

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

WIPO COORDINATION COMMITTEE

Forty-Sixth (15th Extraordinary) Session Geneva, May 31 and June 1, 2001

REPORT

adopted by the Coordination Committee

1. Convened by the Director General, the WIPO Coordination Committee ("the Coordination Committee") met at the headquarters of WIPO from May 31 to June 1, 2001.
2. In the absence of the Chair of the Coordination Committee, Mr. Rudolf Joó (Hungary), and the Vice-Chairs, Mr. Iftekhar Ahmed Chowdhury (Bangladesh) and Mrs. América Néstar Santos Riveras (Cuba), the meeting was presided over by Mr. Kálmán Petöcz (Slovakia), upon his election as the Acting Chair of the Coordination Committee.
3. The following Member States of the Coordination Committee were represented at the meeting: Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Denmark, Ecuador, Egypt, France, Germany, Ghana, Greece, Guinea, Hungary, India, Iran (Islamic Republic of), Japan, Libyan Arab Jamahiriya, Malaysia, Mexico, Netherlands, Nigeria, Paraguay, Portugal, Republic of Korea, Russian Federation, Senegal, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Turkey, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen (52).
4. The following States were represented in an observer capacity: Belarus, Bolivia, Bosnia and Herzegovina, Congo, Croatia, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Gabon, Honduras, Iraq, Ireland,

Lithuania, Luxembourg, Madagascar, Morocco, Nicaragua, Panama, Saudi Arabia, Thailand, Tunisia, Viet Nam (22).

5. The list of participants appears in the Annex to the present document.

Agenda

6. The Coordination Committee adopted its agenda as proposed in document WO/CC/46/1.

Appointment of Deputy Directors General and Assistant Directors General

7. Discussions were based on document WO/CC/46/2.

8. The Director General made the following statement:

“We continue to move on building up a dynamic vision for the World Intellectual Property Organization, a vision that perceives this global body not only as an international legislative authority or merely a global protection system of registration, but also as an Organization that is deeply involved in policy, for economic growth and wealth creation for all nations. My proposals contained in document WO/CC/46/2 are relevant and realistic tools to implement this vision.

“Colleagues who are proposed for extension would ensure continuity and the highest standards of efficiency, competence and integrity. On the other hand, both of the newly proposed persons have extensive and intensive experience in policy and development—I would like to underline policy and development. This Organization has embarked upon many successful initiatives and projects with serious policy implications and I am confident that this new addition would further promote greater demystification of intellectual property and greater consensus.

“Upon the expiry of Mr. François Curchod’s appointment, I propose that M. Philippe Petit (France) be appointed to the post of Deputy Director General being vacated by Mr. Curchod from December 1, 2001. Ambassador Petit is at present Permanent Representative of France to the United Nations Office in Geneva.

“But let me use this occasion to pay special tribute to François Curchod. Since 1973, Mr. Curchod has served this global body with dedication, enthusiasm and excellence. His approach has always been one of sincere and constructive cooperation with all of our Member States, and his spirit of teamwork is remarkable. We applaud his many contributions to the work of this Organization and we commend him for his exemplary career as an international civil servant in the service of the international intellectual property community.

“I also propose that the appointments of Mr. Roberto Castelo and Mr. Shozo Uemura as Deputy Directors General be continued from December 1, 2001.

“I propose that the appointments of Mr. Francis Gurry and Mr. Geoffrey Yu as Assistant Directors General be continued from December 1, 2001.

“As concerns Mr. Thomas Keefer, who has a permanent staff appointment, I have asked him if he would be willing to relinquish his post of Assistant Director General if offered a satisfactory settlement, as referred to in paragraph 14 of document WO/CC/46/2.

“Having this in mind, I propose also for the approval of the Coordination Committee to appoint Mrs. Rita Hayes to the post that will be vacated by Mr. Keefer. Ambassador Hayes is at present the Permanent Representative of the United States of America to the World Trade Organization.

In due course, to those of you who are interested in the organigram and how it would look like, I would be more than happy to distribute this document if these appointments are carried forward. But in order to better distribute the functions in senior management, I propose that the post to which it is proposed that Ambassador Hayes be appointed, be re-classified. Reclassification is within the jurisdiction of this Coordination Committee, and the post would be reclassified to the level of Deputy Director General. This reclassification would result in the same overall number of senior management posts (six). The small cost of the reclassification would be met within the existing budget for the current (2000-2001) biennium and within the proposed budget for the next (2002-2003) biennium.

“I wish also to use this occasion to pay special tribute to Mr. Tony Keefer. Mr. Keefer has been with this Organization since 1981, during which time he has assumed his duties with diligence and dedication. He has invested much time and care in ensuring that this Organization is well managed in administrative matters. We thank him for his outstanding contributions to the work of WIPO and also commend him for his outstanding career as an international civil servant.

“As regards the terms of appointments as proposed in the document, I believe it is appropriate that the terms of appointments of all persons nominated in the senior management structure should expire at the same time and that these terms should not exceed the mandate of the Director General. Therefore, distinguished delegates, I propose that such appointments of Deputy Directors General and Assistant Directors General should be for the period from December 1, 2001, to November 30, 2003.

