the Programme’s financial statements and reports.e) Promote the understanding and effectiveness of the audit function within the Programme, and provide a forum to discuss internal control and risk management issues, operational procedures and matters raised by internal and external audits.f) Provide comments on the work plans of the internal and external audit functions for consideration in their ongoing review.g) Consider all relevant reports by the internal and external auditors, including reports on the Programme’s financial statements and management letters. The Programme is responsible for the fair presentation of financial statements including adequate disclosure.h) Consider the risk and control implications of reports from OSDI in terms of its mandate and refer audit issues to the investigations unit as appropriate, with regard to due process and privacy considerations.i) Monitor the implementation by management of internal and external audit recommendations.j) Review and advise on the Programme’s arrangements for its employees and external parties to raise concerns, in confidence, about allegations of wrongdoing in the management and conduct of operations.k) Advise on WFP’s fraud prevention policy, code of ethics and whistleblower policy.l)</p>		<p><u>Audit Committee shall be carried out by</u> a member or members of the Programme’s WFP staff designated by the Executive Director <u>who shall not be from the Inspector General and Oversight Office and will</u> to report directly to the Chairperson on matters relating to the work of the Audit Committee.</p>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
				<p>Prepare and submit an annual report on its activities for the Executive Director and for presentation to the Executive Board for consideration and discussion. m) Provide commentary on the performance of internal and external auditors.n) Advise and make recommendations to the Executive Board in relation to the arrangements for the appointment of the External Auditor under the Programme's Financial Regulations.</p>		
UN Specialized Agencies						
FAO	<p>Audit Committee</p> <p>Established: April 2003 (five Staff members, two external members)</p> <p>Reconstituted January 2008 (All Non-staff members)</p>	<p>Members: 5</p> <p>Status: non-staff members</p> <p>Appointed by Director General (from 2010 subject to approval of FAO Council)</p>	<p><u>Role/Purpose:</u> Provide advice and assurance to the Director-General and the Inspector General on planning, performance and reporting of the work of the Office, among others that the audit inspection and investigation functions of the Office of Inspector General are operating effectively and efficiently. In addition it oversees the timeliness of follow up of recommendations from internal and external auditors.</p> <p><u>Reporting:</u> Extract Annual Activity Report 2008, Office of the Inspector General: "It is expected that the Audit Committee's Chairperson will present the Committee's 2008 Annual Report addressed to the Director-General, also provided without change, but may be accompanied by DG comments, to directly to the Finance Committee's 2009 May session of the FAO Council." Once it becomes a Finance Committee document it becomes a public document accessible via FAO website.</p>	<p>Extract Annual Activity Report 2008, Office of the Inspector General: "The Committee continued to address the rate of implementation of internal audit recommendations, suggested ways to improve audit resolution and continued to stress the importance of implementing internal audit recommendations. The Committee also reviewed the Organization's response to the recommendations on audit matters in the report of IEE, followed progress on implementing recommendations from the external Quality Assurance Review of the Office in 2007, and provided direction on the Office's risk analysis and resulting audit plan for 2008-2009. With regard to investigations, the Committee assessed FAO's procedures relating to fraud allegations, monitored timely investigation of cases and disciplinary action taken, ensured that the details of fraud cases are used to strengthen internal controls, and stressed the importance of issuing investigation guidelines. The Committee also monitored the Office's regular reporting and provided advice on the revision of the Office's Charter." per the current ToR: Ensure the independent role of the Office of the Inspector General (AUD): Review and provide advice on the</p>	<p>3 in 2008 per year</p>	<p>Secretary (<i>ex-officio</i>): Inspector-General</p> <p>Support provided by other AUD staff for meeting, minute and report preparations.</p>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
				<p>biennial work plans of AUD in the areas of audit and inspection; Review significant risks facing the Organization; Assess the effectiveness and adequacy of internal audit coverage with due regard to external audit coverage, to ensure that emphasis is placed on high-risk areas; Review the reports of AUD and the External Auditor (except for reports specifically requested by donors), assess the implications of their findings on existing policies, systems and procedures and actively oversee and monitor the timely implementation of the audit recommendations; Satisfy itself that AUD adheres to the international internal auditing standards adopted by the heads of audit of the United Nations, the Specialized Agencies as well as by the World Bank and other entities within the UN system; Review investigation findings of presumptive or actual mismanagement, irregularities and fraud, and monitor follow-up responsibilities; Review the AUD annual activity report to the Director-General subsequently provided to the Finance Committee; Review the performance and effectiveness of AUD, ensuring consistency with approved plans and the Charter of the Office of the Inspector-General; Satisfy itself that the resources available for AUD are sufficient to meet the Organization's needs; Provide advice to the Director-General and the Inspector-General as it deems appropriate; and Submit its own annual report to the Director-General who will subsequently provide the FAO Finance Committee with a copy.</p> <p>Note: The Terms of Reference are under review in 2011.</p>		
ICAO	Advisory Group on Evaluation and	Members: 5	<u>Role/Purpose:</u> Advisory to the Council	Provide guidance to the Council on the Organization's audit, risk management	Approx. 3 per year (2 full	Assistance provided by ICAO Secretariat via the

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
	<p>Audit</p> <p>Established: June 2008</p>	<p>Status: non-staff members</p> <p>Appointed by the Council for a three-year period</p>	<p><u>Reporting:</u> Reports to the Council. Annual Report and special working papers presented to the Council</p>	<p>and internal control processes. Consider the planned activities and results of both the internal audit/evaluation function, and the external audit function; and review how management have responded to, and implemented recommendations. Review of the audited financial statements, internal audit reports, risk assessment processes and internal controls; evaluate the overall efficiency and effectiveness of the external auditor and the internal audit service, and review their proposed fees/terms or budgets. Ascertain whether processes for assessing and managing risk within the Organization are adequate and operating effectively; review and evaluate the timeliness and adequacy of actions taken by management to implement agreed recommendations of the internal and external auditors and other bodies such as the JIU and make recommendations to the Council thereon; make recommendations to the Council regarding the appointment and remuneration of the External Auditor; and ensure that appropriate written procedures relating to internal control are in place such as financial disclosure procedures and the procedures for handling allegations from whistleblowers; and recommend special investigations relating to internal control as necessary.</p>	<p>days per meeting) plus e-mail exchanges and phone conferences</p>	<p>Office for Programmes Evaluation, Audit, and Management Review (EAO): a) logistical and admin. support in preparation of meetings and working papers, which may include research. Travel expenses are covered by their respective Member State</p>
<p>IFAD</p>	<p>Audit Committee</p> <p>Established: April 1982</p>	<p>Members: 9</p> <p>Status: non-staff members Member States</p> <p>Elected by</p>	<p><u>Role/Purpose:</u> Sub-committee of Executive Board with role to assist the Executive Board exercise control over financial administration of the Fund</p> <p><u>Reporting:</u> Reports to Executive Board. Reports published on IFAD's website</p>	<p>Review draft annual financial statements. External Auditor: Nominate EA to the Exec. Board, following review of the scope, costs and contractual terms; Review detailed scope, design and results of audit in private sessions with Ext. auditor; Satisfy itself that Ext Aud. Recs are promptly acted on by Management; Commission special investigations from the external auditor where it sees fit; Every five years, review the case, from first</p>	<p>4 per year</p>	<p>Office of the Controller Secretary</p>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
		Executive Board		<p>principles, for rotating the appointment of the external auditor. Internal Audit Function: Satisfy itself that the int. audit function is effective and efficient, and that audit reports are promptly acted on by Management. Other: Review application to Fund of new or revised accounting standards and principles; Conduct a triennial review of the level of the General Reserve; Conduct a triennial review of the risks faced by the Fund and its risk-management procedures, satisfying itself, <i>inter alia</i>, that the internal control and risk-management systems established by Mgt in the areas of investment and procurement effectively safeguard the Fund's assets; Report to Exec. Board on any matters arising from above ToR and submit such conclusions and recs; and Undertake other tasks, within scope of above ToR, remitted to it by Exec. Board</p>		
ILO	<p>Independent Oversight Advisory Committee</p> <p>Established: March 2008 November 2007</p>	<p>Members: 5</p> <p>Status: non-staff members</p> <p>Appointed by Governing Body</p>	<p><u>Role/Purpose</u>: Assist Governing Body fulfil its governance and oversight responsibilities</p> <p><u>Reporting</u>: Reports to Programme, Financial and Administrative Committee (PFAC) <u>of the Governing Body</u>. Reports published on ILO's website.</p>	<p>Review operation and effectiveness of Fin. Regs and Rules; Review management's risk assessment and ensure that risk management process is comprehensive and ongoing; confirm audit arrangements have been conducted and delivered during year to provide the necessary levels of assurance required by DG and the Gov. Body; Monitor the timely, effective and appropriate responses to internal and external audit recommendations; Provide advice to DG on issues within mandate of the Committee; Prepare an annual report, which shall be presented by the Chairperson to the March session of the PFAC. Committee may also report key findings and matters of importance to the PFAC at any other session.</p>	<p>2 per year_ May Exceptionally convened an extraordinary meeting when required.</p>	<p>The ILO provides support to facilitate the Committee's work.</p>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
IMO	<i>No Oversight/Audit Committee</i>					
ITU	<i>No Oversight/Audit Committee</i> Mechanism to be established at ITU Council meeting in October 2001					
UNESCO	<p>Oversight Advisory Committee</p> <p>2000</p> <p>Established as a Standing Committee in 2009</p>	<p><i>Current and Proposed 2009</i></p> <p>Members: 4</p> <p>Status: non-staff members</p> <p>Appointed by the Director General</p>	<p><u>Role/Purpose:</u></p> <p><i>Since 2005: "To ensure IOS professional independence and assess the adequacy of IOS resources" (ref: 174 EX/Decision 28)</i></p> <p><i>Proposed 2009:--</i> Advisory to Director-General to assist Director-General in fulfilling his/her oversight responsibilities, including on the effectiveness of risk management, internal control, and other internal oversight related matters with respect to the Organization's operation.</p> <p><u>Reporting:</u></p> <p><i>Proposed 2009:--</i> Reports to the Director General and provides annual summary report to Executive Board with Director-General's comments thereon.</p>	<p><i>Since 2005: 3 main functions: 1) help strengthen oversight strategies and priorities by reviewing workplans of Internal Oversight Service, providing proposals for audits/evaluation activities to address risks; 2) Review of implementation of recommendations; 3) Review of plans of external auditors, outcome and follow up to their recommendations. Systematic and independent review of programme implementation and operations: a) audit (Assessment of effectiveness and adequacy of external and internal annual audit and evaluation coverage with emphasis on high risk areas); b) evaluation; c) inspection; d) management improvements (Monitor internal controls, performance measurements; Review systemic org. issues arising from audit and evaluation reports; monitor risk management and the taking of corrective action; financial/policy implications of audit/evaluation recommendations; Establishment of key management monitoring indicators; Review performance on quarterly basis); e) investigations (to pursue allegations of violations of regulations, rules or pertinent admin issuances, Review investigation findings of presumptive or actual mismanagement, incl. irregularities and fraud; monitor follow up responsibilities).</i></p> <p><i>Proposed 2009:--</i> Internal oversight 1. To advise on the adequacy and effectiveness of the Internal Oversight Service (IOS) and its strategies, priorities and work plans and suggest potential areas to address the</p>	<p><i>Current:</i></p> <p>At least 3 x per year</p> <p><i>Proposed 2009:</i></p> <p>1 per year mandatory plus maximum as required 2 per year plus video or teleconference, if needed.</p>	<p><i>Secretary:</i></p> <p>Director IOS</p> <p>1 x P2 part-time</p> <p>1 x G6 part-time</p> <p><i>Secretariat: IOS</i></p>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
				<p>Organization's risks; 2. To review and discuss with Management the internal control and risk management issues that may arise from IOS oversight activities; 3. To review and advise on the IOS charter, authority, operational independence and resource requirements to carry out effectively IOS responsibilities; 4. To advise on the implementation by Management of IOS recommendations. Management of risk 5. To review and discuss with Management the Organization's policies and practices with respect to risk assessment and risk management and internal control systems; 6. To advise the Director-General on the quality and overall effectiveness of risk management policies and procedures; Internal controls 7. To advise Management on potential weaknesses in the internal control framework of UNESCO; 8. To review and discuss with Management the policies significantly impacting accounting and financial reporting issues, use of resources and the effectiveness of the Organization's internal controls; 9. To stay informed on the reports of the External Auditor and the state of implementation of his/her recommendations.</p>		
UNIDO	<i>No Oversight/Audit Committee</i>					
UPU	Internal Audit Committee	<p>Members: 4 Status: Staff Members</p>	<p><u>Role/Purpose:</u> To examine the proposals and recommendations of the Internal Auditor and determine how they should be followed up; to follow up the proposals and recommendations of the External Auditor and the responses of the Finance Directorate; where necessary, to follow up the proposals and recommendations of the Joint Inspection Unit; to consider other agenda items relating to financial</p>	<p>In accordance with the provisions of the Charter of Internal Auditing, to ensure the independence of the Internal Auditor, take account of risk assessments, and follow up on the proposals and/or recommendations made by auditors.</p>	<p>At least once every six months</p>	<p>Secretary: Internal Auditor staff member responsible for finance</p>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
			<p>and operational oversight.</p> <p><u>Reporting:</u> Reports to Director General</p>			
UNWTO	<i>No Oversight/Audit Committee</i>					
WHO	<p>Proposal 2009 <u>January 2010:</u> Independent Expert Oversight Advisory Committee</p>	<p><i>Proposal 2009:</i> Members: 5 Status: non-staff members Members proposed by Director-General for appointment by Executive Board</p>	<p><u>Role/Purpose:</u> <i>Proposal 2009:</i> To advise the Program, Budget and Administration Committee, and, through it, the Executive Board, in fulfilling their oversight advisory responsibility and, upon request, to advise the Director-General on issues within its mandate.</p> <p><u>Reporting:</u> <i>Proposal 2009:</i> Report to Program, Budget and Administration Committee</p>	<p><i>Proposal 2009:</i> The functions of the Committee shall be: (a) to review the financial statements of WHO and significant financial reporting policy issues; (b) to advise on the adequacy of the Organization's internal controls and risk management systems, and to review risk assessment in the Organization and the comprehensiveness of existing process for risk management; (c) to exchange information with, and review the effectiveness of, the Organization's internal and external audit functions, as well as to monitor the timely, effective and appropriate implementation of all audit findings and recommendations; (d) to provide, upon request, advice to the Director-General on the matters under points (a) to (c) above; (e) to prepare an annual report on its activities, conclusions, recommendations and, where necessary, interim reports, for submission to the Program, Budget and Administration Committee by the Chairman of the Independent Expert Oversight Advisory Committee.</p>	<p><i>Proposal 2009:</i> At least 2 per year</p>	<p><i>Proposal 2009:</i> The WHO Secretariat will provide Secretariat support</p>

