

WIPO ASSEMBLIES 2012

Synthesis of Decisions

PREFACE

The Fiftieth Series of Meetings of the Assemblies and other Bodies of the Member States of WIPO was held at the International Conference Centre (CICG), Geneva from October 1 to 9, 2012. The present document contains the synthesis of decisions of the Assemblies, list of agenda items and list of documents.

The General Report is published in document A/50/18, the Report of the General Assembly is published in document WO/GA/41/18, the Report of the Coordination Committee is published in document WO/CC/66/3. The reference of the other reports can be found in the list of documents.

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ITEM 1

OPENING OF THE SESSIONS

The fiftieth series of meetings of the Assemblies and other bodies of the Member States of WIPO was convened by the Director General of WIPO, Mr. Francis Gurry (hereinafter referred to as “the Director General”).

The sessions of the Assemblies and other bodies of the Member States of WIPO were opened in a joint meeting of all the 20 Assemblies and other bodies concerned by Ambassador Uglješa Zvekić (Serbia), Chair of the General Assembly, who made a statement. The text of this statement is reproduced in document A/50/18.

ITEM 2

ELECTION OF THE OFFICERS

Discussions were based on document A/50/INF/1 Rev.

The following officers were elected on October 1, 3 and 4, 2012:

WIPO Coordination Committee

Chair: Mr. Kwok Fook Seng (Singapore)

Vice-Chair: Mr. Francisco Lima (El Salvador)

Vice-Chair: Mr. Tiberio Schmidlin (Italy)

Paris Union Executive Committee

Chair: Mr. Grega Kumer (Slovenia)

Vice-Chair: Ms. Grace Issahaque (Ghana)

Berne Union Executive Committee

Chair: Mr. Paul Salmon (United States of America)

Vice-Chair: Mr. Toomas Lumi (Estonia)

Vice-Chair: Ms. Ekaterine Egutia (Georgia)

The list of the officers for the Assemblies and other bodies appears in document A/50/INF/4 Rev.

ITEM 3

ADOPTION OF THE AGENDA

Each of the Assemblies and other bodies concerned adopted its agenda as proposed in document A/50/1 (hereinafter referred to in this document and in the documents listed in paragraph 2 above as “the Consolidated Agenda”).

ITEM 4

DIRECTOR GENERAL’S REPORT AND SPEECH

The Director General’s report and speech are reproduced in document A/50/18.

ITEM 5

GENERAL STATEMENTS

The Delegations and Representatives of the following 110 States, five intergovernmental organizations, and six non-governmental organizations made statements concerning Agenda Item 5: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Benin, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Canada, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Egypt, El Salvador, Ethiopia, Gambia, Georgia, Germany, Ghana, Guatemala, Guinea, Holy See, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Jamaica, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Mali, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saudi Arabia, Serbia, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe, African Regional Intellectual Property Organization (ARIPO), Association of Southeast Asian Nations (ASEAN), African Union (AU), Eurasian Patent Organization (EAPO), League of Arab States (LAS), Computer and Communications Industry Association (CCIA), International Intellectual Property Institute (IPI), International Publishers Association (IPA), International Video Federation (IVF), Knowledge Ecology International, Inc. (KEI), Third World Network (TWN). The texts of the general statements are reproduced in document A/50/18.

ITEM 6

ADMISSION OF OBSERVERS

Discussions were based on document A/50/2.

Admission of Intergovernmental Organization as Observers

The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following intergovernmental organization: ITER Organization.

Admission of International Non-Governmental Organizations as Observers

The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following six international non-governmental organizations: American Federation of Musicians of the United States and Canada (AFM); Cambia; International Association on the Public Domain (Communia); International Association of IT Lawyers (IAITL); International Network for Standardization of Higher Education Degrees (INSHED); and Nordic Actors' Council.

Admission of National Non-Governmental Organizations as Observers

The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following six national non-governmental organizations: Ankara University Research Center on Intellectual and Industrial Property Rights (FISAUM); Brands Foundation; *Cámara Industrial de Laboratorios Farmacéuticos Argentinos*; German Library Association (*Deutscher Bibliothekverband e.V. – dbv*); Health and Environment Program (HEP); and *Société civile pour l'administration des droits des artistes et musiciens interprètes* (ADAMI).

ITEM 7

DRAFT AGENDAS FOR THE 2013 ORDINARY SESSIONS OF THE WIPO GENERAL ASSEMBLY, THE WIPO CONFERENCE, THE PARIS UNION ASSEMBLY AND THE BERNE UNION ASSEMBLY

Discussions were based on document A/50/3.