“Mr. Chairman, I very much hope that I would be able to count on the support of the Coordination Committee for my proposal.

Thank you.”

9. The following delegations (listed in the order in which their statements were made), expressed their general support for the proposals made by the Director General: Ecuador, Uruguay, Malaysia (speaking on behalf of the Asian Group), Venezuela, Madagascar (speaking on behalf of the African Group), Colombia, Russian Federation (speaking on behalf of the Group of Central Asian, Caucasus and Eastern European countries), China, United States of America, Chile, Republic of Korea, India, Argentina, Bulgaria (speaking on behalf of the Group of Central European and Baltic countries), Egypt, Sri Lanka, Morocco, Australia, Iran (Islamic Republic of), Cuba, Switzerland, Sweden, Japan, Netherlands, Democratic People's Republic of Korea, Bangladesh, France, Portugal, Algeria, Brazil, Austria, Denmark, Turkey, Ghana, Spain, Luxembourg, Canada, Bolivia and Paraguay.

10. A large number of delegations observed that Messrs. Castelo, Uemura, Gurry and Yu had made valuable contributions to the work of the Organization and that the extension of their appointments would ensure stability and continuity in the senior management of the Organization.

11. Many delegations also paid tribute to the talent, skills and dedication with which Messrs. Curchod and Keefer had served the Organization, and welcomed the Director General's proposal to appoint Ambassadors Petit and Hayes to the posts of Deputy Director General, having approved the proposal to reclassify the post to which Ambassador Hayes was being nominated to the level of Deputy Director General. Finally, most delegations expressed their support for the Director General's proposal to determine and pay appropriate compensation arrangements for Messrs. Curchod and Keefer, in respect of the period of their appointment as WIPO staff members that remains between December 1, 2001 and the applicable dates of retirement.

12. In addition to their general expression of support for the Director General's proposals, some of the delegations listed in paragraph 9, above, made more specific statements, the summaries of which are provided below.

13. The delegation of Ecuador stressed the importance of WIPO, and of intellectual property, given its relevance to issues of development. With respect to the appointments, the Delegation recognized the efforts of the Director General to ensure that the necessary geographical and gender balance prevailed in the Organization.

14. The Delegation of Uruguay recalled that it had always advocated greater participation of women in international organizations and also expressed its support for maintaining equitable geographical balance, especially at senior management levels.

15. The Delegation of Malaysia, speaking on behalf of the Asian Group, observed that the worth and efficiency of any organization depended to a large extent on its staff, its management and most importantly the leadership. In that regard, WIPO was blessed with highly motivated, conscientious and professional staff and employees. The Asian Group expressed its satisfaction with the current structure of the senior management of WIPO, comprising three Deputy Directors General and three Assistant Directors General. The Group, however, had no strong objections to the Director General's proposal to reclassify one of the Assistant Director General posts to the level of Deputy Director General, as the intention was to reflect better the distribution of functions in the senior management. In respect of the compensation arrangements for the outgoing Deputy Director General and Assistant Director General, the Asian Group expressed its support for the Director General's proposal, on the understanding that the arrangements would be reasonable, within the financial means of WIPO, and satisfactory to all parties concerned.

16. The Delegation of Malaysia reiterated the view of the Asian Group on the need to strike a balance between the developed and developing countries among the senior management of the Organization, and recalled Article 9(7) of the WIPO Convention which stipulates, among others, that "due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible." The Group expressed its belief that the Asian Group and other developing countries in WIPO have capable, competent and qualified individuals with impressive and excellent professional qualities to fill up the senior management posts in WIPO. Having regard to the fact that 82 percent of WIPO's Member States are from

developing countries and countries in transition, the Group expressed its wish that this would be reflected in future appointments to the top hierarchy of WIPO.

17. The Delegation of Venezuela expressed its gratitude to the Director General for the consultations which he carried out prior to submitting the document on recommendations for the posts of Assistant Directors General and Deputy Directors General. The policy of Venezuela was to promote women in all walks of life, and the Delegation therefore welcomed the Director General's proposal to appoint a woman to the senior management in WIPO. The Delegation of Venezuela endorsed the statements made by Ecuador, Uruguay and Malaysia, in expressing its wish that attention would be paid to equitable geographical distribution in future appointments. In addition, the Delegation emphasized the importance of appointing international civil servants on the basis of professional and ethical criteria.

18. The Delegation of Madagascar, speaking on behalf of the African Group, underlined the importance that the Group attached to the consultations preceding the meeting, insofar as they helped to enhance transparency and the practice of consensus in the Organization. The Delegation of Madagascar opined that the proposals relating to the renewal of terms of the Assistant Directors General and Deputy Directors General served to ensure continuity, which in turn enhanced effectiveness. The choice of new Deputy Directors General also demonstrated a wise mix of language abilities and gender balance. The Group supported the Director General's proposal that the terms of office of the Deputy and Assistant Directors General should coincide with his own, in view of the fact that it guaranteed the ethical values of the Organization. Finally, the African Group was in favor of any equitable formula that satisfied both WIPO and the outgoing Deputy and Assistant Directors General with respect to their compensation arrangements.