Organization	Title & Date Established	Membership	Role/Purpose and Reporting	Functions/ Activities	Sessions	Secretariat
WIPO	<p>Audit Committee</p> <p>Established: 2006 Renamed Independent Advisory Oversight Committee (IAOC), in October 2010</p>	<p>Members: 97</p> <p>Status: non-staff members</p> <p>Elected by the Program and Budget Committee, following selection process by a Selection Panel established by the PBC</p>	<p><u>Role/Purpose:</u></p> <p>An independent, expert advisory and external oversight body to assist Member States in their role of oversight and for better exercise of their governance responsibilities with respect to the various operations of WIPO</p> <p><u>Reporting:</u></p> <p>Submits reports to the Program and Budget Committee, which transmits to the General Assembly.</p> <p>Quarterly meeting reports and Biennium Report published on the WIPO website</p>	<p>(a) Promoting internal control by: (i) Systematic appraising of management's actions to maintain and operate appropriate and effective internal controls; (ii) Contributing, through its scrutiny function, to the maintenance of the highest possible standards of financial management and the handling of any irregularities; (iii) Reviewing the operation and effectiveness of the Financial Regulations; (iv) Reviewing management's assessment and approach to risk; (v) Reviewing arrangements for checks and balances in areas such as ethics, financial disclosure, fraud prevention and misconduct.</p> <p>(b) Focusing assurance resources by: (i) Reviewing and monitoring the effectiveness of WIPO's internal audit function; (ii) Exchanging information and views with the external auditor, including his audit plan; (iii) Promoting effective coordination of activities between the internal and external audit function; (iv) Confirming audit and assurance arrangements have been conducted and delivered during the year to provide the necessary levels of assurance required by the General Assembly. (c) Overseeing audit performance by: (i) Monitoring the timely, effective and appropriate responses from management with regard to audit recommendations; (ii) Monitoring the implementation of audit recs; (iii) Monitoring the delivery and content of financial statements in accordance with the requirements of the Financial Regulations. (d) The Program and Budget Committee may from time to time request the Audit CommitteeIAOC to review or oversee particular activities and projects, such as: - the New Construction Project, - the WIPO desk-to-desk assessment, and- any other major project. (e) The Audit CommitteeIAOC shall make recommendations to the Program and Budget Committee on issues within the terms of reference of the Audit CommitteeIAOC, as it considers appropriate.</p>	<p>4 per year (4 full days per meeting) and representation at PBC and GA</p>	<p>Assistance provided by WIPO Secretariat outside Internal Audit and Oversight Division: (a) logistical and admin. support and (b) substantive and technical work in preparation for Audit CommitteeIAOC meetings, which may include research and background position papers, and others, as may be requested by the Audit CommitteeIAOC.</p> <p>G6 part-time Assistance should be in the form of dedicated, independent Professional and General Service Assistance serving on a part-time basis as Secretariat for IAOC.</p>

<i>Organization</i>	<i>Title & Date Established</i>	<i>Membership</i>	<i>Role/Purpose and Reporting</i>	<i>Functions/ Activities</i>	<i>Sessions</i>	<i>Secretariat</i>
WMO	Audit Committee	<p>Members: 9 + 2 alternate</p> <p>Status: non-staff members</p> <p>5 members elected by Executive Board</p> <p>4 Financial Experts proposed by the Secretary-General and appointed by the President of WMO</p>	<p><u>Role/Purpose:</u></p> <p>To appraise the Executive Council of the Secretary-General's actions to maintain and operate appropriate and effective internal controls and to review, agree and approve the audit plans, arrangements for and reports of internal and external audit.</p>	<p>(a) Systematic appraisal of the actions of the Secretary-General to maintain and operate appropriate and effective internal controls;(b) Encourage the development of an anti-fraud culture through its scrutiny function;(c) Review the operation and effectiveness of the Financial Regulations;(d) Review the Secretary-General's assessment and approach to risk;(e) Take note of the audit plans, arrangements for, and reports of Internal and External Audit;(f) Encourage liaison between the internal and external audit functions;(g) Review how the audit and assurance arrangements have been conducted and delivered during the year to provide the necessary levels of assurance required by the Executive Council and Congress;(h) Make observation on the timeliness, effectiveness and appropriateness of responses from the Secretary-General with regard to audit recommendations;(i) Monitor the delivery and content of financial statements in accordance with the requirement of financial regulations;(j) Review the manner in which the audit recommendations have been implemented.</p>	<p>3At least 2 per year</p>	Office of the Assistant Secretary-General
Other International Organizations						
IAEA	<i>No Oversight/Audit Committee</i>					
WTO	<i>No Oversight/Audit Committee</i>					

[Annex II follows]

MEMBER STATES' VIEW ON GOVERNANCE AT WIPO
(reproduced in the order of receipt)

MONACO

[Translated from the French]

Comments from the Principality of Monaco, with a view to the preparation, by the WIPO Secretariat, of an updated document on governance structures within the United Nations system and WIPO.

1. On reading document WO/GA/38/2 containing the recommendations of the WIPO Audit Committee, which includes a comparative table on governance structures within the organizations, programs and funds of the United Nations system, it becomes apparent that, in cases where external and independent committees responsible for audit and oversight functions exist, these committees submit their recommendations directly to the body to which they are obliged to report, in accordance with the terms of reference of their mandates.

