

PROGRAM AND BUDGET COMMITTEE

INFORMAL SESSION
Geneva, July 20 to 22, 2009

Summary by the Chair
(Mr. Christophe Guilhou, Deputy Permanent Representative, France)

I OPENING OF THE SESSION

1. The Informal Session of the Program and Budget Committee (PBC) was held from July 20 to 22, 2009. It was agreed that the first two days of the meeting would be informal and include a program by program review of the Proposed Program and Budget 2010/11 and that the last day would be convened as a formal session. However, following the substantive program by program review during the informal session, there was not sufficient time to convene in formal mode. It was agreed by delegates that there would be a summary by the Chair and an annex reflecting the comments and proposals made by Member States in relation to the proposed Program and Budget 2010/11. This would be used to help guide the Secretariat's preparation of an amended version of the document to be submitted to the formal session of the Program and Budget Committee (14 – 16, September, 2009)

II SUMMARY OF DISCUSSIONS

2. This Summary is presented in accordance with the agenda as adopted at the start of the meeting.

Interim Financial Statements for 2008

3. Delegations asked a number of questions with respect to the Interim Financial Statements for 2008. The Secretariat responded directly to the questions providing the necessary clarifications.

Program Performance Report (PPR) 2008

4. Delegations welcomed improvements to the Program Performance Report 2008, in particular the introduction of the validation exercise. There remained, however, a number of weaknesses which would need to be addressed in the future:

- (i) The assessment of Program 28 (Conference, Language, Printing and Archives) in relation to the expected result addressing translations (page 110) seemed too generous. Experience with respect to Spanish language translations did not reflect this.
- (ii) The Development Agenda was not reflected in the performance indicators and consequently was not assessed in the context of the PPR 2008.
- (iii) Indicators needed to be improved and focus more on outcomes rather than outputs/activities.

5. Delegations asked a number of more specific questions which the Secretariat responded to directly.

Draft Proposed Program and Budget 2010/11

(Upon request of Member State, references to the Medium-Term Strategic Plan 2010/15 were deleted from the agenda.)

6. Discussion commenced with general statements addressing the proposed Program and Budget 2010/11 as a whole. This was followed by a substantive program by program review. The Annex to this Summary by the Chair reports on both the general statements and the program by program proposals and comments made by the Member States.

7. Following this review and at the invitation of the Chair, the Director General outlined the areas where there appeared to be emerging consensus and proposed making the following amendments to the proposed Program and Budget 2010/11:

- In response to the strong desire by Member States that the importance of SMEs should be more clearly reflected in proposed Program and Budget 2010/11, a separate Program would be established under Strategic Goal VII.
- Acknowledging calls to differentiate between the very specific needs of the various regions and of LDCs within Program 9, the proposed Program and Budget 2010/11 would be amended to include separate sections within the Program. These would spell out in detail the region specific challenges and strategies, together with associated expected results and performance indicators by region. The proposed financial resources within this Program would also be provided on a region by region basis.
- Innovation promotion and technology transfer would be transferred from Program 1 to Program 18 (IP and Global Issues), reflecting Member States comments and the global IP challenges nature of this work.
- Following the strong support expressed for the Executive Management program of the WIPO Academy and calls for it to be reintroduced, it will be reinstated in the amended version of the proposed Program and Budget 2010/11. In doing so, the Secretariat would revisit the course concept and design and remodel it in a way that meets the needs expressed by Member States and the greater development focus the Secretariat envisages for the Academy.
- As requested by a number of delegations, paragraphs 24 and 25 on extrabudgetary resources will be deleted from Section II, Part D in the amended version of the proposed Program and Budget 2010/11.
- References to the Medium-Term Strategic Plan will be deleted throughout the proposed Program and Budget 2010/11.
- An updated Organigram will be provided in the amended version of the proposed Program and Budget 2010/11
- The suggestion for greater efforts, both formal and informal, to build up trust between the Secretariat and Member State representatives was welcomed by the Secretariat and it would fully support and undertake initiatives in this regard.

8. In response to two specific questions raised by delegations, the Director General responded that:

- A document on the utilization of reserves would be submitted to the Program and Budget Committee in September.
- Changes to travel classes for senior management would be introduced in November 2009.

