

WIPO



WO/CC/XXXI/2.

ORIGINAL : English

DATE : August 16, 1993

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

WORLD INTELLECTUAL PROPERTY ORGANIZATION

COORDINATION COMMITTEE

Thirty-First Session (24th Ordinary)
Geneva, September 20 to 29, 1993

STAFF MATTERS

(FIRST SUPPLEMENT TO DOCUMENT WO/CC/XXXI/1)

Memorandum of the Director General

CONTENTS

| | <u>Paragraphs</u> |
|---|-------------------|
| I. APPOINTMENT OF A DEPUTY DIRECTOR GENERAL | 1 to 15 |
| II. UPGRADING OF TWO D POSTS TO THE ADG LEVEL | 16 to 25 |

I. APPOINTMENT OF A DEPUTY DIRECTOR GENERAL

1. Under Article 9(7) of the WIPO Convention, Deputy Directors General are appointed by the Director General "after approval by the Coordination Committee."
2. The post of Deputy Director General to be occupied by a national of a developing country (see document WO/GA/II/7, paragraph 31) will become vacant on December 1, 1993, with the expiration of the term of appointment of the present incumbent, Mr. Shahid Alikhan, national of an Asian country (India). The expressions of thanks and the extolling of the outstanding merits of Mr. Alikhan will be the subject of a separate communication to the Governing Bodies when they meet in September 1993.
3. In the November 1991 session of the WIPO Coordination Committee, the Director General said that "in 1993, he would propose to the Coordination Committee, if he finds a suitable candidate--and he had no doubt that it will be possible to find such a candidate--to approve the appointment, for two years, of a national of an African developing country to succeed Mr. Alikhan" (see document WO/CC/XXIX/4, paragraph 45).
4. It is to be noted that the period of two years was mentioned since it is assumed that the appointment would take place with the effective date of December 1, 1993, and, thus, the term of appointment would expire, as is customary, at the same time as the present term of the Director General, that is, on November 30, 1995.
5. It is to be further noted that if Mr. Alikhan occupies the post until November 30, 1993, the post to be occupied by a national of a developing country will have, by that date, been occupied for roughly six years each by a national of an African country (1975-1980), a national of a Latin American country (1981-1987) and a national of an Asian country (1988-1993).
6. In February and March 1993, the Director General held consultations with representatives of each of the regional groups of developing countries, with representatives of industrialized countries and with representatives of China. In those consultations, he indicated the name of a national of an African developing country (Egypt), Ambassador Fawzi El Ibrashi, who, in his opinion, would be suitable for the position.
7. Mr. El Ibrashi, born in 1932, has several degrees in law, political sciences, history and languages, from the University of Cairo, the University of Moscow, the Geneva Institute of Political Sciences and the University of Boston. After serving as district attorney and judge in Egypt, he joined the Egyptian Foreign Service in 1963 and held various assignments in Moscow, Geneva, Brussels, and the Foreign Ministry in Cairo. He became Ambassador in 1980 and Assistant Foreign Minister in 1990. At the beginning of 1993, he retired from Egyptian government service and became Special Advisor to the Foreign Ministries of some Arab countries and headed the delegation of Egypt to the Multilateral Peace Conference. From 1976 to 1980, as Deputy Permanent Representative of Egypt in Geneva, Mr. El Ibrashi represented Egypt in several WIPO meetings. He headed the delegation of Egypt to the Diplomatic Conference for the Revision of the Paris Convention, was Vice-President of the Conference and, in several meetings, spokesman of the Group of 77. Mr. El Ibrashi speaks Arabic, English, French and Russian.