In most cases, the body examining the reports and recommendations of the oversight/audit committee is either a subsidiary organ responsible for issues linked to the program, budget and administration of the Organization (e.g. the Programme, Budget and Administration Committee of the Executive Board [PBAC] of the World Health Organization [WHO], the Programme, Financial and Administrative Committee [PFAC] of the International Labour Office [ILO]), a plenary policymaking body (e.g. the General Assembly of the United Nations) or an executive body (e.g. the Executive Board of the United Nations Educational, Scientific and Cultural Organization [UNESCO]). With regard to the Funds and Programs, such as the United Nations Children's Fund (UNICEF) or the United Nations Development Programme (UNDP), the reports of the audit and oversight bodies are submitted to the chief administrator (Executive Director). **In any event, the body which examines the recommendations and reports of the audit and oversight committee also carries out other tasks, such as the examination of the program, budget and financial issues.**

Therefore, subject to any updates that the Secretariat might introduce to its document, it seems **that none of the international organizations has an organ exclusively responsible for studying the reports and recommendations of the oversight/audit committee prior to their examination by the body which constitutes their main audience.**

The addition of a further level of governance to WIPO, with the creation of a body exclusively responsible, upstream of the Program and Budget Committee (PBC), for interaction with the Independent Advisory Oversight Committee (IAOC) **would give rise to an unprecedented situation within the United Nations system.**

2. With its Audit Committee, WIPO **conformed to the classic model of governance** as described in paragraph 1, given that its reports and recommendations were submitted to the PBC, a subsidiary organ responsible for issues linked to the program, budget, finances and administration (the equivalent of the PBAC of WHO, or the PFAC of ILO). As to the draft Terms of Reference (ToRs) of the IAOC, subject to their adoption by the General Assembly, **a similar arrangement will be introduced, with the PBC receiving the reports of the IAOC.** Furthermore, this text also provides for **the holding of information meetings between the IAOC and the Member States following each IAOC meeting.**

3. In light of the above information, the Principality of Monaco believes that the creation of a new intermediary body, whatever its composition might be, exclusively responsible for interaction with the

IAOC, would contravene the current practices of the United Nations system and would only further complicate the structure of governance and procedures (already relatively complex) currently in place at WIPO.

4. The Principality of Monaco is, however, aware of the concerns expressed by certain delegations with regard to the difficulties faced by the PBC in giving the recommendations of the IAOC all the necessary attention, in particular during a budget year, owing to a heavy agenda. In order to resolve this situation, Monaco considers that, above all, **it is necessary to improve the management of time and the procedures in force, even if this means introducing the necessary modifications.** Therefore, the Principality of Monaco would be grateful if the Secretariat would indicate, in its document, the possible changes aimed at streamlining the work of the PBC, as well as their practical and material repercussions.

CHINA



中华人民共和国国家知识产权局
State Intellectual Property Office of the People's Republic of China

6 Xituchenglu, Haidian District, Beijing 100088, P. R. China
P.O.Box 8020, Tel: 008610-6208 3275/3268, Fax: 008610-6201 9615

March 4, 2011

Attn: Secretariat of the World Intellectual Property Office

Dear Sir/Madam,

According to the notification....C.N.3206..and following the decision of the 16th Program and Budget Committee Meeting, the State Intellectual Property Office (SIPO) of the People's Republic of China, on behalf of the Chinese government, would hereby provide its views on WIPO's governance as follows:

1. The Chinese side highly appreciates the achievements that WIPO has scored over years in governance by developing and keeping improvement of an efficient working and governance mechanism.
2. As the Program and Budget Committee (PBC) has been handling more and more important matters of WIPO, it is needed to further improve the efficiency and effectiveness of relevant governance in WIPO. Thus, the Chinese side puts forward the proposal that the existing mechanism should be sufficiently used to deal with WIPO matters, and that efforts should be made to avoid new and overlapping bodies. In order to give the PBC enough time for discussing important matters of WIPO, it is the view of the Chinese side that an increase of the frequency as well as the duration of the PBC session would be considered, for instance, from once a year to twice or three times a year, and each time the duration being extended from 3 days to 5 days.

State Intellectual Property Office
Of the People's Republic of China



UNITED KINGDOM

VIEWS OF THE DELEGATION OF THE UNITED KINGDOM ON GOVERNANCE AT WIPO

“At its sixteenth session (January 12 and 13, 2011), the Program and Budget Committee (PBC) requested the Secretariat to prepare a document on governance at WIPO (by April 2011), with Member States’ input, for consideration by the PBC at its session in June 2011 (PBC decision on item 5, paragraph (v), document WO/PBC/16/5). In accordance with paragraph v(b) of this decision, the document is to include “input from Member States, addressing their views on WIPO’s governance.”

During the sixteenth session of the PBC, Member States discussed various aspects of governance that were felt needed further analysis, some of these specific, and others less so. A specific line of enquiry established was in regard to the Audit Committee's recommendation to create a smaller governing body at WIPO. Other less specific issues mentioned by delegates included “WIPO”s governance structure... and functioning, which went beyond the PBC itself... and any gaps that existed in their view, and proposals on how these gaps could be addressed and corrected.”

We would like to address our views in this order, primarily examining the audit committee recommendation on the creation of a smaller governing body, and then examine other organisation-level and committee-level issues that we feel need addressing.

1) AUDIT COMMITTEE RECOMMENDATION

At the Sixteenth Session of the Program and Budget Committee, Member States gave consideration to a recommendation from the Audit Committee, as follows:

*EXTRACT FROM DOCUMENT WO/GA/38/2
ASSESSMENT OF THE WORK AND OPERATIONS OF THE WIPO AUDIT COMMITTEE,
AUGUST 18, 2009*

*“The WIPO AC is an advisory oversight mechanism for Member States. The interaction between the Audit Committee and Member States has been sporadic and not synchronized with the PBC, which meets once per year. In other UN organizations, there is a smaller and more functional layer of governing body **that meets more frequently to interact with oversight bodies, and act upon their reports.***

74. It is recommended that Member States consider the establishment, within WIPO, of a new more functional governing body meeting more frequently than the PBC, with a possible membership of twelve to sixteen.”

We very much agree that Member States should be acting upon the reports of oversight bodies, and that these reports have a sufficiently wide exposure to the membership. We feel that there might be an issue of sufficient WIPO membership representation if these reports were only examined by a small number of Member States. Therefore we are glad to see that a solution has been potentially found using existing architecture to try and rectify this governance gap, namely by extending the existing sessions of the PBC this year in order to give dedicate time to examining the reports of the oversight bodies.

Given that the Audit Committee itself has pointed to the need for Member States to increase their level of involvement in exercising their rights to oversee the work of the Audit Committee

and following up on its recommendations, we would be concerned that formally creating an additional layer of governance would not resolve this lack of attention. Rather, it is incumbent on delegations to exercise their rights in oversight.

This delegation has yet to hear any inherent rationale for the creation of a new layer of governance which would resolve any of the current issues which we feel need addressing. In principle we would be against any arrangement which could lead to duplication of existing arrangements and responsibilities, and potentially create confusion. Rather, we would look to improve the existing governance structure, and there certainly are ways we can do this without having to redesign the organisation. Primarily, as mentioned earlier, the PBC membership should more explicitly exercise its right of WIPO oversight, like an executive board of shareholders, in particular on significant financial issues. For example, in order to limit the continuous accumulation of reserves, WIPO might think about services fees reductions.

The two bodies within which Member States examine oversight issues currently are the Program and Budget Committee and the Coordination Committee. We note Article 8 of the WIPO Convention states that

(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;

*(vii) perform such **other functions as are allocated to it under this Convention.***

From this we read that if Member States want to allocate additional responsibility to the Coordination Committee, that this would require amendment to the Convention in order to do so. However, as long as Member States agree a clear division of responsibility between the two bodies, we would see no need to amend the convention since “matters of common interest” should encompass all of the governance work which Member States should be engaging in. This clear division of responsibility is, in our delegation’s view, a key priority. Human resource issues, for example, in our view should sit within the PBC.

(We also note (3)(i) here, given that there appears to be confusion sometimes about adding future items to the agenda of the General Assembly. It is clear that the preparation of the draft agenda of the General Assembly is the Coordination Committee’s role, and therefore that any proposal for the agenda of the General Assembly can only be directed to the Coordination Committee to decide.)

It would also be appropriate here to highlight our agreement with a point made by a number of delegations regarding the usefulness of informal DG-leg consultations with Member States. We have welcomed these consultations across a range of issues, including budgetary matters, the Strategic Reform Program and external offices policy. We welcome this level of Member State involvement and would want to see it continue in a fair and representative manner.

There are other organisational-level issues where we feel useful changes can be made, which are discussed next.

2) OTHER ORGANISATION-LEVEL ISSUES

Audit

Regular meetings of IAOC with IAOD and the External Auditor will strengthen mutual support and trust through exchanging experiences and views, which will help to reduce any potential misunderstanding. These need to become a standard item on the agenda of the IAOC, particularly because in cases of gaps of cooperation between external and internal control, IAOC can act as an important intermediary.

In particular we would also recommend that:

- External Auditors and IAOC should discuss audit planning at the outset of an audit and review audit observations before approval of the annual accounts.
- IAOC assesses the objectivity and balance of management's external reporting.
- IAOC keeps informed on the implementation of the recommendations of IAOD and the External Auditors.
- IAOC keeps informed of the deliberations of the United Nations Panel of External Auditors.

We note that the term of office for the existing Director of IAOD finishes in January 2012. Given the importance of this role, the new appointee should commence their role at such a time in 2011 that ensures sufficient overlap and proper transition between the departing and incoming Director, and reduces the likelihood of any material gaps in oversight.

Statement of Internal Control (SIC)

High quality internal control systems help organisations achieve their aims. We feel therefore that it would be highly advantageous for WIPO to adopt an annual Statement of Control. This is a public accountability document that describes the effectiveness of internal controls in an organisation and is personally signed by the Accounting Officer. To help Audit Committees add value to their organisations in this area, the guide identifies good practice in corporate governance, risk management and internal controls, as well as the disclosure of these within the SIC.

