

WIPO



DATE: October 4, 2006

WORLD INTELLECTUAL PROPERTY ORGANIZATION GENEVA

RESPONSES BY JAMAICA

QUESTIONNAIRE

ON THE

DRAFT PROGRAM AND BUDGET FOR THE 2008/09 BIENNIUM

I. BACKGROUND

./ This questionnaire is the first step of the new mechanism for the preparation and follow up of the Program and Budget of the Organization following the adoption of that mechanism by the 2006 session of the Assemblies of the Member States, as illustrated in Annex I.

Member States' replies to the questionnaire shall be published on the website (see below) in the original language, and analyzed by the Secretariat. These replies will guide the Secretariat in the preparation of the Director General's outline document on the next program and budget proposal which will be reviewed at the informal session of the Program and Budget Committee scheduled to take place in December 2006.

II. QUESTIONS

QUESTION 1: STRATEGIC GOALS

The Program and Budget for the 2006/07 Biennium is elaborated on the basis of five strategic goals. These are:

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| Strategic Goal One: | To Promote an IP Culture |
| Strategic Goal Two: | To Integrate IP in National Development Policies and Programs |
| Strategic Goal Three: | Progressive Development of International IP Law |
| Strategic Goal Four: | Delivery of Quality Services in Global IP Protection Systems |
| Strategic Goal Five: | Greater Efficiency of Management and Administrative Support Processes within WIPO |

Does your Government consider that the program and budget for the 2008/09 biennium should continue to be based on the same strategic goals? If not, please elaborate.

Jamaica considers that the program and budget 2008/09 should continue to be based on the same strategic goals subject to some modifications which more specifically address the ability

of Developing Countries to maximize the benefits of the intellectual property system in an increasingly challenging global trade regime.

Jamaica considers that “Integration of IP in National Development Policies and Programs” should be undertaken with a view to promoting socio-economic development and should be in harmony with other developmental goals. In this connection recommends the following modification to the wording of strategic Goal Two which may better reflect this objective:

“To Harmonize IP with National Development Policies and Programs”

Further, Jamaica supports the focus on Development reflected in Strategic Goal Two. However, Jamaica considers that Development should be a cross-cutting issue related to all aspects of WIPO’s programs and activities.

QUESTION 2: PROGRAMS

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The 2006/07 Program and Budget consists of 31 programs organized under the five strategic goals referred to above. This is illustrated in Annex II (Strategic Framework). Does your Government consider that the 2008/09 Program and Budget should continue to be based on the same programs? Should any program(s) be added? If so, please explain which ones and why. In your opinion, what would be the objective of any suggested new program and what would be the expected results (measurable outcomes)? Should certain programs or groups of programs be consolidated? If so, how?

1. STRATEGIC GOAL ONE

(a) Priority Area I.B (3) & (5) should be incorporated under Strategic Goal Two.

2. STRATEGIC GOAL TWO

(a) In keeping with the Jamaica’s recommendation outlined under question 1 concerning strategic goals, it is further recommended that the chapeau of Priority Area II.A, be elaborated pursuant to Strategic Goal Two, to include the following:
i. Maximizing the benefits of the IP system (or, alternatively, Promoting the actualization of the benefits of the IP system to development) at the National, Regional and Interregional Level

(b) It is recognized that in pursuance of Strategic Goal Two one of the actions to be undertaken by WIPO is the provision of advice to Developing Countries on adjusting their national legislation to relevant international agreements including on existing flexibilities in international IP treaties. Jamaica considers this an important aspect of Strategic Goal Two and recommends that it be highlighted as a Priority Area of this Strategic Goal.

(c) In relation to Priority Area II.B infrastructural and institutional strengthening should extend to IP-related Institutions including those involved with R & D, innovation and Science & Technology incorporating the commercialization of technologies from R & D.

(d) In relation to Priority Area II.C IP human resources should be strengthened across the broad spectrum of stake-holders including those outlined above as well

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as other users of the IP system so that both administrators and users of the IP system benefit from training. This is critical particularly in light of Strategic Goals Three and Four which focus on implementing improved and robust International IP frameworks and systems. Maximal use of these systems requires commensurate sensitization and training on the application and benefits of such systems at the national level.

3. STRATEGIC GOAL THREE

(a) The chapeau of Priority Area III.B pursuant to Strategic Goal Three should be revised to include specific mention of the following:

- i. Enhancing the legal protection of Traditional Knowledge... through IP and other protection mechanisms which promote use while ensuring benefits to holders and originators of TK... at the national, regional, interregional and international levels*

4. STRATEGIC GOAL FOUR

(a) This goal promotes the increased use of certain Global IP filing and classification systems. Participating countries should be able to utilize the statistical data and information garnered from such systems in formulating policy objectives and economic forecasting. This objective could be reflected as an additional point in Priority Areas A-C in the following manner:

- i. Enhancing the use of statistical data derived from use of the Systems in economic assessment and forecasting at the national, regional and interregional level*

Does your Government have any views on the respective level(s) of resources of the program(s) of the Organization? In your Government's view, should any upward or downward adjustment(s) be made?

Jamaica considers that upward adjustments should be made in respect of Strategic Goals One, Two and Three as revised by virtue of the recommendations made above.

QUESTION 3: PROGRAMMATIC PRIORITIES

Kindly indicate which are the programmatic areas of the Organization's work to which your Government attaches the greatest importance (priorities).