19. The Delegation of the Russian Federation, speaking on behalf of the Group of Central Asian, Caucasus and Eastern European countries, stated its view that the Director General already had a strong senior management team. The Group, nevertheless, welcomed the Director General's efforts to further strengthen his team, especially since it entailed the involvement of individuals experienced in formulating policy. The Group of Central Asian, Caucasus and Eastern European countries pledged its full support for the Director General's new team.

20. The Delegation of China expressed its support for the Director General's proposal to reclassify one post of Assistant Director General to that of Deputy Director General, on the understanding that the reclassification was aimed at reflecting better the distribution of functions in senior management of the Organization, and that the cost of the reclassification would be met within the existing budget for the 2000-2001 biennium and within the proposed budget for the 2002-2003 biennium. The Delegation of China recalled its statement in earlier meetings of the Coordination Committee, in which it expressed its view that China was under-represented in the Organization. The Delegation hoped that the growing participation of China in the activities of WIPO would be reflected in the senior management staff of the Organization, and that the Director General would keep this in mind and solve the problem of China's under-representation as early as possible.

21. The Delegation of the United States of America, expressing its trust in the stewardship and transparency of the Director General's management, endorsed his authority to negotiate appropriate terms for departing senior officials, in keeping with the WIPO Staff Regulations, usual United Nations practice, and the circumstances specific to each case. The Delegation looked forward to working closely with the Director General and his senior management team

as WIPO continues to help assure that innovation and creativity are appropriately safeguarded and rewarded.

22. The Delegation of Chile endorsed the power of the Director General under the WIPO Convention to appoint staff, including Deputy Directors General and Assistant Directors General, after the approval of the Coordination Committee. Referring to the proposed compensation package arrangements for the outgoing Deputy Director General and Assistant Director General, the Delegation suggested the need for flexibility as well as caution, in order to satisfy the interests of all parties.

23. The Delegation of the Republic of Korea expressed its view that there was no transparency in recruiting WIPO staff, in particular, senior management such as Deputy Directors General. The Delegation mentioned that it did not have any practical information on criteria or standards for recruiting management or deciding the single candidate for the top management post, and recalled Article 9(7) of the Convention Establishing the World Intellectual Property Organization, which stipulated that “the paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.” Furthermore, the Delegation of the Republic of Korea believed that vacancy announcements contain such requirements as professional expertise and experience in the field of intellectual property. The Delegation expressed doubts as to whether the above rules and principles were respected in recruiting WIPO staff. The Delegation of the Republic of Korea further recalled that Rule 6(2) of the WIPO General Rules of Procedure provides that working documents must be sent out at the same time as the letter of convocation, not less than two months prior to the opening of the session, or as soon thereafter as possible. However, the necessary working documents were only received by the Delegation two weeks prior to the meeting. The Delegation of the Republic of Korea also raised the question as to whether it was really necessary for WIPO to upgrade an Assistant Director General post to the Deputy Director General level, which would result in a composition imbalance between Assistant Directors General and Deputy Directors General. The Delegation further stressed that geographical representation should be respected in recruiting the staff, not only for top management, but also for medium-level management staff such as directors and heads, as implied in Article 9(7) of the Convention Establishing the World Intellectual Property Organization, and wished future improvement of the under-representation of the Republic of Korea in WIPO.

24. The Delegation of India wished to associate itself with the statement made by the Delegation of Malaysia, speaking on behalf of the Asian Group, on the need to achieve a balance between developed and developing country interests in WIPO. The Delegation hoped that the new management in WIPO would give the Organization the necessary sensitivity to the needs of developing countries in the area of intellectual property rights while balancing the demands of the market and society as a whole. The Delegation of India wished to draw attention to the geographical imbalance in the personnel at the top levels of management in WIPO between developed and developing countries. It added that development imperatives, intellectual property as a tool for development, the need for capacity building and emerging legal, technological and global issues, which the Director General had taken a lead in addressing within WIPO, affected developing countries. The Delegation of India urged that the top-level management of WIPO, an Organization that serves developed and developing countries equally, should reflect this constituency of users. The Delegation also drew attention to the steadily increasing growth and the role of the countries in the Asia Pacific

region in terms of their contribution to, and stake in, the protection of intellectual property systems worldwide. It stated that its region is home to 60 percent of the world's population, the fastest growing economies, major users and contributors to intellectual property and the repository of a major share of the world's genetic resource, traditional knowledge and folklore. India had benefited greatly from the activities of WIPO. India had also contributed to policy development, strategy planning and cooperation for development in WIPO, and had helped build capacities in other countries of the Asia Pacific region. The cooperation had been multifaceted and mutual, not one-sided. The Delegation of India stated that there had been significant developments in India which demonstrated the primacy which India accords to putting in place a modern, effective and efficient intellectual property regime. The Delegation recalled that it had always maintained that Asia, and in particular India, had eminently qualified and capable candidates, and that in a previous session of the Coordination Committee it had drawn the attention of the Committee to specific available expertise in India. It concluded by expressing the wish that this expertise would be considered by the Director General for inclusion in his top-level management team.