Risk register

We also feel it would be advantageous for WIPO to adopt an organisation-wide risk register, building on the success it has had with its application to the new building. Risk registers are widely used within risk management for identifying, analysing and managing risks. In this context a project risk is essentially an uncertain event that, should it occur, will have an impact on the project (this could be positive or negative). Identification and mitigation of important risks, risks are often given a ranking with the highest priority risks clearly identified to all involved.

An understanding of the risks faced by WIPO at a strategic level is essential. The lack of an Enterprise Risk Management system is a risk because, as a consequence, staff and Member States might not be able to fully appreciate the strategic risks faced by the Organization. Typically a risk register contains: a description of the risk; the impact should this event actually occur; the probability of its occurrence; a summary of the planned response should the event occur; a summary of the mitigation (the actions taken in advance to reduce the probability and/or impact of the event).

Strategic Realignment Program (SRP)

Given that the SRP is a major part of reform in WIPO, and one that we have welcomed enthusiastically, we would want to ensure that progress on SRP implementation is a fixed agenda item in Audit Committee meetings and that Member States are presented with appropriate progress reports.

The Audit Committee has highlighted that *“the main risks to successful SRP completion related to the involvement and support of the staff at large and in the availability of skilled resources to manage and implement the Program”* (WO/IOAC/19/2 REV), therefore we would want to ensure that this concern was being alleviated.

The Committee also recommended that, *“relating to the implementation of the recommendations contained in the “Review of Internal Control Review and Gap Assessment at WIPO” (IA/01/2010, dated June 20, 2010) that “The SRP Project Management Office should regularly use the WIPO Entity-level Control Gap and Analysis Tool contained in the report, to provide the SMT (in particular the SMT champions) with a tool to monitor progress made in overcoming internal control gaps identified.”* Again, we would want to ensure that this recommendation was being implemented.

Investigations

According to the Audit Committee, there is a *“lack of checks and balances in the investigation process concerning the accountability of investigators and the exercise of authority in this field by the IAOD Director. While preserving the independence of the function of the IAOD Director, the Committee considered that provisions concerning the accountability of the IAOD Director and investigators in the conduct of investigations and the review process of their operations by an independent oversight body need to be specified.”* (WO/IAOC/19/2)

We would like to know if these provisions have now been specified.

Services fees

Appropriate services fee (e.g. PCT) discounts should be available for users in developing countries. The criteria used to calculate which countries are eligible for these discounts should be based on ability to pay, and take into consideration country levels of growth. This also incentivises Member States, who have more „ownership“ of the systems, to therefore strive for further service efficiencies.

3) COMMITTEE-LEVEL ISSUES

Committee meeting agendas

We think WIPO and the Member States should aim to have agendas agreed, as much as possible, prior to committee sessions. On occasions when this has not been the case, valuable plenary time is then spent unproductively to agree these.

Working days

On average, delegates lose around 10-20% of the working day through late morning and afternoon starts to plenary sessions. We would therefore prefer to see the chairperson commencing committee sessions at 10:00 and 15:00 sharp unless there are quorum requirements.

Submission of working documents

Proposals or documents submitted by Member States for consideration in WIPO meetings should be submitted to the Secretariat within the set period of time to allow for translation and for proper consideration by other Member States. Delegations require time for their capitals to analyse documentation sufficiently – this is not possible if Member States submit new documents during meetings and expect decisions to be taken on them.

Opening Statements

We feel that plenary sessions would be more time-efficient if opening statements were only made by official regional groups. Should individual Member States wish to make opening statements, these would then be submitted in writing for the record. Substantive points could then be made as and when Agenda items are discussed. Currently, a significant amount of plenary time is taken up with opening statements, the substantive points are which are then repeated when substantive agenda items are reached.

Interventions

Too often debates in plenary sessions have been unconstructive in helping Member States make progress in their work. We would note that Chairpersons should bear in mind that they have recourse to Rule 13(3) of the WIPO General Rules of Procedure:

“He may propose limiting the time to be allowed to each speaker, limiting the number of times each delegation may speak on any occasion, closing the list of speakers, and closing the debate.”

We would suggest that speakers in committee sessions have allocated time slots, as is the case with other UN bodies with good results for efficient time-keeping.

Legal adviser

Given the potential legal ramifications and questions around much of the work delegates perform in committee sessions, we would want to continue to ensure that a legal adviser is always available to consult at these times if necessary.

JAPAN

Responding to C.N.3206, the delegation of Japan submits its view on the recommendation from the Audit Committee contained in paragraph 74 of document WO/GA/38/2 to “*consider the establishment, within WIPO, of a new more functional governing body meeting more frequently than the PBC, with a possible membership of twelve to sixteen*” as follows:

This delegation believes that members should seek possibilities to use existing bodies in more effective manner to the extent possible rather than rush to create new body for the following reasons.

It is necessary to bear in mind that the budget of WIPO consists mostly of the income from fees of international systems (especially PCT) and greater percentage of WIPO’s budget should be used to enhance the convenience of such international systems and the related existing services for the benefit of users. In general, creation of new body needs additional cost and human resources. Taking account of the aforementioned situation about income, additional cost should be avoided without sufficient justification from various viewpoints including contribution to users’ benefit from the international systems. In this regard, this delegation doesn’t feel that concrete and rational reasons have been shown so far to establish a new governing body. Although we share the view that interaction between a governing body and oversight bodies is important for effective and appropriate reflection of inputs from oversight bodies, appropriate solution should be sought by using the existing bodies.

Furthermore, we believe that unnecessarily complex structure of organization could be some kind of obstacle for efficient and effective work. One of core-value of WIPO Strategic Realignment Program, which this delegation attaches a great importance on, is “Working as one – we work as an integrated, responsive and efficient entity that is fit for purpose and delivers value for money.” This spirit should also be respected when we seek appropriate way to responding the recommendation by Audit Committee. Unnecessary complexity of organization doesn’t fit such spirit and appropriate balance of efficiency and inclusiveness is essential to embody such spirit. Therefore, this delegation is not persuaded to create a new governing body which might cause such complexity without concrete and rational substantiation that existing bodies could not be further utilized and improved for that purpose.

WIPO has already had two governing bodies, the Program and Budget Committee and the Coordination Committee. Both of these could be further utilized and improved depending on governance-related issues, taking account of respective mandate. This delegation strongly believes that the coming PBC should focus on discussion on how to deal with recommendations by the Audit Committee in these bodies on the premise that a further governing body is not created. We are open to extend the term or increase the frequency of the sessions

of these bodies, not regular but issue-by-issue basis to discuss necessary issues such as the recommendations by Audit committee. This could be a possible option we can adopt on a trial basis. After some fixed term, the situation could be reviewed and, if any, remaining issues which should have to be discussed but are spilled out from these bodies will be identified concretely. Such actual identification of the remaining issues to be discussed could contribute to further consideration of appropriate structure.

AUSTRALIA

Input from Australia Addressing its Views on WIPO's Governance

Introduction

At its sixteenth session, the Program and Budget Committee (PBC) requested the Secretariat to prepare a document on governance at WIPO for consideration by the PBC at its session in June 2011. Australia has the pleasure to provide its views to the Secretariat on WIPO's governance as requested in the PBC decision on item 5, paragraph (v), document WO/PBC/16/5. In accordance with paragraph v (b) of the decision, Australia provides this input addressing its views on WIPO's governance.

WIPO Governance

WIPO is in an important period of transition. WIPO is now fully engaged in major reforms aimed at strengthening its position at the centre of the international intellectual property arena. This task has started with an appropriate and timely restructuring of the Organization itself.

Australia welcomes the steps that have been taken towards realisation of the Strategic Realignment Program. This program will make WIPO a more flexible and professional organization that is better placed to adapt to changing circumstances. Australia looks forward to the continuation of the implementation of the Strategic Realignment Program. This will result in a wide range of significant changes to the Organization to improve service delivery and accountability. In particular, Australia welcomes initiatives to improve human resource management, including the strengthening of WIPO's internal communications and launching of the performance management and staff development systems.

Australia is pleased by recent WIPO initiatives, including the extensive personal engagement of the Director General, to increase transparency and consultation with Member states. These initiatives contribute significantly to more constructive engagement and play a crucial role in building relationships between the International Bureau and Members and among Member states.

Governance Structure

Australia's view is that the current governance structure of WIPO is sufficient and appropriate. Rather than creating a new formal level of governance within WIPO, such as an "Executive Body" or similar, Australia advocates that Member States should focus on improvements to existing bodies, as has already been commenced. In particular improvements in the responsiveness of the Program and Budget Committee are welcome. In addition, Australia welcomes regular increased consultation with Member states at all levels. We view this as a useful way to focus on improved governance arrangements.

While Australia is happy to engage in further discussions on ways to improve governance within WIPO, any new formal level of governance proposals would need to be the subject of extended and in depth consideration. Australia has identified previously a number of issues that would need to be discussed and considered in detail including, how to ensure inclusiveness for all Member States, cost to the

Organization, selection process for members of any new formal governance body, and clarity of roles of the Coordination Committee, the WIPO Management Team and the body itself.

Further, consideration would need to be given to whether such a formal level of governance would require amendments to the WIPO Convention. To be clear, Australia is not advocating any amendments to the WIPO Convention, but any proposals for a formal level of governance body would need to consider amendments depending on the role of any such body.

Australia is willing to continue discussing this issue, but believes current arrangements are satisfactory and focus should be on progressing the normative work of the Organization.

Possible Improvements

Australia would like to offer some suggestions for areas where WIPO governance could be improved within existing structures.

In terms of Chair selection mechanisms, Australia would like to see a clear and consistent selection process for Chairs of WIPO committees. This would ensure certainty as to the qualities and expertise of individual chairs and a clear process for their selection.

Regarding the work of the Program and Budget Committee (PBC), efficiencies could be found in extending the time the Committee sits and considers its agenda and work. In addition, more regular meetings of the PBC could be scheduled to assist it to complete its tasks. Alternately or in addition, a small working group of the PBC could be established, on an ad hoc basis, to consider the reports of the oversight bodies and make recommendations to the PBC. These suggestions, of course, would need to be considered in light of budgetary implications.