9. Delegations welcomed the Director General's readiness to respond to Member States' comments. A number of delegations expressed a preference that the new SMEs Program be grouped under Strategic Goal III. (This will be reflected in the amended version of the document.) Further clarification was sought on WIPO's policy on external offices. The Director General said this would be presented in the context of the Medium-Term Strategic Plan. Delegations also expressed further suggestions regarding paragraphs 24 and 25 on extrabudgetary resources in Section II, Part D of the document. In particular, it was requested that paragraph 25 be moved to Program 20 and that paragraph 24 be redrafted and retained elsewhere in Section II of the document. These suggestions will be reflected in the amended version of the proposed Program and Budget 2010/11.

10. A number of delegations expressed their support for the comprehensive manner that had been adopted for the review of the proposed Program and Budget 2010/11. They noted that this had been conducted in informal session and that, other than the proposals outlined by the Director General, there was not yet consensus on all the proposals that had been introduced during the informal session. Some noted that there would be need for further consultation with capitals. A number of delegations expressed the view that the overall budget envelope must be respected and that any reallocation of budget as a result of the changes proposed should reflect this. The need for a degree of flexibility in this respect was also expressed.

11. It was agreed by delegates that the Chair's summary of the meeting would incorporate the elements outlined by the Director General which appeared to enjoy consensus. The Secretariat would prepare an amended version of the proposed Program and Budget 2010/11. This would include the changes presented by the Director General and also reflect, to the extent possible, other comments received that would in its view help support consensus for the proposed Program and Budget 2010/11. The amended version would be presented to the formal session of the Program and Budget Committee which would meet from 14 to 16 September, 2009.

Briefing by Chair of the Audit Committee

12. Owing to time constraints, the Chair of the Audit Committee offered to defer the opportunity to brief the Committee until its next session in September.

Composition of the Audit Committee

13. Member States expressed their appreciation for the work of the Audit Committee. They stated their positions with respect to the composition and size of the Audit Committee and rotation of its members. The Chair suggested that WIPO Group Coordinators continue

discussions on this issue to identify a solution before the next formal meeting of the Program and Budget Committee (14 – 16 September, 2009).

Progress Report on the New Construction Report

14. The Secretariat presented a progress report on the new construction project. A number of delegations made suggestions with regard to the proposed new Conference hall and alternative options that might be explored in presenting this project to the Member States. The Secretariat responded to the questions raised and took note of the suggestions made.

Audit of Information Technologies

15. No comments were made on this Agenda Item.

Conclusion

16. The Chair confirmed that the Secretariat would endeavor to make the amended version of the proposed Program and Budget available by early September. The document would highlight the changes made. The Chair's Summary and Annex would be distributed to Member States via the Permanent Missions in Geneva under cover of a Note Verbale. They would also be made available on the WIPO website.

[Annex follows]

ANNEX

Summary of the Comments/Amendments Proposed by Delegations Regarding the Draft Proposed Program and Budget (document WO/PBC/IM/1/09/4)

This Annex comprises two sections. Section I provides the comments made and amendments proposed by Member States to the draft proposed Program and Budget 2010/11 during the substantive program by program review. Section II provides a summary of the general statements made by Member States during the initial introductory overview of the proposed Program and Budget 2010/11.

I. SUBSTANTIVE PROGRAM BY PROGRAM REVIEW

PROGRAM 1: Patents, Innovation Promotion and Technology Transfer

- Patents

Requirement for greater emphasis in the Program narrative to flexibilities. More specifically, an explicit reference to TRIPS (Egypt, India). Various flexibilities to be shown in all relevant Programs (Venezuela).

Clarification requested regarding the reference to “corporate law” in the Program Objective. (Brazil).

Improvement to performance indicators requested. Reference “Increased number of debates” (page 28, English language version) (South Africa).

Programs under Strategic Goal I should be restricted to normative work in line with the states goal. Technical assistance activities should be grouped under Strategic Goal III (Pakistan).

Request for a single unit responsible for legislative advice with respect to all types of IP not just Patents (Pakistan).

Need to include in the performance indicators, number of countries provided legislative advice (Pakistan).

Delete references to the Medium Term Strategic Plan (Egypt).

More emphasis on utility models (Pakistan).

Request for a study on creative commons (Pakistan).

- Innovation Promotion and Technology Transfer

Disconnect between the different parts of this Program: Patents and Innovation Promotion and Technology Transfer. The former being normative activity, the latter more of a technical assistance and capacity building nature. Suggestion that Innovation Promotion and Technology Transfer be removed from Program 1 and merged with a new Program for SMEs. This might also include Creative Industries (India) (supported by South Africa)

Link between innovation promotion and SMEs (Spain)

Insufficient reference to technology transfer in the Program narrative. Need for this work to better reflect Cluster C of the WIPO Development Agenda Recommendations. (Senegal, South Africa)

Proposal to establish a supervisory group to oversee technology transfer. (Senegal)

Insert reference to legal advice with respect to innovation promotion in the bullet points on page 27 (English language version) (India).