The WIPO Coordination Committee adopted Annexes I and II, the Paris Union Executive Committee adopted Annex III, and the Berne Union Executive Committee adopted Annex IV of document A/50/3.

ITEM 8

PROGRAM PERFORMANCE REPORT FOR 2010/11

Discussions were based on documents A/50/4 (containing document WO/PBC/19/2), A/50/4 Add., A/50/5 (containing document WO/PBC/19/3) and A/50/14.

The Secretariat introduced documents A/50/4 and A/50/4 Add. The Secretariat explained that document A/50/4 contained an overview of WIPO's organizational performance during the biennium 2010/11. The Secretariat added that compared to previous biennia, and in response to Member States' requests, a number of improvements had been introduced to the report as follows: a summary overview of main achievements by Strategic Goal; a more succinct summary of results by program; detailed reporting on the implementation of the Development Agenda (DA) based on the improved practice introduced in 2010; a more transparent reporting on the utilization of resources; a full report for the first time on the implementation of WIPO Funds-in-Trust, containing programmatic and financial information linked to the expected results, which could be found in Appendix II; and, finally, an improved overall presentation of the report, in particular, the performance data tables. Furthermore, the Secretariat explained that the PBC, at its 19th session, had discussed and reviewed, program-by-program, the PPR for 2010/2011 during one full day. In particular, Member States had commented and sought clarification on: baselines; results achieved in the various programs' performance ratings - the traffic light system; the discontinuation of some performance indicators; the section on the implementation of the DA; and budget utilization. In accordance with the decision of the PBC, the comments made by the Member States had been reproduced in document A/50/4 Add.

The Director of the Internal Audit and Oversight Division (IAOD) introduced document A/50/5. He explained that a team from IAOD had conducted an independent validation of the PPR for the 2010-2011 biennium. The aims of the validation were as follows: to verify, in an independent manner, the reliability and authenticity of the information contained in the PPR for 2010-2011; monitor the state of implementation of the recommendations contained in the validation report on the previous PPR; and evaluate the level of appropriation by program directors of the tools and processes defined in the PPR. The main conclusions of the validation exercise

were the following. The 11 recommendations made at the time of validation of the PPR for 2008-2009 (document A/48/21) had been implemented, either in full or in part. The amendments made to the PPR for 2010-2011 represented an improvement on the previous biennium. Monitoring of the performance indicators was still considered by certain WIPO managers to be an administrative formality with no apparent links to the Organization's operational and strategic objectives. Despite an improvement in the levels of appropriation of the monitoring of performance indicators, the information used to produce reports during the 2010-2011 biennium had not been generated on a sufficiently regular basis – for example quarterly – which would have allowed better monitoring of the progress made. IAOD noted that the Program and Budget document for 2012-2013 was of better quality than that corresponding to the 2010-2011 biennium and that further improvements would be made during the following 2014-2015 biennium.

The Chair read out the decision paragraph inviting Member States to approve the recommendation made by the Program and Budget Committee in respect of document A/50/4 (containing document WO/PBC/19/2), which was:

“The Program and Budget Committee (PBC) having reviewed the Program Performance Report (PPR), and recognizing its nature as a self-assessment of the Secretariat, recommended its approval to the General Assembly, subject to the comments, concerns and suggestions for improvement raised by Member States and reflected in the report of the PBC as well as annexed to the PPR (document WO/PBC/19/2).”

The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation made by the Program and Budget Committee in respect of document WO/PBC/19/2, as recorded in document A/50/14.

The Chair read out the decision paragraph inviting Member States to approve the recommendation made by the Program and Budget Committee in respect of document A/50/5 (containing document WO/PBC/19/3), which was:

“The Program and Budget Committee recommended to the Assemblies of the Member States of WIPO to take note of the contents of document WO/PBC/19/3.”

The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation made by the Program and Budget Committee in respect of document WO/PBC/19/3, as recorded in document A/50/14.

ITEM 9

2011 FINANCIAL STATEMENTS AND THE STATUS OF THE PAYMENT OF CONTRIBUTIONS

Discussions were based on documents WO/GA/41/2 containing document WO/PBC/19/7 (Status of the Payment of Contributions as of June 30, 2012), WO/GA/41/3 (Status of the Payment of Contributions as of September 10, 2012) and A/50/14 (Summary of Decisions and Recommendations made by the Program and Budget Committee at its 19th session (September 10 to 14, 2012)).