At the operational level of committees, Australia is of the view that agendas should be agreed, where possible, before the committees meet. This would lead to greater efficiencies whereby the committee focuses on its work rather than procedural discussions to agree on the agenda. Committee meeting times should be better adhered to. Australia supports moves where the chair commences sessions of committees punctually. Efficiencies could also be found with Member States submitting meeting documents on time prior to meetings, and submitting any opening statements in writing where possible and appropriate.

Australia stands ready to cooperate with Member States and the Organization to develop more flexible, efficient and effective systems within existing structures. We appreciate being given the opportunity to submit our views on WIPO governance.

DEVELOPMENT AGENDA GROUP

VIEWS OF THE DEVELOPMENT AGENDA GROUP (DAG) ON WIPO'S GOVERNANCE

The Program and Budget Committee (PBC) at its sixteenth session (January 12 and 13, 2011) "requested the Secretariat, following up on the Roadmap set out in document WO/GA/39/13 and the recommendation contained in paragraph 74 of document WO/GA/38/2, to prepare a document, with Member States' input, by April 2011, for consideration by the Program and Budget Committee at its session in June 2011. This document is to include: (a) update, based on Appendix I of document WO/GA/38/2, on the governance structures of the United Nations and other intergovernmental organizations; (b) input from Member States, addressing their views on WIPO's governance; and (c) a review of prior documentation on governance at WIPO". This submission is in response to the Secretariat's call for "inputs from Member States, addressing their views on WIPO's governance", as mandated above, by the 16th session of the PBC.

It presents DAG's views on the establishment of "a more functional governing body meeting more frequently than the PBC, with a possible membership of twelve to sixteen", as recommended by the Audit Committee (WO/GA/38/2), but also includes considerations and suggestions on other aspects of WIPO governance that deserve attention.

The following proposals are made with a view to contributing to a more effective realization of WIPO's goals. DAG believes that a member-driven WIPO whose working procedures and decision-making processes are transparent, democratic and inclusive will enhance trust among Member States as well as the quality of service provided by the Secretariat.

(A) EXECUTIVE BOARD/COMMITTEE

As observed at the Audit Committee Report, there seems to be a need for a more functional governing body meeting more frequently than the PBC and with a reduced membership. This would allow for, among other things, a greater participation of Member States in (i) the preparation of WIPO's draft Program and Budget, (ii) the allocation, expenditure and investment of resources; (iii) staff recruitments; and iv) exercising meaningful and effective oversight of the management of the Organization.

To address this, an Executive body comprising Member States, should be established. The membership of such a body should be small enough to facilitate effective functioning and large enough to be equitably representative of various geographical regions. The Executive Board/Committee should be mandated to oversee program, budget and human resource issues and also facilitate institutional processes such as appointment of Chairs and Bureaus of various Committees, on the basis of accepted guidelines. This would facilitate greater participation and ownership of Member States in key decisions and processes of the Organization, while also ensuring accountability of the Secretariat to WIPO's membership.

(A.1) REFORM OF THE COCO



One way of setting up such a body without fundamentally revising the WIPO Convention or WIPO's governance structure would be to suitably redesign the existing Coordination Committee (COCO) to fulfill its Executive Committee functions, as originally foreseen in the Convention, by making the following changes:

- (i) The large membership of COCO, as it currently stands, does not allow it to discharge its functions as an Executive body, assisting the Secretariat. One option would be to reduce its current membership, while ensuring equitable representation of all geographical regions.
- (ii) The mandate of COCO would need to be reviewed to include Program, Budgetary and Oversight issues, in addition to staffing issues.
- (iii) The periodicity of meetings would also need to be suitably revised.

Under this proposed model, the Program and Budget Committee (PBC) would continue its mandated task of approving the biennial Program and Budget and retain its current composition.

Reducing COCO's membership would probably entail a review of the process of election of the Director-General. Currently, only the 83 Member States that are members of COCO have a say in the Director-General's selection, which is submitted for endorsement by all Member States in the General Assembly. Were the membership of the COCO to be reduced, Member States would have reasons to be concerned about the legitimacy of such a small group of countries exercising the right to select/elect the Director-General. A possible solution would be to have the General Assembly elect the Director-General. This would also respond to the broad objective that the key decisions of the Organization be open to participation of all Member States in an inclusive, transparent and democratic manner.

(A.2) ESTABLISHMENT OF A NEW BODY

Other option would be to create a new body with a broad mandate and a reduced number of members to perform the Executive Committee's functions and maintain the current structures of the COCO and of the PBC. However, this would probably entail a revision of WIPO's Convention or WIPO's governance structure.

(B) OTHER GOVERNANCE ISSUES

As stated previously, DAG believes that other aspects of WIPO's governance deserve Member States' attention. To allow time for discussion of these other governance issues, an inter-governmental working group could be set up under the PBC with the mandate to discuss and present suggestions within a pre-determined deadline. The following issues, among others, could form part of the agenda of this Working Group:

- 1) Establishment of a Bureau for each WIPO Committee and Working Group, responsible for all matters relating to organization and procedure, with rotation of Chairmanships among various geographical regions.
- 2) Review of WIPO's rules of procedure, as necessary, to ensure well-defined, streamlined and clear rules of procedure for all WIPO bodies in order to facilitate predictability, transparency and consensus-building.



A handwritten signature in black ink, appearing to be "J. J. J." or similar, located to the right of the stamp.

3) Extension of the sessions of the PBC to enable more meaningful oversight of WIPO's Programme and Budget by Member States and allow adequate time to address the several important issues with medium and long-term implications for the Organisation, on its agenda.

4) Review of the calendar of meetings to allow for predictability and sufficient time for delegations to prepare between meetings.

5) Review of WIPO bodies and their meeting schedules, with a view to analysing whether the existing Committees and Working Groups are addressing all the relevant areas of WIPO's mandate in an optimal manner, in terms of time and resources.

6) Review of WIPO's oversight system of triangular evaluation, as advised by the IAOC to the 39th General Assemblies held in September 2010.

7) Review of WIPO's personnel issues, with more attention being paid to the processes of appointments and recruitments and avenues for interaction of Member States with the Staff Council, so as to address and resolve problems in a timely manner, without allowing them to fester. The possibility of establishing of a minimum "cooling off" period for personnel from Geneva-based Missions and officials from capitals would also be considered.



THE AFRICAN GROUP

THE VIEWS OF THE AFRICAN GROUP ON WIPO GOVERNANCE 21 MARCH 2011

I EXECUTIVE BOARD¹

i) Rationale for the Executive Board

The African Group is of the view that there should be a functioning Executive Body for WIPO as it is the practice for most of the United Nations (UN) specialised agencies. The issue of governance is not new in WIPO as it was discussed in the past. For the African Group, the need for a new Executive Body is premised mainly on three broad aspects namely: 1) the inefficiency of the current governing bodies; 2) enhancing and normalising WIPO to ensure transparency and predictability; and 3) the need to improve the governmental oversight in WIPO.

The inefficiency of the current governing bodies

The need to have a new body is based, to a large extent, on the assessment of the current structures, dealing with governance. The Coordination Committee (CoCo) meets in an irregular manner (average 1 meeting a year) and upon convocation by the Director General. Given the importance of the advisory role of the CoCo, it is inadequate for such a body to only meet once a year and Member States ought to be consulted on its scheduling. Similarly, the Program and Budget Committee (PBC) meets once a year and only for 3 days. There have been numerous, albeit, unsuccessful attempts to extend the duration of the PBC for it to cover all issues on its agenda effectively. The inadequacy of these two bodies inevitably calls for urgent structural adjustments within WIPO.

Enhancing and normalising WIPO to ensure transparency and predictability

The creation of an Executive Body would enhance confidence and trust building and enable Member States to play a central role in directing the affairs of WIPO. The Executive Board should enhance the role of Member States in WIPO not only on substantive issues but in the overall governance of the organisation. The Executive Board would enable Member States to discharge their usual theoretical responsibility of overseeing the Director General and the Senior Management Team, in practice.

The Executive Body will discuss and approve the WIPO calendar of meetings and events as it is the case in other UN fora. Currently, the Secretariat assumes the responsibility of drafting the

¹ ¹ The concept Executive Board is used interchangeably with Executive Body.

calendar of events without consulting Member States. The current system is oblivious to the challenges Member States face regarding participation in WIPO substantive meetings. For instance, the 2011 calendar of meetings is not balanced. This is illustrated by the asymmetrical allocation of meetings in the year, with only a few allocated to the first semester and a lot to the second semester. This schedule makes planning and preparations for the meetings challenging especially for small delegations.

The need to improve the governmental oversight in WIPO

The PBC is the only body that discusses reports of the WIPO Independent Oversight Advisory Committee. As such, it is inadequate to discuss the findings regarding the overall work of the organisation. It is only logical that there be an overarching Executive Body to discuss and follow-up on the implementation of the recommendations made by all oversight bodies including the UN Joint Inspection Unit.

The staff matters are currently discussed in the PBC within the context of budget implications. Staff matters have not been discussed in-depth beyond that because the CoCo is held once in two years to endorse the decisions of the PBC. The PBC discusses programme and financial matters so it is not a platform to discuss other issues pertaining to staff. The new Executive Body would also receive and discuss reports on non-financial personnel matters. This will also allow a more regular and institutional interface between Member States and the Staff Council.

ii) Options for the creation of the Executive Board

To improve governance in WIPO three options could be offered:

Option 1: to review the mandate of the existing governance structures, the PBC and the CoCo.

Option 2: to create a new Executive Board to discuss and address the dysfunctions that Member States have been facing in governance issues. It should combine the functions of the Coordination Committee and the PBC.

Option 3: Empower the CoCo with executive functions and limit the PBC to issues pertaining to programme and budget only. Naturally this would entail more meetings of the CoCo.

All the options could lead to the same objective which is reinforcing the role of Member States and improving the governance of WIPO.

The composition of the Executive Body is important. The new Executive Body should be highly representative taking into account geographical representation. This particular issue would be discussed further once there is agreement on the creation of an Executive Board.

Other details pertaining to the modalities of the Executive Board such as the frequency and duration of meetings and its full powers and functions will be discussed once there is an agreement on the creation of the Executive Board.