Improve the references to Development Agenda Links (Algeria).

Ensure consistency in Program Links (Russia)

PROGRAM 2: Trademarks, Industrial Designs and Geographical Indications

Clarification sought, and provided by the Program Manager (Mr. Rubio) regarding reference to “convergence areas and agreements” in the baseline (India).

Expected Result and Program narrative regarding geographical indications was welcome (Senegal, Pakistan).

Request for number of countries receiving legislative advice to be included in the indicators (Pakistan).

PROGRAM 3: Copyright and Related Rights

The reference to limitations and exceptions in the first bullet point on page 35 (English language version) should be broader than just the WIPO Internet Treaties (Pakistan, India, South Africa, Algeria).

The Section on Copyright in the Digital Environment has too great a focus on the needs of developed countries and should be more balanced to reflect the needs of developing countries (e.g. access to educational materials) (Pakistan, South Africa, India, Algeria).

Collective Management activities relate more to technical assistance than the balanced evolution of the normative framework (Pakistan).

Regarding the first Expected Result the baseline referring to the WCT and WPPT should be expanded (Pakistan, South Africa, India, Algeria).

Need to separate normative activity and technical assistance (Pakistan).

There is an imbalance between WIPO's Copyright Program and other areas of IP, this should be addressed by strengthening the resources for Program 3 (Spain) in doing so, particular attention should be paid to respect for geographical balance in Secretariat staffing (Spain).

Requirement for funding for stakeholder participation from developing countries in stakeholder platforms (SCCR) (South Africa).

Creative Industries should be more closely linked with SMEs (South Africa).

Need for additional studies on the impact of the Creative Industries (South Africa).

Requirement for workshops and additional studies on exceptions and limitations, in particular with respect to the transnational aspects of e-learning (Senegal).

Request for further information on how progress in the SCCR on adoption of a treaty on the protection of broadcasting organizations might be reflected in the proposed Program and Budget 2010/11. Does the budget provide for a Diplomatic Conference? (El Salvador)

Need for Program Objective to reflect the role of the public domain (India)

Request reference to the evidence supporting the statement “extremely high rates of non-compliance” in the first bullet point under the Section “Copyright in the Digital Environment” on page 35 (English language version) (India).

Strategies required to increase capacity in Arab countries (Algeria).

Clarification requested regarding “Experts Honoraria” in the Resources Section (Table) on page 39 (English language version) (Senegal).

PROGRAM 4: Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources

Include reference in links to other international bodies the Human Rights Council (Mexico).

Concern regarding reduction in resources for publications (Algeria).

Welcome reference to the need for the acceleration of the IGC process and request specific reference to intersessionals (Senegal).

Importance of this Program, in particular the technical assistance aspects, not sufficiently reflected in the resources allocated (South Africa).

Need to highlight Secretariat’s regional national legislation and policy work (South Africa).

Request to increase non-personnel resources for national legislation and policy work (South Africa).

Proposal to organize global conference on misappropriation of TK, TCE and GR in 2010/11 (Sri Lanka)

Request for action plan in relation to misappropriation of TK, TCE and GR in LDCs and middle income countries, including digital libraries (Sri Lanka).

Need for Program narrative to be drafted to more closely reflect current situation with respect to the renewal of the IGC mandate (Pakistan)

Need to recognize that it is not only local communities who may be rights-holders (reference first Expected Result on page 42 of the English language version) (Iran).

PROGRAM 5: The PCT System

As the main income generating Program of the Organization it is important that this activity is adequately resourced (US).

Need to ensure Program incorporates sufficient capacity building activities in developing countries (Senegal – Africa Group)

Request for Program 5 to include a preliminary study providing a cost benefit analysis on the possible outsourcing of further aspects of PCT operations as a means of reducing WIPO’s overall expenditure (India).

PROGRAM 6: Madrid, Hague and Lisbon Systems

To support increased geographical coverage of these systems, further capacity building and awareness raising activities are requested. Particular emphasis requested to support electronic filing and communication (Senegal – African Group)

Further clarification requested regarding the role of Working Groups convened to identify and develop amendments to the Regulations under the Madrid, Hague and Lisbon systems and the role of the SCT (India).