25. The Delegation of Argentina stated that it supported the reappointment of Messrs. Castelo, Uemura, Gurry and Yu, and also the appointment of Ambassadors Hayes and Petit as Deputy Directors General. In its opinion the professionalism and experience of the proposed officials would ensure that the Organization increased its success and effectiveness in future work and projects. In particular the Delegation expressed pleasure at the appointment to a senior position within the Organization of a woman, in the person of Ambassador Hayes, whose talents and career path were known to all.

26. The Delegation of Bulgaria, speaking on behalf of the Central European and Baltic countries, expressed its appreciation for the process of consultations undertaken by the Director General during the month preceding the Coordination Committee. It believed that the process had created transparency in the final stage of this important selection of top management of WIPO. The Group noted that Ambassadors Petit and Hayes were both from one regional group, even though representing different schools of thought, and in this way the composition of the senior management remained geographically imbalanced with over 50 per cent coming from one and the same regional group. While it wished to leave to the discretion of the Director General the running of the Organization with the best team of people, it wished to underline that it could endorse the two candidates under the assumption that any future adjustments of the composition of the senior management would take into account the principle of equitable geographical representation. In the Group's view, the balance could not be a goal in itself, but a process that should be sustained in the overall staff policy of the Organization along with other important criteria prescribed in Article 9(7) of the Convention Establishing the World Intellectual Property Organization. In terms of the proposed reclassification of one post of Assistant Director General to Deputy Director General, the Delegation of Bulgaria noted its Group's belief that it would be useful to receive, if possible, some additional information with regard to the specific reasoning that necessitated the introduction of the post. Whilst the Group recognized that it was up to the senior management to redistribute the tasks among themselves in an optimal way, it wished to express its interest in receiving information on the organigram once it became operational.

27. The Delegation of Egypt endorsed the statement made by the Delegation of Madagascar, speaking on behalf of the African Group. The Delegation expressed confidence in the Director General's choices, vision and management of WIPO. It was satisfied that the final choice of candidates had resulted in the selection of two highly qualified and diplomatically experienced colleagues, familiar with issues related to intellectual property at

an international level. The Delegation was particularly pleased with the choice of a woman which would contribute towards correcting the gender imbalance in the senior echelons of WIPO. It was confident that Ambassadors Petit and Hayes would make valuable contributions to WIPO at a juncture where the Organization, under the leadership of the Director General, was undergoing extensive modernization, necessitating increased capacity to respond to the growing demands for its services, especially from developing countries which constitute an overwhelming majority of its membership. The Delegation also appreciated the keenness of the Director General to achieve an appropriate balance in the membership of the senior management of the Organization, in accordance with the criteria of equitable geographical distribution, as is the practice in the United Nations system, and as stated in Article 9 (7) of the WIPO Convention.

28. The Delegation of Sri Lanka expressed its belief that the innovative proposals of the Director General to effect a fundamental transformation and modernization of WIPO's approach to management and program delivery could only be successful and produce desired results by assuring an overall balance at all levels of appointments. The developing countries, and the Asian region in particular, were under-represented at the higher levels of the Organization. The Delegation of Sri Lanka believed that the time was opportune to give earnest consideration to the Asian concerns and address this issue at the next available opportunity.

29. The Delegation of Morocco wished to associate itself with the statement made by the Delegation of Madagascar, speaking on behalf of the African Group. The Delegation stated its view that any configuration of the top management in WIPO should be explained in terms of the policy of the Organization. In deciding on membership of the senior management, it was indispensable that a link be established with the policy or strategy of the Organization. While the principle of equitable geographical distribution was important, it was also necessary to strike a balance with the need for skills and experience. The Delegation proposed the introduction of principles and rules for the limitation of the number of senior posts in order that the risk of new posts being created in the future, namely in ten years or so, might be avoided. The establishment of clear-cut rules was necessary to avert abuse of any kind. The Delegation of Morocco concluded by congratulating the Director General for his choice of candidates, which was based on transparent, acceptable and understandable criteria.

30. The Delegation of Australia expressed its strong support for the proposal to reappoint Mr. Francis Gurry to the position of Assistant Director General. The Delegation recalled that Mr. Gurry had made a substantial contribution to WIPO's work, particularly in emerging areas of intellectual property, and his reappointment would enable him to continue his excellent work.

31. The Delegation of the Islamic Republic of Iran supported the statement made by the Delegation of Malaysia, speaking on behalf of the Asian Group, and the statement made by the Delegation of India. The Delegation expressed its expectation that there would be balance in the senior management team of the Organization between developed and developing countries in Asia, and it hoped that the Director General would give serious consideration to the expectations of the developing countries in Asia in future appointments.

