

Assemblies of the Member States of WIPO

Sixty-Second Series of Meetings Geneva, October 4 to 8, 2021

JOINT PROPOSAL OF THE ASIA AND THE PACIFIC GROUP (APG) AND THE AFRICA GROUP ON THE COMPOSITION OF THE WIPO COORDINATION COMMITTEE

submitted by the Asia and the Pacific Group (APG) and the Africa Group

In a communication to the Secretariat received on September 9, 2021, the Asia and the Pacific Group (the APG) and the Africa Group, submitted the enclosed joint proposal in the framework of Agenda Item 8, "Composition of the WIPO Coordination Committee, and of the Executive Committees of the Paris and Berne Unions".

[Annex follows]

Submission of the Asia and the Pacific Group (the APG) and the Africa Group

Composition of the Coordination Committee (CoCo)

1. The APG and the Africa Group note that according to Articles 8(1)(a) and 11(9)(a) of the WIPO Convention, the CoCo is composed of the following categories of members:
 - a. the elected ordinary members of the Executive Committee of the Paris Union and of the Executive Committee of the Berne Union;
 - b. Switzerland, as the State on whose territory the Organization has its headquarters, as an *ex officio* member; and
 - c. one-fourth of the States party to the WIPO Convention that are not members of any of the Unions administered by WIPO, which are designated by the WIPO Conference and which serve as *ad hoc* members of the WIPO Coordination Committee.
2. The APG and the Africa Group further note that Article 14(4) of the Paris Convention and Article 23(4) of the Berne Convention states that “in electing the members of the Executive Committee, the Assembly shall have due regard to an equitable geographical distribution and to the need for countries party to the Special Agreements established in relation with the Union to be among the countries constituting the Executive Committee”.
3. The APG and the Africa Group recall that the number of allocated seats on the CoCo has stayed at 83 since 2011. The APG and the Africa Group further recall that in preparation for the 59th WIPO Assemblies in 2019, the Secretariat informed the WIPO Membership that the CoCo should have 88 members.¹ However, “in the absence of agreement as to how best to allocate the five additional CoCo seats,” the Legal Counsel reported at the 59th WIPO Assemblies that the “consensus among groups was that the CoCo would remain, exceptionally, at 83 members.”² The 59th WIPO Assemblies further decided that the Chair of the WIPO General Assembly will undertake consultations with Member States on the allocation of the vacant seats at the WIPO Assemblies in 2021, for the election of the composition of the WIPO Coordination Committee, and of the Executive Committees of the Paris and Berne Unions, at the same WIPO Assemblies.³
4. The APG and the Africa Group note from the Legal Counsel’s office that due to the accessions of four countries (Afghanistan, Brunei, Kuwait and Samoa) to the Paris Union and accessions of twelve countries (Afghanistan, Burundi, Cook Islands, Kiribati, Kuwait, Lao PDR, Mozambique, Niue, Sao Tome and Principe, Solomon Islands, Turkmenistan, Tuvalu and Vanuatu) to the Berne Union since 2011, the composition of the CoCo should now have 89 members.
5. The APG and the Africa Group reiterate that the current allocation in the CoCo is not fairly proportioned and representative of the relative size of regional groups in WIPO (as illustrated in Annex A). In particular, the Africa Group and the APG are the most

¹ Paragraph 16 of the Composition of the WIPO Coordination Committee, and of the Executive Committees of the Paris and Berne Unions (A/59/5) dated 28 June 2019.

² Paragraph 96 of the General Report adopted by the 59th WIPO Assemblies (A/59/14) dated 13 December 2019.

³ Paragraph 97 of the General Report adopted by the 59th WIPO Assemblies (A/59/14) dated 13 December 2019.

underrepresented in the CoCo. The APG and the Africa Group note that, based on the CoCo's composition in paragraph 1, the increase in the number of seats in the CoCo since 2011 has arisen mostly from accessions from the APG and the Africa Group, given the 13 accessions from the APG, 3 from the Africa Group, and 1 from CACEEC to the Paris and Berne Unions that have taken place since then (as illustrated in Annex B).