PROGRAM 7: Arbitration, Mediation and Domain Names

Request for information regarding the links between Program 7 and Program 4 (Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources); have there been disputes or cases relating to TCE etc? (South Africa)

PROGRAM 8: Development Agenda Coordination

Essential to ensure that there are sufficient human and financial resources for this Program and need to ensure regular workshops dealing with different aspects of the Development Agenda (Senegal – Africa Group, Brazil).

Information requested regarding proposal to convene an International Conference on Integrating Development into IP Policy-making – last paragraph, page 61 (English language version) (Senegal)

Request to ensure that mainstreaming of the Development Agenda across WIPO departments and its cross-cutting nature will not lead to its dilution (Brazil).

Request for clarification regarding the proposal to report on implementation of Development Agenda with respect to the Millennium Development Goals (India).

Request to up-date WIPO website with respect to the Development Agenda (Algeria).

Request for information on the number of people (and names) working in the Development Agenda Coordination Division (India).

Clarification requested on the coordinating mechanisms employed for the implementation of the Development Agenda recommendations (India).

Further information requested on the “ad hoc” communications strategy referred to in the baseline on page 63 (English language version) (India).

PROGRAM 9: Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries

Need for SMEs to be more clearly reflected in the proposed Program and Budget 2010/11 (US, Brazil, South Africa)

Request for separate Program for SMEs, with inclusion of Creative Industries (India, Algeria, South Africa, Guatemala).

Rather than work to support SMEs being carried out by a number of different Programs (e.g. Program 19 (Communication) work to support awareness raising among SMEs) it should be under a single Program for SMEs with sufficient resources (India)

Additional resources required for Africa, Arab and proposed LDC Bureau (Senegal – Africa Group, Algeria, South Africa).

Program 9 resources to be restored to original levels (Senegal, Algeria, South Africa).

Need to recognize importance of this Program, in particular support to develop national IP and innovation strategies – suggest amendment to the narrative: add “setting up and developing national strategies” (Oman).

Two separate Programs; one for Africa and one for LDCs (Algeria, Senegal, South Africa).

Amend performance indicator on page p. 69, 2nd indicator to add training and IP asset management (South Africa)

Include capacity building in developing countries in relation to global IP issues (e.g. food security) (Sri Lanka)

Establishment of business development center to support SMEs (Sri Lanka)

Include work related to innovation promotion in this Program (Pakistan)

Single Program should have responsibility for providing legislative advice (Pakistan).

Indicators should include number of countries receiving legislative advice (Pakistan)

Amend 2nd paragraph, page 66 to add bullet on technology transfer (Burundi)

Provide a comparative table to show budget allocation to different regions (Algeria)

Include policy training for public officials which would focus on regional issues (Sri Lanka)

PROGRAM 10: Cooperation with Certain Countries in Europe and Asia

Clarification regarding work to support EU accession countries (Russian Federation)

Focus on support & strengthening of IP in the region (Russian Federation)

Add sentence on establishing international training center at university level; page 71, paragraph 2 (normative rules) (Russian Federation)

Add links to Programs 8, 11, 15 and 16 (Russian Federation)

Clarification requested regarding personnel issues and Program 10 (Turkey)

PROGRAM 11: The WIPO Academy

Requirement for greater availability of Academy materials in Spanish (Spain)

Amend objective and paragraphs 3 and 4 on page 76 (English language version) to include public policy aspects (Sri Lanka)

Further emphasis required on relationship between this Program and the Development Agenda (Program 8) (Venezuela)

More emphasis required on “train the trainers” approaches (Senegal)

Request for further clarification on resource allocation for this Program (Senegal, Algeria, South Africa)

Narrative to be amended to reflect relationship with Program 16 (Economic Studies, Statistics and Analysis) and Program 18 (IP and Global Challenges) (Senegal)

Innovation promotion to be reflected in the Program objective and in the curriculum of relevant courses (India).

Proposal to introduce IP induction training modules for newly arrived diplomats in Geneva (India, South Africa, Sri Lanka).

Re-establish executive training program (India, South Africa, Algeria, Brazil, Sri Lanka)

Need for distance learning to be available in all languages, in particular Arabic (Oman).

Program 10 should stress the importance of a network of IP academies (Brazil)

Strengthen resources for the WIPO Academy (Brazil).

WIPO Academy should organize roundtable discussions (Sri Lanka).

