



WORLD INTELLECTUAL PROPERTY ORGANIZATION GENEVA

WIPO COORDINATION COMMITTEE

**Thirty-Seventh Session (10th Extraordinary)
Geneva, March 18 and 19, 1997**

INFORMATION CONCERNING MEMBERSHIP AND VOTING

Memorandum prepared by the International Bureau

1. The present document provides information on the membership of the WIPO Coordination Committee, voting and the required majority for decisions of the WIPO Coordination Committee.

Membership

2. The members of the WIPO Coordination Committee which have a right to vote on the nomination of the Director General are the members of the Executive Committee of the Paris Union and of the Executive Committee of the Berne Union (Article 8(1)(a) of the Convention Establishing the World Intellectual Property Organization ("the WIPO Convention")), the ad hoc members elected by virtue of Article 8(1)(c) of the WIPO Convention from among States party to the WIPO Convention that are not members of any of the Unions administered

by WIPO¹ and Switzerland in its capacity of *ex officio* member (see Article 11(9)(a) of the WIPO Convention)². The list of those States is as follows:

Angola, Argentina, Australia, Austria, Belgium, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Czech Republic, Denmark, Egypt, El Salvador, Finland, France, Germany, Ghana, Greece, Guatemala, Hungary, India, Indonesia, Ireland, Italy, Japan, Kazakstan, Kenya, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Romania, Russian Federation, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, Trinidad and Tobago, Tunisia, Ukraine, United Kingdom, United States of America, Uruguay, Venezuela, Zambia (66) (see document AB/XXVI/19, paragraph 265(i), (ii), (iii) and (v)).

Observers

3. Article 8(7) of the WIPO Convention provides that any Member State of WIPO which is not a member of the Coordination Committee may be represented at the meetings of the Coordination Committee by observers.

4. The Member States of WIPO which are not members of the Coordination Committee are:

Albania, Algeria, Andorra, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Bulgaria, Burundi, Cambodia, Central African Republic, Chad, Congo, Costa Rica, Croatia, Cyprus, Democratic People's Republic of Korea, Ecuador, Eritrea (as from February 20, 1997), Estonia, Fiji, Gabon, Gambia, Georgia, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Iceland, Iraq, Israel, Jamaica, Jordan, Kyrgyzstan, Laos, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Monaco, Mongolia, Mozambique, Namibia, Nepal, Nicaragua, Niger, Oman,

¹ The ad hoc members are Angola, Brunei Darussalam, Guatemala and Panama. Ad hoc members may participate and vote in meetings of the WIPO Coordination Committee when “the Coordination Committee considers either matters of direct interest to the program and budget of the [WIPO] Conference and its agenda, or proposals for the amendment of [the WIPO] Convention...” (Article 8(1)(c) of the WIPO Convention). Since its election as an ad hoc member, Panama has acceded to the Paris Convention (with effect from October 19, 1996). The accession by Panama to the Paris Convention takes Panama out of the class of States eligible to be ad hoc members of the WIPO Coordination Committee.

² There is a further category of member of the WIPO Coordination Committee, namely, *associate members*, elected by the Paris Union Conference of Representatives and the Berne Union Conference of Representatives by virtue of Rules 5 and 6 of the Special Rules of Procedure of each of those two bodies (the Special Rules of Procedure are set out in document AB/XXIV/INF/2). However, associate members do not have a vote (Rule 6 of the Special Rules of Procedure of each of the Paris Union and Berne Union Conferences of Representatives). The associate members of the WIPO Coordination Committee are Iran (Islamic Republic of) and Madagascar (see document AB/XXVI/19, paragraph 265 (ii) and (iv)).

Poland, Qatar, Republic of Moldova, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Somalia, Suriname, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Viet Nam, Yemen, Yugoslavia³, Zaire, Zimbabwe (94).

Majority

5. The decisions of the Coordination Committee are taken by simple majority of the votes cast. However, even if a simple majority is obtained, any member of the Coordination Committee may request a special recount. The special recount requires, for the proposal to be considered as carried, that a simple majority be obtained both of the members of the Coordination Committee that are members also of the Executive Committee of the Paris Union and of the members of the Coordination Committee that are members also of the Executive Committee of the Berne Union. The pertinent provisions are set out in Article 8(6) of the WIPO Convention, which reads as follows:

“(6) (a) The Coordination Committee shall express its opinions and make its decisions by a simple majority of the votes cast. Abstentions shall not be considered as votes.

(b) Even if a simple majority is obtained, any member of the Coordination Committee may, immediately after the vote, request that the votes be the subject of a special recount in the following manner: two separate lists shall be prepared, one containing the names of the States members of the Executive Committee of the Paris Union and the other the names of the States members of the Executive Committee of the Berne Union; the vote of each State shall be inscribed opposite its name in each list in which it appears. Should this special recount indicate that a simple majority has not been obtained in each of those lists, the proposal shall not be considered as carried.”

Loss of Voting Rights

6. By virtue of Article 11(5) of the WIPO Convention, any State that is two full years in arrears in its contributions loses its right to vote in any of the bodies of WIPO of which it is a member:

“(5) Any State...which is in arrears in the payment of its contributions...shall have no vote in [the Coordination Committee] if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. However, [the Coordination Committee] may allow such a State to continue to exercise its vote in that body if, and as long as, it is satisfied that the delay in payment arises from exceptional and unavoidable circumstances.”

³ The WIPO Coordination Committee has decided that “the Federal Republic of Yugoslavia (Serbia and Montenegro) shall not participate in any meetings” of this Governing Body.

7. A member State may obtain information on its situation in respect of any arrears from the International Bureau. The list of States that would have no right to vote in the March 18 and 19, 1996, session of the Coordination Committee will be established on those days.

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