Jamaica attaches high priority to the areas outlined under Strategic Goals One, Two and Priority Area III.B, under Strategic Goal Three together with the recommended revisions.

QUESTION 4: EFFICIENCY-GAIN TARGETS

The 2006/07 Program and Budget contains a number of efficiency-gain targets and related benchmarks. These are reproduced in Annex III. Does your Government have suggestions

for ways in which these targets and benchmarks can be further improved or extended to apply to other areas of the Organization's work?

NO COMMENT

Question 5: RESULTS-BASED BUDGET

The 2006/07 Program and Budget contains a number of objectives, expected results (measurable outcomes) and performance indicators, on a program by program basis. These results frameworks were elaborated to facilitate the assessment of the performance and impact of a given program. Please indicate for which programs you consider a further refinement of the results framework to be necessary. Could you provide examples of objectives, expected results (measurable outcomes) and performance indicators for such programs? Do you consider the quantification of the performance indicators (i.e. targets) to be useful?

An important key objective with respect to IP and Public Policy outlined in Strategic Goal One under program 5 should be to provide information on all aspects of IP and the functioning of the IP system including the flexibilities, exclusions, exceptions and other safeguards which exist to address public policy objectives such as public health. Accordingly, an additional expected result under this activity should be increased awareness/understanding among Policy Makers on how they can better utilize such flexibilities in matters of public policy.

QUESTION 6: LEVEL OF EXPENDITURE

The 2006/07 Program and Budget represents a 1.5 per cent increase over the revised budget for the 2004/05 biennium. What are the views of your Government on what the evolution of the level of expenditure of the Organization in the 2008/09 biennium should be?

Jamaica continues to support a balanced budget for WIPO, i.e. the level of expenditure should continue to match expected income. It is therefore important that the income projections remain accurate. Jamaica supports the development of a new model by the International Bureau to improve its forecast of the level of PCT applications. Jamaica also looks forward to the development of a similar model in respect of the Madrid system and other sources of income.

Additionally, the Organization's expenditure should continue to respond to the needs/concerns of the Member States, particularly, Developing Countries which are seeking to use IP as a tool for development.

QUESTION 7: BUDGETARY POLICY

In the 2006/07 Program and Budget the level of expenditure matches the expected level of income, with no deficit and no surplus. This budgetary balance was welcomed by Member States. Numerous delegations also expressed the wish that budgetary balance should become a policy in the medium term. In the view of your Government, should the 2008/09 Program and Budget continue to be based on full budgetary balance?

Yes.

QUESTION 8: LEVEL OF RESERVE AND WORKING CAPITAL FUNDS

In the year 2000, Assemblies of the Member States determined that the target level of reserve and working capital funds of the Organization should correspond, on average, to 18 per cent of biennial expenditure (document A/35/15, paragraph 151). In its 2006 report, the External Auditor recommended that this target be reviewed and increased to 25 per cent of biennial expenditure (Report of the Auditor to the Assembly of the Member States of WIPO on the 2004-2005 Biennium, paragraph 57, Recommendation 5). Does your Government consider that the target level of reserve funds should be reassessed by Member States? Should the 2008/09 Program and Budget be based on the target level established by Member States in the year 2000 or should the Secretariat base its proposals for the 2008/09 biennium on the approach recommended by the External Auditor? And, should the Organization generate any surplus in the 2008/09 biennium, would your Government consider that this surplus should remain in the reserves? Or should it be utilized for a specific purpose? If so, which?

Jamaica has no specific views regarding the re-assessment of the target level of the Reserve Funds. Jamaica can support the target level established by Member States in 2000. Should the Organization generate any surplus in the 2008/2009 biennium, Jamaica is of the view that this surplus should remain in the reserves.

QUESTION 9: FUTURE ACTUARIAL LIABILITY FOR SEPARATION FROM SERVICE (RETIREMENTS) AND POSTSERVICE MEDICAL BENEFITS

The Organization has contractual obligations to provide staff members with certain benefits at the time of their retirement. The Organization also has a contractual obligation to provide retired staff members with post-service medical benefits. These contractual obligations have long-term financial implications and therefore represent a financial liability for the Organization. With the adoption, by the United Nations system of organizations, by 2010 at the latest, of the International Public Sector Accounting Standards (IPSAS), UN organizations, including WIPO, shall be required to record them in the accounts. As shown in the Financial Management Report for 2004/05, a provision corresponding to six per cent of biennial staff (post) expenditure was made to start covering such liability. Would your Government consider it appropriate that a similar amount be earmarked under the 2008/09 Program and Budget to cover such liability?

Yes.

QUESTION 10: INFORMATION

Is there any other information that your Government would like to see in the draft Program and Budget for 2008/09 document?

Jamaica considers that the draft Program should adequately reflect the needs and concerns of Caribbean Member States outlined in the WIPO Cooperation for Development Agreement signed by Caribbean Ministers with responsibility for IP and WIPO.

QUESTION 11: OTHER ISSUES

Is there any other issue your Government would like to address in the context of the preparation of the next draft Program and Budget of the Organization?

No.

III. PROCEDURES FOR REPLY

It would be appreciated if the completed questionnaire could be returned to the International Bureau before Friday, November 3, 2006. It will not be possible to reflect replies received after that date in the Director General's outline. The questionnaire is also available in electronic form on the Organization's Website <<http://www.wipo.int/about-wipo/en/pb/>> and may be transmitted by e-mail to <controller.mail@wipo.int>. A confirmation copy may be sent by post.

[Annexes follow]