PROGRAM 12: International Classifications and IP Standards

Need to include in Program 12 the development of infrastructure for copyright (US)

PROGRAM 14: Global IP Information Services

Program 14 important for developing countries and should include regional cooperation and infrastructure for copyright (Brazil)

Technology Innovation Support Centers (TISC) suggests a broader initiative not simply restricted to PATENTSCOPE ® (India)

TISCs should be linked to national innovation hubs and this should be reflected in the Program narrative (India).

Program should include reference to the project aimed at broadening access to scientific journals for LDCs and developing countries (India)

Arabic language should be included in paragraph 3, page 87 (French language version) (Yemen)

PROGRAM 15: IP Office Modernization

Program 15 must ensure the normative neutrality of this support (Senegal)

Program Indicators show clearly the success of this Program to date (India)

Program 15 should take account of Open Source options (Brazil)

PROGRAM 16: Economic Studies, Statistics and Analysis

Focus of empirical and analytical studies should be developing countries and their needs. Chief economist should have particular experience of intellectual property and the economics of innovation in developing and least developed countries. Program should set aside resources for research to be conducted based on Member States' requests (Senegal, South Africa)

This expected result (page 99 of the English language version) should insert reference to "practical understanding" (South Africa)

Clarification sought on the inclusion of Creative Industries in this Program and what distinction there was with the way this was covered in Program 3 (South Africa)

Program should focus on impact of existing and future IP systems and program of study should be designed in consultation with Member States (Pakistan).

PROGRAM 17: Building Respect for IP

Alternative language to replace the three paragraphs on "Challenges and Strategies" (page 102 of the English language version) (Pakistan – written text was provided at a later stage to the Secretariat, supported by Egypt)

Proposal to amend performance indicators (page 103 of the English language version) (Pakistan – written text was provided at a later stage to the Secretariat, supported by Egypt)

Request to change language on page 102, in particular paragraph 2, possibly along the lines of the new language presented by Pakistan, subject to further review (India)

Further information requested regarding the Global Congress and suggestion to include in the indicators for the Global Conference the need for consultations with Member States (India, South Africa)

Clarification sought on the definition of terms used in the document (e.g. piracy) (Venezuela)

Request to ensure adequate funding to enable developing country participation in Global Congresses (El Salvador)

Need for empirical studies to be undertaken on issues of piracy (Pakistan)

Need to ensure Program 17 has a balanced approach reflecting the WIPO Development Agenda (South Africa, Pakistan)

PROGRAM 18: IP and Global Challenges

Suggestion to organize a ministerial level forum (high level segment within General Assembly) with involvement of developing country Ministers, policy presentations, and exchange of ideas (Sri Lanka, Pakistan)

Program should focus on technology transfer, environment protection, health matters etc, i.e., challenges that are being faced by the developing countries (Senegal, South Africa)

Reference to page 108 (English language version), issue of access to knowledge should be broader than access for the disabled (Pakistan, South Africa).

Amend bullet points on page 111 (English language version) to include reference to other international organizations, specifically the WTO (South Africa).

PROGRAM 19: Communications

Amend objective to make reference to the importance of formal, transparent and inclusive communication between WIPO and Member States via the Permanent Missions in Geneva (Senegal, South Africa)

Include in the relevant paragraphs of this Program language to support informal social interaction between the Secretariat and Member States (Rep. of Korea, Pakistan, India, Germany)

Clarification on the work undertaken by this Program to market and promote the WIPO Academy (South Africa)

Request for further information regarding the countries provided with educational materials – with reference to the first performance indicator on page 115 (English language version) (South Africa)

Request for improvement to performance indicators and refine how to measure impact of communication (e.g. increase in readership is not a useful indicator in this respect) (UK).

Request to support development and distribution – via IP Offices – of documentary style films (Pakistan)

Request to WIPO to improve poor quality of WIPO Arabic website – update information available on the website accordingly, ensure that all language versions of the site are updated equally (Oman, Tunisia)

Request WIPO awards to include visits by inventors and pairing of successful inventors with potential private sector partners (Sri Lanka).

Need to ensure that communications present a balanced view of IP (India)

Include in Program 19 awareness building on utility models (India)

Request for IP Panorama to be provided in additional languages and that this should be funded through the WIPO regular budget, not just voluntary contributions as currently the case (India).