II OVERALL GOVERNANCE IN WIPO

The African Group's view on the overall WIPO governance is as follows:

i) Election of the Director-General

The DG should be nominated and elected by the GA, which involves all the Member States. The duration of its term should be limited to 4 or 5 years (as it is the practice mostly in the UN Agencies), renewable once. There should be the geographic rotation for the DG position as it is the case for the UN and some UN agencies.

ii) Balanced geographical representation of the Staff:

According to the statistics given by the Secretariat, 50% of the staff of the Secretariat is from one country of Group B. This unbalanced situation is a source of deep concern and should be addressed by all possible means (for example, positive discrimination, and annual quotas for developing countries). The recruitment process should be made clear and the principle of geographic representation must be implemented.

iii) Designation of Officials participating in the WIPO meetings

Member States have the authority to designate officials that should take part in the WIPO meetings in Geneva and/or outside Geneva and the Secretariat should be neutral and not interfere in that designation. The Secretariat should also not interfere in the nomination of Chairs of WIPO Committees/bodies.

iv) Calendar of the meetings

Member States should be consulted on the drafting of the WIPO calendar of meetings simply because the current system is oblivious to the challenges Member States face regarding participation in WIPO substantive meetings. For instance, the 2011 schedule of meetings is not balanced. This is illustrated by the asymmetrical allocation of meetings in the year, with only a few allocated to the first semester and a lot to the second semester. This schedule makes planning and preparations for the meetings challenging especially for small delegations.

v) WIPO notifications

WIPO notifications should be transmitted to Member States through the diplomatic channel, which is through the Missions. Currently, notifications are dispatched late with a limited time provided for reply. Notifications requiring reply should be dispatched to the Mission providing at least a month for submitting response.

vi) Publication of the working documents

WIPO working documents should be made available in all six languages and posted in the website sufficiently in advance (2 months before the meeting, as it is mentioned in the General rules of procedures).

vii) WIPO Official languages

All WIPO official languages should be treated on equal footing.

viii) Rationalisation of the existing WIPO bodies

There are currently too many bodies in WIPO that most Member States are even aware of. It is therefore necessary to take stock of their functions and relevance. It is proposed that there should be an intergovernmental mechanism created to review and assess the relevance of these bodies. Some of these bodies should be rationalised to reduce their number.

UNITED STATES OF AMERICA

VIEWS OF THE UNITED STATES ON WIPO GOVERNANCE

The delegation of the United States submits its views below on WIPO Governance issues, pursuant to C.N.3206, on the recommendation from the Audit Committee contained in paragraph 74 of document WO/GA/38/2 to “*consider the establishment, within WIPO, of a new more functional governing body meeting more frequently than the PBC, with a possible membership of twelve to sixteen*”

The United States supports the notion articulated by the Audit Committee in WO/GA/38/2 (now the IAOC—Independent Advisory and Oversight Committee) of the need for Member States to improve their interaction with the Audit Committee and to review the contents of its quarterly reports.

However, the creation of a smaller governing body would limit the access all Member States currently enjoy. This delegation is concerned over the optics and the implementation of a twelve to sixteen member body for an Organization that is: (a) membership-driven by all 184 Member States; and (b) has a recent and limited experience with an external oversight mechanism responsible for reviewing the managerial, administrative and financial aspects of WIPO. The creation of a small governing body would move us in the wrong direction in addressing issues/concerns of Member States’ access to one of the important pillars of WIPO’s oversight and audit measures.

The United States is not convinced that the creation of a limited group, with the mandate to take decisions on broad oversight and financial issues, will ensure improved, increased, or better interaction with the Audit Committee. In addition, an argument can be made that the functioning of WIPO also involves an assessment of progress in the normative area of work. While very little movement has occurred in the substantive committees for many years, the United States does not support the notion of utilizing a static, small governing body to negotiate issues that have failed to reach consensus among the Member States.

The creation of a new governing body could potentially require an amendment to the WIPO Convention, which is unprecedented and should not be considered lightly. There would need to be clear, justifiable reasons for creating another layer in the governance structure. This amendment would have to be viewed as an imperative step for WIPO to address governance gaps. The United States fails to see this as the case, as the Member States through the Program and Budget Committee, Coordination Committee, and General Assemblies undertake their governing role without question. Instead of creating an additional layer of management, Member States should focus on improving the current governance bodies, as well as engaging more actively on governance issues. Furthermore, we fear the political climate among Member States, as noted previously regarding the normative work would taint an amendment exercise. Finally, given budget constraints, we do not believe that resources should be spent on negotiating the creation of a new oversight body.

As stated above, the United States strongly urges Member States to actively engage in reviewing and assessing the reports of the Audit Committee, and to interact more frequently with the IAOC members on the issues presented. This can easily be accomplished through the existing structure. The Committee’s terms of reference specifically state that “*The Audit Committee shall keep Member States informed of its work on a regular basis. In particular, following each of its formal meetings the Committee shall prepare a report for circulation to the Program and Budget Committee*”. To improve the current structure so as to ensure that there is more attention provided from Member States to IAOC reports, the upcoming Program and Budget Committee meetings in June and September 2011 will be extended by two days

each to examine the reports of the oversight bodies. To further enhance Member State attention to the reports, the PBC should consider the following measures:

- The quarterly meetings of the IAOC should include regional chairs and interested delegations during a portion of the meeting.
- The quarterly reports of the IAOC should also include comments/interventions of regional chairs and other delegations.
- The reports for the quarterly meetings should be widely circulated after the meetings and included in the PBC documentation, including on-line.
- The IAOC should continue to produce a summary report to the PBC each year, recording regional group and Member State views on issues raised.

REPUBLIC OF KOREA

Views of the Delegation of the Republic of Korea on Governance at WIPO

At the sixteenth session of the Program and Budget Committee (PBC), the Member States considered the following recommendation of the Audit Committee (AC) (WO/GA/38/2: Assessment of the work and operation of the WIPO AC, August 18, 2009):

73. The WIPO AC is an advisory oversight mechanism for Member States. The interaction between the Audit Committee and Member States has been sporadic and not synchronized with the PBC, which meets once per year. In other UN organizations, there is a smaller and more functional layer of governing body that meets more frequently to interact with oversight bodies, and act upon their reports.

74. It is recommended that Member States consider the establishment, within WIPO, of a new more functional governing body meeting more frequently than the PBC, with a possible membership of twelve to sixteen.

The Republic of Korea (ROK) fully agrees that the present frequency and duration of PBC meetings are inadequate for handling the mountain of pending issues at the PBC. And we believe there is a need for a more synchronized mechanism of interaction between the advisory body and Member States.

However, for the reasons indicated below, we doubt that establishing an additional governing body and imposing a limitation on the membership of the body is a suitable way to redress these problems.

1. The mission or mandate of the new governing body is likely to lead to a duplication of the work of the PBC and the Coordination Committee.
2. Moreover, the establishment of a new layer of governing body might create controversy and lead to a huge waste of administrative resources. The different interests and position of each Member State may complicate the task of achieving a consensus on the mandate and participation criteria of the governing body.
3. Although the research of the WIPO AC on the governance structure of other UN organizations (WO/GA/38/2) reveals that many organizations have small committees (of 12–16 members) to deal with issues of finance, administration and various programs, some organizations such as the IMO and the WHO don't have committees of this type. Furthermore, some organizations' subsidiary organs which deal with administration and budgetary issues have a larger membership than the PBC (54 members). Others even allow all the member states of the organization to participate; for example the Program, Budget and Administration Committee of the ILO; the Budget Control Committee and Administration/Management Committee of the ITU; and the Financial Advisory Committee of the WMO. These cases indicate that limited membership of groups that discuss administration and budgetary issues is not an universal practice within the UN system; in addition, other organizations don't consider the practice to be an effective mechanism.

In conclusion, the ROK believes that a more effective and efficient solution to the above-mentioned problems would be to extend the existing sessions of the PBC. Having said that, if another delegation were to propose a better alternative, the ROK would gladly consider the idea and participate in further discussions on the matter.

GERMANY

Input from Germany on Governance at WIPO

Germany considers that the issue of WIPO governance is important. We fully support all efforts and reforms that serve to strengthen the role of WIPO as the central international organization for intellectual property. In this context, we welcome WIPO's efforts to increase transparency and the consultation with Member States.

Governance Structure

Germany believes that the current structure of WIPO is appropriate and provides the necessary basis for a well-functioning organization. The number of bodies involved in WIPO governance should not be further increased. The creation of new bodies, such as an "Executive Committee", would render the existing structure still more complex but not necessarily more efficient. In addition, the creation of new bodies will not automatically eliminate potential deficiencies in the functioning of existing bodies. Rather, it seems preferable that potential deficiencies be remedied by improving the functioning of the existing structures and bodies.

Improvements within the existing Structure

On a preliminary basis we would like to highlight the following issues:

1. Audit structure

An effective audit structure is a key element of good governance. An important aspect of such a structure is regular and immediate information of the recipients of the audit activities. In order to get there, Germany suggests the following:

- The interaction between auditors and the member states should be improved;
- The chair of the IAOC should give his / her statements at the General Assembly not only when the decisions are already taken but – by the latest – at the beginning of each agenda point.

2. Effective Chair Designation Mechanism

With regard to the work of the committees we support establishing a simple but effective chair designation mechanism.

3. Committee Agendas

In order to render the work of the committees more efficient, agendas should be agreed upon before the committees meet.

4. Transparency and Information Flow

We would also like to see further improvements on transparency and external information flow. Documents should be available in due time before the meeting in order to allow delegations to analyse and consult on them.

FRANCE

[Translated from the French]

Consultation on the governance of WIPO

Comments from France, with a view to the preparation, by the WIPO Secretariat, of an updated document on governance structures at WIPO.

During its Sixteenth Session (January 12 and 13, 2011), the Program and Budget Committee (PBC) requested the Secretariat to prepare an updated document on the governance of WIPO. Consultations with the Member States are ongoing with regard to that task.

France welcomes the reforms undertaken at WIPO with the aim of modernizing the Organization's tools of governance, in particular the Strategic Realignment Program and the reform of human resources management. These initiatives contribute to the maintenance of good practices in terms of management and the flow of information.