The Secretariat explained that document WO/GA/41/2 provided details of the status of the payment of contributions as at June 30, 2012. This had now been superseded by document WO/GA/41/3 which gave the status as at September 10, 2012. This second document had been prepared on September 14, 2012, since which time a number of contribution payments had been received. Belgium had paid all of

its contribution and its arrears, Panama had paid all of its contribution and Côte d'Ivoire had reduced its arrears. The Secretariat wished to draw attention to the progress of the contribution arrears over the past 15 years. These had fallen from 16 million Swiss francs to 9.5 million Swiss francs which represented a 40 per cent fall in arrears.

Comments and questions on document WO/GA/41/1, 2011 Financial Statements, were taken during Agenda Item 13, Reports of the External Auditor.

The Chair read out the decision paragraph inviting Member States to approve the recommendation made by the Program and Budget Committee in respect of document WO/PBC/19/7, which was:

“The Program and Budget Committee recommended to the General Assembly of WIPO to take note of the contents of document WO/PBC/19/7.”

The WIPO General Assembly also took note of the status of the payment of contributions and of working capital funds on September 10, 2012.

ITEM 10

STATUS OF UTILIZATION OF RESERVES

Discussions were based on documents A/50/6 (containing document WO/PBC/19/8) and A/50/14.

The Secretariat explained that document A/50/6 provided an overview of (i) the Status of Reserves and Working Capital Funds (RWCF) following closure of the 2010/11 biennium and the 2011 annual accounts and (ii) the status of RWCF appropriations approved by Member States to date. The document also contained a proposal, in paragraph 9, related to the utilization of the remaining balance of funds from approved DA projects (funded under the Reserves) for another approved DA project.

The Chair read out the decision paragraph inviting Member States to approve the recommendation made by the Program and Budget Committee in respect of this document, which was:

“The Program and Budget Committee recommended to the Assemblies of the Member States of WIPO to: (i) take note of the contents of document WO/PBC/19/8; and (ii) endorse the proposal in paragraph 9 of document WO/PBC/19/8.”

The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation made by the Program and Budget Committee in respect of document WO/PBC/19/8, as recorded in document A/50/14.

ITEM 11

FINANCIAL OVERVIEW FOR 2012; PROGRESS REPORT ON THE IMPLEMENTATION OF COST EFFICIENCY MEASURES

Discussions were based on documents A/50/7 (containing document WO/PBC/19/9) and A/50/14.

The Secretariat explained that document A/50/7 consisted of two sections: an overview of the financial situation of WIPO as of the end of June 2012 and the second part dealing with the progress report on the implementation of the cost efficiency measures. On the financial overview, the Secretariat highlighted that the overall result for the first six months of 2012 was a surplus of 12.2 million Swiss francs. Income levels were on track with the budgeted estimates. Current estimates for the Madrid and the Hague systems showed slight reductions relative to the budget levels. Overall expenditure levels indicated that the Organization was in line with the targeted cost efficiency reductions demanded by the Member States. Personnel expenditure was reflective of the changing contract structure of WIPO personnel, with more employees under fixed-term contracts offset by reductions in the number of short-term staff. Finally, the level of non-personnel expenditure had not changed materially from this same period as of 2011. On the cost efficiency measures, the Secretariat recalled that the Assemblies of the Member States of WIPO had approved the 2012/13 Program and Budget subject to efforts by the Secretariat to reduce expenditures through cost efficiency measures by 10.2 million Swiss francs, down to 637.2 million Swiss francs. In accordance with that commitment, the Organization had further reinforced its efforts to achieve cost efficiencies and resource savings. Cost efficiency measures had been introduced in the following specific areas and were detailed in the report: premises management, travel of staff and third parties, organization of meetings and events, reduction in the expenditure related to special services agreements, procurement contracts and personnel resources. A number of internal Office Instructions reflecting various cost efficiency measures had been issued to all WIPO staff. The level of expenditure, as of June 2012, indicated that the Organization was on track to achieve the targeted expenditure reductions. Finally, to reassure Member States, the Secretariat added that it was not restricting the efficiency measures to only those asked for by the Member States. The Secretariat was continuously looking at ways of finding cost efficiencies in the way the Organization operated.

The Chair thanked the delegations for their statements and recalled that both the Director General and the Assistant Director General pointed out that WIPO itself was undertaking cost efficiency measures above those recommended by the adoption of the 2012/13 Program and Budget.