Clarification requested regarding the up-dating of WIPO mailing lists (Bulgaria)

PROGRAM 20: External Offices and Relations

Request for WIPO to develop code of practice with regard to partnering activities with all stakeholders, to include use of WIPO logo (Senegal – Africa Group, Algeria)

Clarification requested regarding national/regional nature of external offices as well as proposed study including further information on role of such offices, criteria for establishing

such offices and whether annual reports or other reporting provided by them (South Africa, Pakistan, Algeria, Sri Lanka, Oman, Egypt)

Performance indicators should include explicit targets in relation to the proposed study on external offices (South Africa)

Role of external offices as service providers and going beyond a PR role, otherwise should be under Program 19 (Communications) (Egypt).

Narrative in Program 20 on External Offices sounds too negative and does not reflect the important role they should have (Brazil).

Request for information regarding any official requests to establish an African regional office (Algeria)

Proposal to move paragraph 25 from the Extrabudgetary Resources Section (Part II, Section D, paragraphs 24 and 25 of the document) to Program 20 (Algeria).

Clarification requested in relation to external offices and extrabudgetary resources (India)

Request for further information on how the closure (Brussels) and establishment of external offices (Rio de Janeiro) complies with the recommendations of the PriceWaterhouseCoopers report (Pakistan)

Need for the baselines to be developed (Sri Lanka)

Need for the Program narrative to express more clearly the relationship between Program 18 and Program 20 (US)

Strengthen language in Program narrative in relation to IGOs, NGOs and industry (Pakistan).

Is the IGC Voluntary Fund part of this Program? Need for the IGC Fund to be adequately reflected in the proposed Program and Budget in the appropriate place (South Africa)

First sentence of Program narrative regarding relationship with Program 18 and engagement with other UN system organizations and IGOs (page 118 of the English language version), needs to be reflected in the expected results and performance indicators (US).

Request for a breakdown of personnel working in External Offices (India)

Request for additional information and breakdown on what the non-personnel budget for each regional office covers (India).

PROGRAM 21: Executive Management

Absenteeism referred to in Program 21 needs to be addressed (Pakistan)

Measures should be established to address problems related to geographical balance in Secretariat staffing (Pakistan)

Clarification sought on reference to alternative dispute resolution (Pakistan).

Issue of geographical balance should be viewed both in terms of level/grade of staff, not just numbers (Egypt).

Suggestion to use posts liberated by the implementation of the Voluntary Separation Program to hire staff from underrepresented regions (India)

Request that the Development Agenda Coordination Division should report directly to the Director General (Egypt, Brazil)

Proposals for WIPO to develop policies on gender, the disabled and geographical distribution recruitment (South Africa, Spain)

Suggestion that WIPO should expand the possibilities of unpaid interns (recent graduates) (Bulgaria).

PROGRAM 22: Finance, Budget and Program Management

No comments

PROGRAM 23: Human Resources Management and Development

Clarification requested as to why data for staff composition in the baseline (reference page 138, English language version) is from September 2008 and not later (India)

Clarification requested regarding the regional groupings used in the information provided and why this was different from traditional regional groups within WIPO (Algeria).

PROGRAM 24: Administrative Support Services

Request for statistics relating to the use of business and first class travel (Pakistan)

PROGRAM 25: Information and Communication Technology

No comments

PROGRAM 26: Internal Audit and Oversight

No comments

PROGRAM 27: Conference and Language Services

Request to ensure that Spanish is used as a working language in any meetings sponsored by WIPO where there is Spanish speaking participation (Ecuador, Spain, Venezuela)

Request that savings on the budget should not be at the expense of ensuring coverage of languages (Spain, US).

Concern expressed regarding mailing and communication. All communications to Member States to be sent through Permanent Missions in Geneva (Egypt, Oman, South Africa and Bulgaria – commenting on Program 19).

Request to ensure translation of all documents into all official languages as well as important studies and analysis (e.g. Program 2, 5 and 19) (Algeria, China, Ecuador, France, Oman, Russian Fed., Spain, Yemen)

Request to delete reference to the Development Agenda in the last paragraph on page 157 (English language version) (Egypt).

Ready to accept all documents electronically to save on resources involved in distributing paper copies (Spain, UK – commenting on Program 19)

Can accept documents electronically. Request that invitations and circulars be sent in paper copy (South Africa)

Request that the Secretariat develop a new language policy and provide a cost estimate regarding its implementation (Pakistan)

PROGRAM 28: Security

No comments

PROGRAM 29: New Construction

No comments.