France is therefore open to a more broad-ranging discussion on the governance of WIPO. For all that, clarification is required concerning the advisability and the modalities for creating a new body of an executive and intermediary nature.

The institutional structure of WIPO is made up of several bodies: the General Assembly, the Coordination Committee, the Assemblies of the Special Unions and the Executive Committees. The number of bodies and the partial overlapping of their respective mandates led the competent administrative bodies to create a Budget Committee in 1976. In 1998, this Committee was merged with the Premises Committee and its mandate broadened, the result being the Program and Budget Committee (PBC). The PBC now has powers across the board to deal with all administrative and financial issues. The role of the Coordination Committee and the PBC as filters for and advisory bodies to the General Assembly and the Assemblies seems to be satisfactory.

At the beginning of the new millennium, a similar proposal to transform the Coordination Committee into an executive committee was examined and then abandoned, in particular because of the need to amend the Stockholm Convention establishing WIPO.

Moreover, although several organizations within the United Nations system have executive boards, none of them possesses a body combining the Coordination Committee with the PBC. The creation of an intermediary body at WIPO therefore seems redundant.

France encourages WIPO to continue the work to improve the functioning of the PBC already undertaken with the creation of a timetable, the reorganization of the Audit Committee and the extension of sessions. The "spring session" of the PBC, which from now on takes place in June, should be held earlier on in the year, thus leaving time for the consultations and changes to be presented at the following session in September.

[End of Annex II | [follows](#) and of document]

UN System Governance

This table contains data originally collected by the WIPO Audit Committee
The data was verified by 10 organizations. It is to be considered as work in progress

[The data has been updated by all concerned organizations (except for FAO) and is valid as of May 20, 2011]

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues					
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration	
UN Secretariat	192	General Assembly	192	1 per year plus resumed session following year	Fifth Committee (Administrative and Budgetary)	192	Responsibilities for administrative and budgetary matters. Among others, based on the reports of the Advisory Committee on Administrative and Budgetary Questions and of the Fifth Committee, the General Assembly considers and approves the budget of the Organization Major functions: (a) to examine and report on the budget submitted by the Secretary-General to the General Assembly; (b) to advise the General Assembly concerning any administrative and budgetary matters referred to it; (c) to examine on behalf of the General Assembly the administrative budgets of the specialized agencies and proposals for financial arrangements with such agencies; and (d) to consider and report to the General Assembly on the auditors' reports on the accounts of the United Nations and of the specialized agencies. Main subsidiary organ of the Economic and Social Council and the General Assembly for planning, programming and co-ordination.	1 per year plus resumed sessions	9-10 months per year	
					Advisory Committee on Administrative and Budgetary Questions (ACABQ)	16				1 per year Ongoing
					Committee for Programme and Coordination (CPC)	34				1 per year
UN Funds and Programs										
UNDP	--	UNDP Executive	36	3 per year	ACABQ (Advisory Committee on Administrative and	16	Examine and report on the budget submitted by the SG to the GA, advise the GA on administrative and budgetary matters, examine the administrative budgets of the specialized agencies Funds and	Ongoing		

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
		Board			Budgetary Questions)		Programs and other subsidiary organs of the United Nations ; and to consider and report to the GA on the auditors' reports on the accounts of the UN and - specialized agencies Funds and Programs and other subsidiary organs of the United Nations .		
UNFPA	--	UNFPA Executive Board	36	3 per year	ACABQ (Advisory Committee on Administrative and Budgetary Questions)	16	Examine and report on the budget submitted by the SG to the GA, advise the GA on administrative and budgetary matters, examine the administrative budgets of the specialized agencies Funds and Programs and other subsidiary organs of the United Nations ; and to consider and report to the GA on the auditors' reports on the accounts of the UN and - specialized agencies Funds and Programs and other subsidiary organs of the United Nations .	Ongoing	
UNICEF	--	Executive Board	36	3 per year	ACABQ (Advisory Committee on Administrative and Budgetary Questions)	16	Examine and report on the budget submitted by the SG to the GA, advise the GA on administrative and budgetary matters, examine the administrative budgets of the specialized agencies Funds and Programs and other subsidiary organs of the United Nations ; and to consider and report to the GA on the auditors' reports on the accounts of the UN and - specialized agencies Funds and Programs and other subsidiary organs of the United Nations .	Ongoing	
UNHCR	--	Executive Committee	7679	1 per year	ACABQ (Advisory Committee on Administrative and Budgetary Questions) Sub-Committee on Administrative and Financial Matters Standing Committee of the Executive Committee	16	Examine and report on the budget submitted by the SG to the GA, advise the GA on administrative and budgetary matters, examine the administrative budgets of the specialized agencies Funds and Programs and other subsidiary organs of the United Nations ; and to consider and report to the GA on the auditors' reports on the accounts of the UN and - specialized agencies Funds and Programs and other subsidiary organs of the United Nations .	Ongoing	

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
WFP	--	Executive Board	36	3 per year	ACABQ (Advisory Committee on Administrative and Budgetary Questions)	16	Examine and report on the budget submitted by the SG to the GA, advise the GA on administrative and budgetary matters, examine the administrative budgets of the specialized agencies <u>Funds and Programs and other subsidiary organs of the United Nations</u> ; and to consider and report to the GA on the auditors' reports on the accounts of the UN and specialized agencies <u>Funds and Programs and other subsidiary organs of the United Nations. In the case of WFP, the ACABQ is specifically tasked with providing advice to the Executive Board in all matters relating to the financial administration of WFP.</u>	Once a year	Approx. 1 day
					FAO Finance Committee	11			
UN Funds and Programs <u>Specialized Agencies of the United Nations</u>									
FAO	188	Conference of Member States	188	1 per year	Programme Committee	11	The Programme Committee assists the Council in carrying out its duties regarding the development and implementation of the Organization's programme of activities. The functions of the Programme Committee are enumerated in Rule XXVI of the General Rules of the Organization. Members of the Programme Committee are elected during the one-day Council immediately following the Conference.	at least 2 per year	2-5 days
		Council of Member States	49	4 per biennium	Finance Committee	11	The Finance Committee assists the Council in exercising control over the financial administration of the Organization. Its functions are enumerated in Rule XXVII of the General Rules of the Organization. The Finance Committee holds concurrent sessions with the Programme Committee in the exercise of their respective mandates. Members of the Finance Committee are elected during the one-day council immediately following the Conference	at least 2x/year	5 days

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
ICAO	190	Assembly	190	1 in 3 years	Finance Committee	17	Ensure that the amounts voted or otherwise authorized are properly spent and that the most efficient and economical method of carrying out the approved programs is observed; deal with any matter referred to it by the Council.	3 per year	3 1/2 days per session as needed
		Council	36	3 per year	Human Resources Committee(created in 2008)	11	HRC provides policy advice to Council that would promote fairness, equity, integrity, efficiency, effectiveness and transparency. It ensures that such advice reflects best practice in terms of non-discrimination on grounds of equitable geographical representation, gender equality, ethnicity, religion, or disability. Provides advice to Council on: recruitment, talent and career management, separations, and good governance. It should also advise Council on an appropriate accountability framework and a process for oversight to assure the Council that the developed policy is delivered in accordance with the principles above. Specific oversight responsibility: HRC provides advice to the Secretary General on the method and requirements for specific appointments of the principal executives of the Secretariat and reports to the Council in the implementation and outcome of the appointment process.	3 per year	2 1/2 days per session as needed
IFAD	1656 present *soon to be 167 with Hungary ratifying	Governing Council	1656	1 per year	Replenishment Consultation (Budgetary)		Additional contributions to IFAD's core resources have been made through a Consultation on the Replenishment of IFAD's Resources. The Replenishment Consultation is also an important forum for Member States to discuss and make recommendations on the Fund's policy direction and consult with the IFAD's management. The Consultation consists of all Member States from Lists A and B; List C selects Consultation representatives from its membership. Upon conclusion, the Consultation submits a report on the results of its deliberation, and any recommendations, to the Governing Council, with a view to adopting such resolutions as may be appropriate.	1 per 3 years 5 sessions per year	2 days per session
		Executive Board	386 (18 + 18 Alternate)	3 per year					

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
					Evaluation Committee	9	<p>The Evaluation Committee is a sub-committee of the Executive Board. The purpose of the Committee was foreseen as studying and reporting on the evaluation activities of the Fund aimed at drawing, from completed projects, lessons which may be relevant to the improvement of the design, implementation or evaluation of future projects. As with the Audit Committee, its membership distribution was revised at the Sixty-First Session of the Executive Board, again to fall in line with the new membership distribution of the Executive Board. It is also now composed of nine Members from the 36 Members on the Executive Board at the time. As with the Audit Committee, the Evaluation Committee Members are elected by the Executive Board itself for a three-year term of office. The Evaluation Committee meets <u>formally three times a year</u>. The committee may also hold informal meetings if and when required.</p>	43 per year plus informal sessions	1 to 2 days per session
					<u>Audit Committee</u>		<p><u>The Audit Committee¹, which is a sub-committee of the Executive Board of IFAD, was established by decision of the Executive Board at its Fifteenth Session in April 1982, in order to deal with audit-related matters on an ad hoc basis. Its membership distribution was revised at the Sixty-First Session of the Executive Board to fall in line with the new membership distribution of the Executive Board. It is now composed of nine Members from the 36 Members of the Executive Board at the time: four Members from List A, two Members from List B and three Members from List C. The Chairmanship of the Audit Committee rests permanently with List A. These nine Members are elected to the Committee by the Executive Board itself, for a three-year term of office. The Audit Committee meets regularly four times a year: the first time at the beginning of March to review the audited financial statements and then just before each of the April, September and December Board Sessions.</u></p>	4 per year	<u>1 to 2 days per session</u>