6. In view of the above, the six unfilled CoCo seats should be allocated to better reflect the WIPO Membership and the relative size of WIPO regional groups as well as the accessions to the Paris and Berne Unions since 2011 from the respective WIPO regional groups, while reaffirming that every regional group should be represented in the CoCo. The APG and the Africa Group reiterate that this allocation is not only timely, but necessary in light of Article 14(4) of the Paris Convention and Article 23(4) of the Berne Convention on equitable geographical distribution.

Proposed draft GA's Decision

Listed in the Annex (follows)

Annex A

Allocation of Seats in the CoCo among Regional Groups for Biennium 2020-2021⁴

S/N o	Item	Group B	Africa Group	CACEEC	CEBS	GRULAC	APG	China	Total
1.	Total Members in group	32	53	10	18	33	46	1	193
2.	Current allocated seats for CoCo	23	19	4	6	15	15	1	83
3.	Percentage of the group Members represented in the CoCo ⁵	71.88%	35.85%	40.00%	33.33%	45.45%	32.61%	NA	-
4.	Group percentage of WIPO Members ⁶	16.58%	27.46%	5.18%	9.33%	17.09%	23.83%	NA	100%
5.	Group percentage of CoCo Membership ⁷	27.71%	22.89%	4.82%	7.23%	18.07%	18.07%	NA	100%
6.	Number of CoCo seats if according to proportion of WIPO Membership based on 83 CoCo seats ⁸	13.76	22.79	4.30	7.74	14.19	19.78	NA	83
7.	Differential (between Row 6 and Row 2)⁹	<u>-9.24</u>	<u>3.79</u>	<u>0.30</u>	<u>1.74</u>	<u>-0.81</u>	<u>4.78</u>	NA	-

⁴ This Annex is based on the table contained in document A/59/12 dated 24 September 2019 and WO/GA/51/17 dated 24 September 2019. It has been updated to include Nauru (a Member of the APG) which has joined the WIPO Membership since the 2019 WIPO Assemblies.

⁵ Based on: (number of current allocated seats for regional group in the CoCo)/(total number of Members in regional group) x 100%

⁶ Based on: (number of Members in regional group)/(total number of WIPO Members) x 100%

⁷ Based on: (number of current allocated seats for regional group in the CoCo)/(total number of seats in the CoCo) x 100%

⁸ Based on: (group percentage of WIPO Membership) x (total number of seats in the CoCo)

⁹ Based on: (number of CoCo seats if according to proportion of WIPO Membership based on 83 seats) - (current allocated seats for CoCo). A negative number means a regional group is overrepresented by that amount of seats on the CoCo.

Annex B

Accessions to the Paris and Berne Unions since 2011

S/No	Item	Group B	Africa Group	CACEEC	CEBS	GRULAC	APG	China	Total
1.	Number of Members in Paris Union	32	49	10	18	33	34	1	177
2.	Accessions since January 2011	0	0	0	0	0	4* *Afghanistan, Brunei, Kuwait, Samoa	0	-
3.	Number of Members in Berne Union	31	46	10	18	33	38	1	177
4.	Accessions since January 2011	0	3* *Burundi, Mozambique, Sao Tome and Principe	1* *Turkmenistan	0	0	9* *Afghanistan, Cook Islands, Kiribati, Kuwait, Lao PDR, Niue, Solomon Islands, Tuvalu, Vanuatu	0	-
5.	Total number of new accessions to the Paris and Berne Unions since 2011	0	3	1	0	0	13	0	17

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COMPOSITION OF THE WIPO COORDINATION COMMITTEE

Document prepared by the Secretariat

The Assemblies of WIPO, each in so far as it is concerned, decided:

to allocate current six vacant seats of the Coordination Committee, on the basis of the proposal made by the Facilitator after his informal consultations on the matter with the Regional Groups and the Member States, in following manner:

The Asia and the Pacific Group (2 seats), the Africa Group (2 seats), the Group of the Central European and Baltic States (1 seat), and the Group of Latin American and Caribbean Countries (1 seat).

[End of Annex and of document]