II. GENERAL COMMENTS (in alphabetical order)

Africa Group (Senegal): Referred to the Africa Group's response to the Program and Budget Questionnaire which they felt should be the working basis for discussion. More specifically:

- (i) Sought further clarification regarding resources for the WIPO Academy.
- (ii) Stated that the implementation of the Development Agenda recommendations should be funded by the regular budget not extrabudgetary resources. Sought deletion of reference to extrabudgetary resources in Part II, Section D, paragraphs 24 and 25 of the document.
- (iii) Expressed concern over reductions to Programs 8, 9 and 15.
- (iv) Requested additional support for technical assistance for Program 4 (Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources). Furthermore, expressed renewal of the IGC mandate and the need for Program 4 to show clearly that resources had been provided for intersessionals.
- (v) Requested that the Development Agenda Coordination Division remain under the direct supervision of the Director General
- (vi) Sought improvements to the "Development Agenda Links" Sections in each Program.
- (vii) Proposed two separate Programs; one for Lusophone African Countries and one for LDCs.
- (viii) Requested a separate Program for SMEs
- (ix) Requested a "resetting" of the geographical balance and regional representation of staffing within the Secretariat.
- (x) Expressed concern over reductions to Program 27.
- (xi) Requested a policy on the use of reserves.

Algeria: Supported the statement made by Senegal on behalf of the African Group. It questioned the reference to extrabudgetary resources in Part II, Section D, paragraphs 24 and 25 of the document. It supported the deletion of paragraphs 24 and 25. It suggested that a policy would need to be approved by Member States with respect to extrabudgetary resource

mobilization. Referring to Table 11 of the document, it questioned the increase in resources identified as contributing to development related activities in Program 19 (Communications). It commented on the need for improvement to “Development Agenda Links”.

Belarus: Expressed support for the overall proposed Program and Budget 2010/11 and the strategic goals. Drew attention to resource allocations for Program 10 (Cooperation with Certain Countries in Europe and Asia), technical assistance and the WIPO Academy.

Brazil: Supported Egypt on extrabudgetary resources, the Development Agenda should be financed by WIPO’s regular budget not any other source of funding. With respect to geographical balance, it noted that WIPO was not a private sector organization but a political organization. Member States were political actors and political balance was equally important, if not more important, than merit.

China: Welcomed the proposed Program and Budget 2010/11 and the balanced budget aimed at avoiding the risk of deficits. Referred in particular to reductions in allocations for Copyright, the importance of greater attention to support developing countries with respect to Geographical Indications and concerns regarding reduced funding for Program 27 (Conference and Language Services), especially concerning the impact this might have on the Chinese, Arabic and Russian Language services. Suggested recruitment of Chinese translators and greater use of outsourcing.

Egypt: Expressed its concern at the references to extrabudgetary resources in Part II, Section D, paragraphs 24 and 25 of the document and the lack of consultation before embarking on such a “highly political issue”. Requested guidelines to be approved by Member States with relevant criteria for accepting voluntary contributions and use of such contributions. Referring to paragraph 24 of the document, noted that the three options referred to were not the only options; fee increases might also be included. Funding of activities related to the Development agenda should be from the WIPO regular budget.

France: Welcomed the proposed Program and Budget 2010/11 based on a reduction of 1.6%. Supported management tools to improve efficiency and, noting the discussion on the Program Performance Report 2008, stressed the importance of performance indicators which might enable a shift away from reporting only on activities. It stressed two issues: (i) the decrease in filing and revenue and the need for up-dated revenue figures to be presented in September, (ii) the need for further information on the planned implementation of the Voluntary Separation Program.

Germany: Expressed general support for the proposed Program and Budget 2010/11. On specific points: (i) it would prefer language on extrabudgetary resources (paragraphs 24 and 25) to be retained. Paragraph 24 was in its view a more general expression of good resource management and might appear elsewhere in the introductory section. (ii) Endorsed the UK comment on geographical balance that recruitment should be on merit and ability (reference to WIPO Convention, Article 9).

Guatemala: Expressed support for the creation of an SMEs Program.