32. In response to various comments and questions by delegations, the Director General clarified that Article 9(7) of the WIPO Convention refers not only to geographical representation, but also to the highest standards of efficiency, competence and integrity. Striking a balance between the two criteria was not only a policy statement for the

Organization, but also a doctrine to be upheld scrupulously. Referring to the geographical distribution of staff in the Organization, the Director General reminded the delegations that at the beginning of 1998, the Organization had around 68 nationalities represented, as compared to 88 nationalities today. The Director General opined that gender representation was not an end in itself, and informed the Coordination Committee that whereas at the beginning of 1998, roughly 64 percent of the staff in the professional category were male, that figure currently stood at 59 percent. There was a real breakthrough in the special category of D-1 and above; whereas the proportion of males in the special category stood at 97 percent at the beginning of 1998, that figure had gone down to 85 percent. In response to the statement made by the Delegation of the Republic of Korea, the Director General clarified that the staff of the WIPO Secretariat included four nationals of the Republic of Korea, and it was therefore inaccurate to suggest that the Republic of Korea was under-represented in the Organization.

33. The Delegation of Cuba expressed its view that there had been a lack of transparency in the consultations leading up to the proposal of candidates. The Delegation was of the view that Rule 6(2) of the WIPO General Rules of Procedure had not been complied with, in so far as the proposals for appointments was dated May 11, 2001, while the convocation for the meeting was dated March 7, 2001. The Delegation of Cuba expressed its view that it was not prudent for the United States to be represented at the level of Deputy Director General of WIPO, in view of the fact that its leadership in bodies forming part of the UN Economic and Social Council had suffered serious damage, as it had also within the Commission on Human Rights and on the Narcotics Control Board. The Delegation therefore believed that the post to which an American was to be appointed should remain at the Assistant Director General level. The Delegation of Cuba expressed support for the proposal to appoint a female candidate to a senior management post, and congratulated the representative of France as well as current senior management staff whose terms of appointment were being renewed. It stated that if the Organization were to have four Deputy Director General positions, then the principle of equitable geographical representation would dictate that Africa and Asia should be represented at the Deputy Director General level. In that regard, the Delegation of Cuba endorsed the statements made by the Delegation of Malaysia, speaking on behalf of the Asian Group, and the Delegation of China, as a country which remained under-represented in the Organization. Consequently the Delegation moved that the proposal to appoint Ambassador Hayes to the post of Assistant Director General be reinstated and, should no consensus be reached on it, wished that it be put to a vote.

34. The Director General drew the attention of the Delegation of Cuba to the Circular he had sent to all Member States in January 2001, announcing his intention to convene the Coordination Committee in May 2001. The Director General also referred to the extensive and time-consuming process of informal consultations with the Member States, which were aimed at enhancing transparency in the decision-making process.

35. The Acting Chair concluded that there was no support for the proposal by the Delegation of Cuba, and there was therefore no need to put the issue to a vote.

36. The Delegation of Switzerland expressed its regret that Mr. François Curchod had not put himself forward for another term of office as Deputy Director General, and wished to thank Mr. Curchod, on behalf of the Government of Switzerland, for his excellence and professionalism over the years. His work in intellectual property went further back than his present position as Deputy Director General, and his 30 years at WIPO had contributed immensely to the success of the Organization. As a Member and a Host State of the Organization, Switzerland had always attached importance to the fate of WIPO. The

Delegation of Switzerland considered it essential that, in view of the position currently occupied by WIPO at the cutting edge of intellectual property, and in order to keep its standards of excellence, the strategic posts in WIPO should be held by staff with technical expertise and appropriate qualifications. The Delegation felt that particular care had to be taken to ensure that sufficient provision was made for the management of operational activities, including especially that of the registration systems, in terms of both the senior staff assigned to it and their professional qualifications and technical experience. The very strength of WIPO lay first and foremost in the smooth operation of the international systems for the protection of intellectual property.

37. The Delegation of Japan expressed its support for the appointments, in particular, the renewal of Mr. Uemura's appointment. The Delegation noted the continuing importance of WIPO and of intellectual property, and hoped that the responsibilities among senior management would be allocated appropriately in order to utilize the skills of WIPO staff in the most efficient manner possible.

38. The Delegation of the Netherlands wished to build upon the statement made by the Delegation of Morocco. The Delegation was of the view that geographical representation should not be the sole criterion in making appointments to senior management. There had to be a balance between developed and developing countries. Gender balance was equally important, and the Delegation wished to state its view that one female out of seven in the senior management team was still a poor record. In the Delegations view, a more important balance to be achieved was that between technocrats and policy level appointees. It was important to strike that balance in a technical or specialized agency. Finally, the Delegation endorsed the Director General's earlier statement that the International Bureau was by no means an employment bureau.

39. The Delegation of the Democratic People's Republic of Korea endorsed the view that an equitable regional balance should be preserved in the senior management of the Organization. The Delegation suggested that the principle of equitable geographical distribution should be used to reduce the gap between the over-represented and the under-represented countries in WIPO.