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
ILO	18 23	International Labour Conference The Governing Body	18 23 56 regular members 66 deputy members	1 per year 3 per year	Finance Committee of the Conference Programme, Financial and Administrative Committee of the Governing body	71		1 per year 2 per year	2.5 days per session in budgetary years 2 days in non-budgetary sessions 12 days per in budgetary session
IMO	16 89 + 3 associate	Assembly Council	16 89 + 3 40	1 per bienn. 2 per year	None				
ITU	19 42	Plenipotentiary Conference Council	19 42 4 68	1 per 4 years 1 per year	Two committees at PP: - Budget Control Committee - Administration and Management Committee One Committee at Council: the Standing Committee on Administration and Management	PP and its committees : 19 42 ITU Member States Council Committee open to all Council Members	Budget Control Committee: determines the organization and the facilities available to the delegates, examines and approves the accounts for expenditure incurred throughout the duration of the Conference and reports to the Plenary Meeting on the estimated total expenditure of the Conference and on the estimated costs entailed by the execution of the decisions of the Conference (N°71 and 73 of the General Rules). Administration and Management Committee: examines relevant reports and proposals on the general management of the Union, in particular those relating to financial and human resources and including relevant parts of the reports submitted by the Council on reform; prepares draft financial policies and a draft financial plan for 2012-2015 and recommends to the Plenary all appropriate decisions related to the management of the Union's activities; and transmits to the Committee dealing with policy and legal issues matters requiring amendments to the Constitution and Convention.	At each PP: 1 per year during Council Session	PP Committees and Council Standing Committee: determined at each PP and Council session respectively

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
							Council Standing Committee on administration and management: considers staff matters and financial matters.		
UNESCO	193	General Conference (GC) Executive Board	193 58	once every 2 years twice every year (+1 in the year of GC)	Group of Experts on Financial and Administrative matters (reports to F&A-Commission) <u>(reports to the Finance and Administrative Commission of UNESCO's Executive Board) (F&A-Commission)</u>	12	Mandate and working methods of the Group of Experts. <u>The Executive Board decided in 2009 that the terms of reference and the methods of work of the Group of Experts on Financial and Administrative Matters shall be as follows:</u> 1. (a) to assist the Finance and Administrative Commission in its work with a view to increasing its effectiveness <u>through the provision of strictly technical advice;</u> (b) to examine from a strictly technical point of view the administrative and financial aspects of the documents and issues referred to it by the Chair of that the Finance and Administrative Commission <u>and the Chair of the Group of Experts, and to report its findings, and, if appropriate, propose alternative, clearly labelled and technically justified drafting suggestions to the Finance and Administrative Commission</u> refers to it; (c) to raise no matters of policy during its work; 4. Decides that the Group of Experts shall normally meet one week before each of the sessions of the Executive Board; 5. Renews its decision to finance the expenses of the Group of Experts, including the cost of travel and subsistence allowances for experts not living in Paris whose expenses are not borne by their respective governments, from the budget of the Executive Board; 6. Invites Member States to take the necessary steps for the experts designated as members of the group to attend meetings regularly; 7. Requests the Director-General to provide every assistance to facilitate the work of the Group to refrain from entering into policy discussions or offering policy observations in the conduct of or reporting of its work. The Executive Board also decided that the Group of Experts shall normally meet one week before each of the sessions of the Executive Board and that its reports shall be made available three working days before the Finance and Administrative Commission begins its deliberations.	usually one week before each of the sessions of the Executive Board	3-4 days

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
UNIDO	17 2 3	General Conference Industrial Dev. Board	17 4 3 53	1 per bienn. 3 per bienn.	Program and Budget Committee	27	To assist the Board in the preparation and examination of the work programme, the budget and other financial matters. (a) Perform the functions assigned to it in Article 14 of the Constitution (i.e., consider the proposals of the Director-General on the programme of work and corresponding estimates for the regular budget and the operational budget and submit to the Board its recommendations); (b) Prepare the draft scale of assessments for regular budget expenditures, for submission to the Board; (c) Exercise such other functions with respect to financial matters as may be assigned to it by the Conference or the Board; (d) Report to the Board at each regular session on all activities of the Committee and submit advice or proposals on financial matters to the Board on its own initiative.	1 per year	2-3 days
UPU	191	Universal Postal Congress Council of Administration	191 41	1 per year 1 per year	Committee on Finance & Administration		Budget by programme based on the strategic plan; Consideration of the Union's biennial budget (article 102, § 6.4 of the General Regulations); Consideration of the Union's biennial Financial Operating Report (article 38 of the Financial Regulations); Consideration of the External Auditor's report (article 37 of the Financial Regulations); <u>Consideration of the Internal Auditor's report (annex 4 of the Financial Regulations)</u> ; Amendments to the Financial Regulations; <u>Consideration of Ethics Office report</u> ; Consideration of other financial questions within the CA's competence; 2004 Bucharest Congress Resolutions and Decisions: C-21, C-66, C-75 and C-77 - C-84 2008 Congress Resolutions and Decisions: <u>C 67 - 71.</u>	1 per year	1 day per session
UNWTO	154	General Assembly Executive Council	191 [31]	1 per bienn. 2 per year	Programme Committee Committee on Budget and Finance <u>UNWTO's Executive Council approved in its 89th session in October 2010 the merger of the</u>	11 12 <u>14</u> <u>Members in accordance with the rules of the</u>			

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
					Programme Committee and the Committee on Budget and Finance (CE/DEC/5(LXXXIX)) and the rules of procedure of the future Programme and Budget Committee which will be constituted as a sub organ of the Executive Council. However, this merger and the subsequent modifications to UNWTO Rules and Regulations is subject to the approval of the General Assembly which will meet in October 2011	future Programme and Budget Committee (if and when approved by the General Assembly in October 2011			

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
WHO	193	World Health Assembly	193	1 per year	Programme, Budget and Administration Committee of the Executive Board	714	<p>An auxiliary advisory body of the Executive Committee with responsibility for aspects of Program, Budget and Administration. It reviews and as appropriate, makes recommendations to the Executive Committee in these areas. The Subcommittee consists of seven Members, four of whom have terms of office running concurrently with those of their membership on the Executive and three designated annually by the Director of the Pan American Sanitary Bureau in consultation with the President of the Executive Committee in order to seek balanced and adequate geographical distribution. The Subcommittee holds at least one public session a year on dates to be decided by the Executive Committee. Additional sessions may be convened in the years when the Program Budget of the Organization is being considered. <u>The Programme, Budget and Administration Committee (PBAC) is a subsidiary body of the Executive Board. It is composed of 14 members including the Chairman and a Vice-Chairman of the Board ex officio. It holds two sessions a year, immediately preceding the main session of the Executive Board in January, and immediately preceding the annual session of the Health Assembly. The PBAC reviews and makes recommendations to the Board on a number of administrative and financial issues, most importantly the draft programme budget and implementation report, the financial report and the audited financial statements, the reports and the audit plans of the External Auditor and the Internal Oversight Service, respectively, and other matters referred to it by the Board. Moreover, if relevant it acts on behalf of the Executive Board and reports to the Health Assembly on the situation of Member States in arrears, on the Interim Financial Report, the Financial Report and the report of the External Auditor, as well as on other matters as may be referred to it by the Board. The PBAC is assisted in its work by an Independent Expert Oversight Committee (IEOAC) composed of five members acting in their personal capacity, who are appointed by the Executive Board on the proposal of the Director-General for a non-renewable term of office.</u></p>	±2 per year with additional sessions during budget years	1-3 days
		Executive Board	34	2 per year					

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
							of four years.		
WIPO	184	General Assembly Conference Coordination Committee Assemblies of the Member States of Each of the Unions	176 184 83 various	1 per year 1 per year 1 per year 1 per year	Program and Budget Committee	54	The “Program and Budget Committee” refers to the Committee constituted by the General Assembly to deal with program, budget, personnel resources, premises, and Finance. As per document WO/GA 23/4, the mandate of the PBC is as follows: The Committee shall examine any question arising in connection with the audited accounts, proposals for the budgets of WIPO and the financing thereof. The Committee will examine any financial question which may be referred to it by the Assembly or submitted to it by the Director General. It can make recommendations to the Assembly or to the Director General on any matter bearing financial consequences. The Committee shall meet at least once a year. NOTE: at present 53 Member States of WIPO are Members of the PBC.	At least 1 per year plus 1 informal per bienn.	3-5 days
WMO	1823	Congress Executive Council	1823 37	1 per 4 years 1 per year	Financial Advisory Committee	open to all	Purpose. To provide advice from WMO Members to Congress and the Executive Council in a transparent fashion on: (a) The affordability, sustainability and implementation of the results-based budget; (b) Financial matters of the Organization; Functions (a) To advise on the adequacy of the linkage between results-based budget and the WMO Strategic Plan; (b) To advise on the adequacy of regular and extrabudgetary resource allocations against expected results; (c) To advise on financial matters, such as proportional contributions and Financial Regulations and any surplus; (d) To advise on the overall budget level, taking into account issues of affordability and sustainability; (e) To consider the reports of the External Auditor, the Audit Committee and other relevant bodies as necessary in the deliberation of these functions.	prior to Exec. Council and Congress	

Organization	Member States Party	Governing Body/Bodies			Subsidiary Organs dealing with Administration and/or Budgetary Issues				
		Organ	Members	Sessions	Organ	Members	Functions/Responsibilities	Sessions	Duration
Other International Organizations									
IAEA	146 151	General Conference Board of Governors	146 151 35	1 per year 5 per year	<u>Programme and Budget Committee</u>	<u>Open to all</u>	<u>The Programme and Budget Committee (PBC) is a subsidiary organ of the Board of Governors established pursuant to Article VI.I of the IAEA Statute and Rule 57 of the Rules of Procedures of the Board of Governors. The PBC provides assistance in the preparation and examination of the programme, the budget and the accounts.</u>	<u>1 per year with additional sessions during budget years</u>	<u>2 - 4 days</u>
WTO	153	Ministerial Conference General Council	149 153 <u>*idem</u>	1 per bienn. */year <u>once per month</u>	Committee on Budget, Finance and Administration		To examine any questions arising in connection with the audited accounts, proposals for the budgets of the WTO and of the International Trade Centre UNCTAD/WTO, and of the financing thereof. To study any financial and administrative questions which may be referred to it by the Ministerial Conference or the General Council, or submitted to it by the Director-General, and undertake such other studies as may be assigned to it by the Ministerial Conference or the General Council."		

[End of Annex III and of document]