India: Referred to resources allocated to Program 18 (IP and Global Challenges) and questioned whether this would be sufficient given the broad area of work to be covered by this Program. Sought further information regarding the increase in resources to Programs 19 (Communications) and 20 (External Offices and Relations); in particular with respect to the latter, the role and contribution of external offices. Suggested that there may be more sustainable “in-house” options to consider than extrabudgetary resource mobilization, to address the resource constraints presented by the current financial climate. It commented that expenditure on the PCT system represented the largest share of expenditure (it also noted that

expenditure on the Madrid system was also significant.) It suggested that the possible outsourcing of the PCT operation to a low-cost country might achieve significant cost reductions. It referred to the need for greater geographical balance and suggested that the newly created posts might be used to redress the balance for under-represented countries. Supported Spain and Guatemala on SMEs. Also called for a follow-up on the survey referred to in Program 9 with respect to SMEs. On geographical balance, noted WIPO's status as a specialized agency of the United Nations and that the concepts of merit and geographical balance were not mutually exclusive.

Italy: Referred to the importance of extrabudgetary resources and the support Italy continued to provide in this respect. It stressed the importance of SMEs and the need for this to be better reflected in the proposed Program and Budget 2010/11, as well as in the Medium Term Strategic Plan 2010/15.

Korea: Suggested improvements to performance indicators, in particular the need for more quantifiable targets to be set.

Mexico: Stressed the importance it attached to SMEs and the need for WIPO's work in this area to be given greater visibility in the proposed Program and Budget 2010/11.

Norway: Welcomed the proposed Program and Budget 2010/11. Appreciated focus on greater efficiency and cost-cutting initiatives for non-personnel costs, in particular with respect to travel costs with a reference to 3rd party travel. Referred to Norway's extrabudgetary support to WIPO, in particular the IGC Fund. Suggested that any guidelines on extrabudgetary resource not be overly complicated.

Pakistan: Referred to the framework on page 11 of the document (English language version) and sought clarification regarding the unallocated posts in the overview table. Supported the need for guidelines for voluntary contributions.

Russia: Supported the strategic approach. Welcomed more robust indicators for implementation of the Program and Budget and greater transparency on activities undertaken and performance achieved. Highlighted the inconsistencies in the "Program Links" sections of the Programs. Commented on reserves with respect to Annexes 1 and 2 of the document. Sought clarification on where funding was allocated for the Audit Committee. Noted that the participation of delegates was referred to in Program 5 (The PCT System) but was absent in some other Programs (e.g. Program 6 – The Madrid Union).

South Africa: Sought additional information on the Voluntary Separation Agreement and the views of the Staff Council. Requested the deletion of the section on extrabudgetary resources in Part II, Section D, paragraphs 24 and 25 of the document. It supported calls for the proposed Program and Budget 2010/11 to reflect better work to support SMEs.

Spain: Emphasized the importance of regional balance in the staffing of the Secretariat and the possibility of positive discrimination as an approach. Spain also supported calls from Mexico and others to a greater priority in the Program and Budget 2010/11 for SMEs.

Switzerland: Expressed overall support for the proposed Program and Budget 2010/11 and the balance it presented. Noted its support for the overall strategic approach. Stressed the importance of a reduction of overlap in services and the cost containment initiatives. Noted the need for investment in Information Technology, with particular reference to the development of databases and the needs of the Nice Classifications, as well as the Madrid and Hague Unions.

Tunisia: Suggested greater focus on the income section of Section II of the document, for greater balance as compared with the expenditure section. Expressed the need to explore in

more detail other income sources (e.g. Member States' contributions, income from publications, income from the Arbitration and Mediation Center). Questioned whether PCT fee reductions introduced last year were still appropriate in current financial situation. Welcomed efforts to reduce expenditure and improve resource management, but suggested this should not be at the expense of quality, nor to the detriment of the Organization.

United Kingdom: Supported the US's comments on reserves. Proposed a reduction in the overall number of Programs, which would be in line with the comments made in the PriceWaterhouseCoopers report. Suggested that the Audit Committee be tasked to verify how budgets for individual Programs had been calculated. Recommended further work on the WIPO Risk Register. With respect to geographical balance in staffing of the Secretariat, emphasized that recruitment of staff should be based on merit and ability, rather than nationality.

United States: Supported the prudent approach to a "base case" income scenario for the Program and Budget, the proposed reduction in posts and efforts to develop a more customer service approach and culture in the Organization. Sought clarification on the nature of costs entailed in the projects adopted by the CDIP to implement the Development Agenda recommendations. Suggested that further examination was required of the reserve levels held by the Organization. Supported greater profile and visibility in the document for WIPO's work to support SMEs.

Uruguay: Requested an up-dated Organigram showing more clearly the Programs and organizational units.

Venezuela: Sought further information regarding reductions to the budget for Program 25 (Information and Communication Technology).

[End of Annex and of document]