40. The Delegation of Bangladesh endorsed the statement made by Malaysia, speaking on behalf of the Asian Group. It observed that the intangible asset-based new economic order was highly concentrated in a few countries. The Delegation was pleased to see that the Organization had presented a set of deliverables for sustainable development of intellectual property in the least-developed countries at the recently concluded Conference of the 3rd United Nations Least Developed Countries held in Brussels. The Delegation of Bangladesh expressed its hope that the Director General would strike a balance in WIPO's administrative structure in terms of the participation of developed and developing countries at the occasion of the next administrative change.

41. The Delegation of France expressed its support and thanks to the Director General for the nominations. The Delegation was particularly grateful for the nomination of Ambassador Petit, who was well known in Geneva and in WIPO, and expressed its thanks to all the Member States that had supported the proposals of the Director General.

42. The Delegation of Portugal fully supported the proposals put forward by the Director General in the document before the meeting, which in its opinion were consistent with his aim to open up and invigorate the Organization through the selection of persons with proven skills

and experience that extended to political as well as technical fields, which would, it was hoped, assist in the conduct of numerous constructive negotiations within WIPO. The Delegation thanked the Director General for the many consultations that he had had in that connection.

43. The Delegation of Algeria wished to associate itself with the statement made by the Delegation of Madagascar, speaking on behalf of the African Group, and thanked the Director General for the informal consultations that preceded the meeting.

44. The Delegation of Brazil expressed its satisfaction with the proposals by the Director General to appoint Ambassadors Philippe Petit and Rita Hayes, given that both had vast experience in their careers. The Delegation also supported the renewal of the mandates of Messrs. Francis Gurry, Yu, Uemura and Castelo. In particular, the Delegation attributed great importance to the fact that a Brazilian official was in charge of such a high level position.

45. The Delegation of Denmark wished to congratulate the Director General on his ability to attract individuals of such high recognition for the posts of Deputy Director General, and expressed its appreciation for the current senior management team and for their outstanding services. The Delegation wished the Director General and the Organization much success in providing guidance in this highly dynamic, highly complex and increasingly important field of intellectual property.

46. The Delegation of Turkey wished to underline that its country was under-represented in the Secretariat of WIPO, and hoped that the Director General would pay due attention to applications from Turkish citizens in the context of his efforts to ensure more equitable geographical distribution.

47. The Delegation of Ghana expressed its support for the statement made by Madagascar, speaking on behalf of the African Group. As regards the proposal to pay appropriate compensation arrangements, the Delegation stated its belief that the Director General would make reasonable proposals that would ensure that the interests of the Organization remained intact.

48. The Delegation of Luxembourg expressed its satisfaction to see that Ambassador Hayes would be the first woman to be nominated to the post of Deputy Director General in WIPO, and expressed its wish that the negotiations for appropriate compensation arrangements would be done in a spirit of transparency and with full disclosure to the Coordination Committee.

49. The Delegation of Canada expressed its appreciation for the transparency and the consultations that took place well in advance of the meeting, and the absence of politicization throughout the process. On the question of regional balance, the Delegation of Canada noted with satisfaction that Ambassador Hayes would be an outstanding representative of North America on the WIPO senior management team.

50. The Director General thanked the delegations for the overwhelming support given to his proposals and observed that the decision was a true reflection of the mutually supportive relationship between the Member States and the International Bureau of WIPO, and the confidence that the Member States had in the leadership of the Organization. On a point of clarification concerning paragraph 14 of document WO/CC/46/2, the Director General informed the delegations that as of December 31, 1999, the separation reserve, which was established in January 1984, stood at approximately 13 million Swiss francs. For an

international organization like WIPO, this was a very prudent and useful management facility. However, in view of the limited resources in this particular fund, the Director General would attempt to restrict its use for compensation arrangements in future to senior management, and in particular to the special category of D-2 and above. This would ensure that the fund is used effectively, efficiently and prudently.

51. Mr. Philippe Petit made the following statement:

“Mr. Chairman,

“I wish to thank the Director General for the confidence that he has placed in me, and the members of the Coordination Committee for having approved his proposal.

“I am aware of the responsibilities of an Organization which, in the words of its own Director General, has to ‘meet the expectations of Member States, the private sector and society, achieve productivity gains, improve services to Member States and industry, strengthen the Organization’s capacity to foresee and respond rapidly to change, move on from the progressive development of intellectual property to the consolidation of rules and promote the idea of the importance of intellectual property protection to economic and social well-being.’

“I feel - I was intent on saying this today - the greatest respect for the eminent intellectual property specialists within the Organization, who have established its excellent reputation and won recognition for its competence in the eyes of the world.

“Through having had the honor to preside over one of the Organization’s Diplomatic Conferences and take part in one of its advisory committees, and also through the regular contacts that we have had, I have been able to appreciate fully the qualities of the Organization, its members and its work.

“Now that its reputation for great competence has been firmly established, WIPO is destined to become one of the major organizations of the United Nations system. In today’s world, and even more in tomorrow’s, economic wealth predominates and will predominate over natural resources and mere industrial output. WIPO will have a growing part to play; it will have to broaden its concerns and rise to a number of challenges, including the interface between the development and exploitation of intellectual property and the progress of globalization, the right to development and human rights, cultural diversity, the richness of mankind and the accommodation not only of new genetic knowledge but also of traditional and ancestral lore.