8. After the said consultations, the Director General received a letter dated April 16, 1993, from the Chairman of the African Group in Geneva, requesting that the Director General "advertise the vacancy of the above-mentioned post and invite the African member States of WIPO to present suitable candidates."
9. By Circular of April 30, 1993, addressed to all member States of WIPO and/or the Paris or Berne Unions, the Director General advertised the vacancy and invited the presentation of candidates by July 30, 1993.
10. By the latter date, the Director General received two candidatures. The first (dated May 5) came from the Government of Egypt, which presented the candidature of Mr. Fawzi El Ibrashi. The second (dated May 24) came from the Government of Cameroon, which presented the candidature of Mr. Jean Foumane Akame.
11. The curriculum vitae of Mr. El Ibrashi is outlined in paragraph 7 above.
12. Mr. Jean Foumane Akame, born in 1937, has a law degree from the University of Poitiers (France) and the diploma of the French national school for magistrates (Ecole nationale de la magistrature). After serving in increasingly high positions in the Cameroonian courts, including the Supreme Court, he became in 1974 Secretary General of the Ministry of Justice and Attorney General (Procureur Général) to the Court of Appeal of Yaounde, then Chancellor of the University of Yaounde (1980-1983) and, from 1983 to 1984, Minister of Territorial Administration. From 1986 to 1988, Mr. Foumane Akame was Advisor to the President of the Republic of Cameroon for Judicial Affairs and, since 1987, he is the Secretary of the Conseil Supérieur de la magistrature.
13. Both candidates are lawyers but only Mr. El Ibrashi has experience in international affairs and in intellectual property matters. He is personally known by the Director General and many delegates who could observe his talents and personality in a number of WIPO meetings.
14. The Director General will, if the Coordination Committee approves, appoint Mr. Fawzi El Ibrashi as Deputy Director General, for the period from December 1, 1993, to the date of the expiration of the present mandate of the present Director General, that is, November 30, 1995.
15. The WIPO Coordination Committee is invited to give its approval to the appointment of Mr. Fawzi El Ibrashi as Deputy Director General.

II. UPGRADING OF TWO D POSTS TO THE ADG LEVEL

16. At the September 1992 session of the WIPO Coordination Committee, the Director General proposed the introduction of the Assistant Director General (ADG) level in the grade structure of the International Bureau of WIPO and the upgrading of two existing D.2 posts to the ADG level. He further stated that, in 1993, he would propose also the establishment of a third ADG post (see document WO/CC/XXX/5, paragraph 4).

17. The WIPO Coordination Committee, at the said session, approved amendments to the Staff Regulations introducing the ADG level in the International Bureau of WIPO and approved a proposal to the effect (i) that the Director General upgrade one of the then existing D.2 posts to the ADG level, and (ii) that the matter of creating additional posts at the ADG level be considered at the 1993 session of the Governing Bodies (see document WO/CC/XXX/6, paragraphs 42 and 38).

18. The post of the Legal Counsel, occupied by Mr. Gust Ledakis, was upgraded to the ADG level, effective October 1, 1992.

19. In the consultations that he had in February and March 1993, with representatives of member States (see paragraph 6, above), the Director General also consulted them on his intention to propose to the thirty-first session of the WIPO Coordination Committee the upgrading of two existing D posts to the ADG level, namely, the posts of Director of the Copyright Department and Director of the Developing Countries (Copyright) Division. This intention is reflected in the Draft Program and Budget for the 1994-95 Biennium (document AB/XXIV/2) issued on May 31, 1993.

20. Since its creation in 1976, and until October 1992 (when the ADG level was introduced), the post of Director of the Copyright Department has always been classified at the grade immediately below that of the DDG (Deputy Director General) level (namely D.2). Since 1981, its incumbents have reported directly to the Director General. The post of the Director of the Copyright (Developing Countries) Division is presently classified at the D.1 level.

21. The present incumbents of these two posts are Mr. Mihály Ficsor (a national of Hungary) and Mr. Carlos Fernández Ballesteros (a national of Uruguay).

22. In the last years, the International Bureau's work in the field of Copyright has considerably increased: the normative activities have become more and more important (for example, on account of the work on the creation of two new multilateral treaties, the Berne Protocol and the new instrument on the protection of the rights of performers and phonogram producers) and more and more complex (for example, because of computer programs, digital technology and new telecommunication technology, such as satellite broadcasting). The cooperation with developing countries has also considerably increased and was particularly successful in that 14 developing countries have, only in the last three years, become members of the Berne Union.

23. The responsibilities of the two copyright units increased not only in absolute terms but also if compared with the activities in the field of industrial property. Although the volume of the latter activities is still larger, the volume of the activities in the field of copyright is such that it would no longer be justified to maintain the present difference in the level of the two highest posts in the essentially industrial property field and the two highest posts in the essentially copyright field. In the first field, the two highest posts are DDG posts, whereas in the second field, the two highest posts are D posts. It would therefore correspond better to the actual level of responsibilities if the two highest copyright posts would be upgraded to ADG level.

24. Consequently, it is proposed that the posts of the two highest ranking officials in the copyright field be upgraded to the ADG level and that the Coordination Committee express a favorable view as to the Director General's intent to promote Mr. Mihály Ficsor and Mr. Carlos Fernández Ballesteros to that level.

25. The WIPO Coordination Committee is invited to take the action proposed in the preceding paragraph.

[End of document]