“The Organization will have to strengthen its cooperation with other multilateral agencies, as it has a specific role to perform in concert with those agencies in what today is the major concern: to give a human face to globalization while making the most of the rights and abilities of each one of us.

“I thank you, Director General, and also you, Mr. Chairman, and the members of the Committee, for having given me this opportunity of putting the legal, diplomatic and human experience that I have acquired in other settings and in other parts of the world to work for the benefit of the Organization.

“Thank you, Mr. Chairman.”

52. Mrs. Rita Hayes made the following statement:

“Mr. Director General, Distinguished Delegates, Leaders and Staff of the World Intellectual Property Organization,

“I am honored that the Director General has nominated me for the position of Deputy Director General of the World Intellectual Property Organization. Dr. Idris has set an example for us through his campaign to establish and strengthen regimes of protection for intellectual property rights. The Director General has also assured us that these rights are respected and in doing so has promoted public understanding of the concept of intellectual property.

“I would like to thank the United States government for putting my name forward for this important position. For a number of years I have represented the United States in the international trade community and for the last four years I have been the United States Representative at the World Trade Organization. The Director General’s nomination will allow me to apply my past experience in this dynamic Organization. I am pleased to be standing here today with you knowing that in the coming months we will be working together to achieve the goals of the World intellectual Property Organization.

“The World Intellectual Property Organization has global responsibilities and a global reach. Countries who have strengthened their legal and enforcement regimes have concluded that strong intellectual property standards promote their economic development. Globalization offers opportunities for all nations. If today’s global opportunities are far greater and potentially more accessible than any other time in world history then it is all nations’ responsibility to help the countries that are struggling in their development. Trade policy can lay the path for growth in the new economy, or block it.

“I look forward to serving with both the Director General and you as my colleagues at the World Intellectual Property Organization. I would also like to thank you, the delegates of the Member States, for the opportunity of pursuing the goals that were established by you.”

53. The WIPO Coordination Committee approved the reclassification of the post of Assistant Director General to the level of Deputy Director General. The Committee approved the appointment of Mr. Robert Castelo, Mr. Shozo Uemura, Mr. Philippe Petit and Mrs. Rita Hayes to the posts of Deputy Director General for the period from December 1, 2001 to November 30, 2003. The WIPO Coordination Committee further approved the appointment of Messrs. Francis Gurry and Geoffrey Yu to the posts of Assistant Director General for the period from December 1, 2001 to November 30, 2003.

54. The Delegation of Cuba again expressed its reservation with respect to the re-classification, as reflected under paragraph 33.

55. The Coordination Committee also authorized the Director General to determine and pay appropriate compensation arrangements for the outgoing Deputy Director General and Assistant Director General in respect of the period of their appointments as WIPO staff members that remains between December 1, 2001, and the applicable dates of retirement.

[Annex follows]

ANNEX/ANNEXE/ANEXO

I. MEMBRES/MEMBERS

ALGÉRIE/ALGERIA

Nor-Eddine BENFREHA, conseiller à la Mission permanente, Genève

ALLEMAGNE/GERMANY

Elmar HUCKO, Director General, Federal Ministry of Justice, Berlin

Jürgen SCHMID-DWERTMANN, Deputy Director General, Federal Ministry of Justice, Berlin

Karl FLITTNER, First Counsellor, Permanent Mission, Geneva

ARGENTINE/ARGENTINA

Marta GABRIELONI (Sra.), Consejera, Misión Permanente, Ginebra

AUSTRALIE/AUSTRALIA

Dara WILLIAMS (Ms.), Second Secretary, Permanent Mission, Geneva

AUTRICHE/AUSTRIA

Robert ULLRICH, Head of Department, Austrian Patent Office, Vienna

Anton ZIMMERMANN, First Secretary, Permanent Mission, Geneva

BANGLADESH

Toufiq ALI, Ambassador, Permanent Representative, Permanent Mission, Geneva

Md. Shahidul HAQUE, Counsellor, Permanent Mission, Geneva

BELGIQUE/BELGIUM

Simon LEGRAND, premier secrétaire à la Mission permanente, Genève

BRÉSIL/BRAZIL

Celso Luiz NUNES AMORIM, Ambassador, Permanent Representative, Permanent Mission, Geneva

Francisco PESSANHA CANNABRAVA, Second Secretary, Permanent Mission, Geneva

BULGARIE/BULGARIA

Dimitar GANTCHEV, Minister Plenipotentiary, Permanent Mission, Geneva

CANADA

Sven BLAKE, Counsellor, Permanent Mission, Geneva

CHILI/CHILE

Sergio ESCUDERO, Ministro Consejero, Representante Permanente Alterno ante la Organización Mundial del Comercio (OMC), Ginebra

CHINE/CHINA

MA Lianyuan, Deputy Commissioner, State Intellectual Property Office (SIPO), Beijing

HAN Li (Mrs.), First Secretary, Permanent Mission, Geneva

COLOMBIE/COLOMBIA

Luis Gerardo GUZMAN VALENCIA, Ministro Consejero, Misión Permanente, Ginebra

CÔTE D'IVOIRE

Désiré-Bosson ASSAMOI, conseiller à la Mission permanente, Genève

CUBA

Celia LABORA (Sra.), Ministra Consejera, Misión Permanente, Ginebra

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DANEMARK/DENMARK

Preben GREGERSEN, Minister Counsellor, Permanent Mission, Geneva

ÉGYPTE/EGYPT

Fayza ABOULNAGA (Ms.), Ambassador, Permanent Representative, Permanent Mission, Geneva

Ahmed ABDEL-LATIF, Third Secretary, Permanent Mission, Geneva

ÉQUATEUR/ECUADOR

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ESPAGNE/SPAIN

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Ana PAREDES (Sra.), Consejera, Misión Permanente, Ginebra

Victor VAZQUEZ, Consejero Técnico, Subdirección General de la Propiedad Intelectual, Ministerio de Educación, Cultura, y Deporte, Madrid

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James FOLEY, Chargé d'affaires, Permanent Mission, Geneva

Michael A. MEIGS, Counsellor (Economic Affairs), Permanent Mission, Geneva

David NICHOLSON, Intellectual Property Attaché, Office of the United States Trade Representative, Geneva

Michael WAGG, Intern, Permanent Mission, Geneva

FÉDÉRATION DE RUSSIE/RUSSIAN FEDERATION

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GRÈCE/GREECE

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GUINÉE/GUINEA

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HONGRIE/HUNGARY

Miklós BENDZSEL, President, Hungarian Patent Office, Budapest

Péter CSIKY, Deputy Head, Legal Section, Hungarian Patent Office, Budapest

László HORVÁTH, Chargé d'affaires, Permanent Mission, Geneva

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Homai SAHA (Mrs.), Minister (Economic), Permanent Mission, Geneva

IRAN (RÉPUBLIQUE ISLAMIQUE D')/IRAN (ISLAMIC REPUBLIC OF)

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Takashi YAMASHITA, First Secretary, Permanent Mission, Geneva

Toru SATO, First Secretary, Permanent Mission, Geneva

MALAISIE/MALAYSIA

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RÉPUBLIQUE DE CORÉE/REPUBLIC OF KOREA

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RÉPUBLIQUE-UNIE DE TANZANIE/UNITED REPUBLIC OF TANZANIA

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Virginia PÉREZ PÉREZ (Sra.), Primer Secretario, Misión Permanente, Ginebra

YÉMEN/YEMEN

Ahmed Kamal NOMAN, First Secretary, Permanent Mission, Geneva

II. OBSERVATEURS/OBSERVERS

(dans l'ordre alphabétique des noms français des États)
(in the alphabetical order of the names in French of the States)

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BOLIVIE/BOLIVIA

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Sanela AVDIC (Ms.), Second Secretary, Permanent Mission, Geneva

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IRLANDE/IRELAND

Mícheál Ó RAGHALLAIGH, Third Secretary, Permanent Mission, Geneva

LITUANIE/LITHUANIA

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LUXEMBOURG

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MAROC/MOROCCO

Nacer BENJELLOUN-TOUIMI, ambassadeur, représentant permanent, Mission permanente, Genève

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MUANZA KATEMA, directeur de la propriété industrielle, Département de l'économie nationale et de l'industrie, Ministère de l'économie et de l'industrie, Kinshasa

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JANG Chun Sik, Counsellor, Permanent Mission, Geneva

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Hédi MEKNI, conseiller des Services publics, Tunis

VIET NAM

VU Huy Tan, Counsellor, Permanent Mission, Geneva

III. BUREAU/OFFICERS

Président par intérim/Acting Chair: Kálmán PETÖCZ (Slovaquie/Slovakia)

Secrétaire/Secretary: Edward KWAKWA (OMPI/WIPO)

IV. BUREAU INTERNATIONAL DE L'ORGANISATION MONDIALE DE LA
PROPRIÉTÉ INTELLECTUELLE (OMPI)/
INTERNATIONAL BUREAU OF THE WORLD INTELLECTUAL
PROPERTY ORGANIZATION (WIPO)

Kamil IDRIS, directeur général/Director General

Khamis SUEDI, conseiller spécial/Special Counsel

Yo TAKAGI, directeur, Bureau de la planification stratégique et du développement des politiques/Director, Office of Strategic Planning and Policy Development

Herman NTCHATCHO, directeur, Division de la gestion des ressources humaines/Director, Human Resources Management Division

Joachim MÜLLER, contrôleur et directeur, Bureau du contrôleur/Controller and Director, Office of the Controller

Svein ARNEBERG, directeur adjoint, Division de la gestion des ressources humaines/Deputy Director, Human Resources Management Division

Edward KWAKWA, conseiller juridique adjoint/Assistant Legal Counsel

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