The Chair read out the decision paragraph inviting Member States to approve the recommendation made by the Program and Budget Committee in respect of this document, which was:

“The Program and Budget Committee recommended to the Assemblies of the Member States of WIPO to take note of the contents of document WO/PBC/19/9.”

The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation made by the Program and Budget Committee in respect of document WO/PBC/19/9 as recorded in document A/50/14.

ITEM 12

FINANCIAL MANAGEMENT REPORT FOR THE 2010 – 2011 BIENNIUM

Discussions were based on document A/50/8 (containing document WO/PBC/19/5), together with corrigenda 1, 2, 3 and document A/50/14.

The Secretariat explained that the Organization adopted International Public Sector Accounting Standards (IPSAS) in 2010 and had therefore produced financial statements for each year of the biennium. Member States had taken note of the 2010 financial report at the 2011 Assemblies and later that day, they would be examining the 2011 financial report when Mr. Kurt Grüter, the External Auditor, would be present. The Secretariat added that document A/50/8 provided a compilation of the financial statements for 2010 and 2011, both of which had been audited separately. The document was concise in nature. The first table provided all of the essential financial parameters, containing comparisons between biennia 2008/2009, and 2010/2011, details of income and expenditure and the volume of activity. The document also provided four pages of explanation on the implementation of the budget, 11 pages on expenditure and 3 pages on income. Details of the Organization's investments were contained in a separate table, as was the mechanism for calculating Member State contributions and information concerning the distribution of fees received by WIPO from Madrid and the Hague, 311 million Swiss francs, was also included. Full details of the distribution were given in the document.

The Chair read out the decision paragraph, inviting Member States to approve the recommendation made by the Program and Budget Committee in respect of this document, which was:

“The Program and Budget Committee recommended to the Assemblies of the Member States of WIPO the approval of the 2010-2011 Financial Management Report.”

The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation made by the Program and Budget Committee in respect of document WO/PBC/19/5, as recorded in document A/50/14.

ITEM 13

REPORTS OF THE EXTERNAL AUDITOR

Discussions were based on documents WO/GA/41/1, 2011 Financial Statements, WO/GA/41/4, Report by the External Auditor: Audit of 2011 Financial Statements, WO/GA/41/5, Financial Supervision Audit of WIPO's Involvement with the United Nations International Computing Center (UNICC), WO/GA/41/6, Financial Supervision Audit by the External Auditor on the Construction Projects and the Building Security Project, WO/GA/41/7, Information Technology Audit on the Project to Implement the AIMS System, and A/50/14, Summary of Decisions and Recommendations made by the Program and Budget Committee at its 19th session (September 10 to 14, 2012).

The External Auditor's report is reproduced in document WO/GA/41/4.

The Director General expressed his thanks to Mr. Grüter. The speech is reproduced in document WO/GA/41/4.

The Chair thanked the External Auditor for his detailed explanation of the implications of complying with IPSAS standards whilst recognizing a possible risk in connection with the UN pension fund.

The Chair read out the decision paragraphs inviting Member States to approve the recommendations made by the Program and Budget Committee in respect of the documents under discussion, which were:

WO/GA/41/1 (containing document WO/PBC/19/4)

“The Program and Budget Committee recommended to the WIPO General Assembly the approval of the 2011 Financial Statements contained in document WO/PBC/19/4.”

The WIPO General Assembly approved the recommendation of the Program and Budget Committee made in respect of document WO/PBC/19/4, as recorded in document A/50/14.

WO/GA/41/4 (containing document WO/PBC/19/6)

“The Program and Budget Committee recommended to the Assemblies of the Member States of WIPO to take note of the contents of document WO/PBC/19/6.”

The WIPO General Assembly approved the recommendation of the Program and Budget Committee made in respect of document WO/PBC/19/6, as recorded in document A/50/14.

WO/GA/41/5 (containing document WO/PBC/19/17)

“The Program and Budget Committee recommended to the WIPO General Assembly to take note of the contents of document WO/PBC/19/17.”

The WIPO General Assembly approved the recommendation of the Program and Budget Committee made in respect of document WO/PBC/19/17, as recorded in document A/50/14.

WO/GA/41/6 (containing document WO/PBC/19/18)

“The Program and Budget Committee recommended to the WIPO General Assembly to take note of the contents of document WO/PBC/19/18.”

The WIPO General Assembly approved the recommendation of the Program and Budget Committee made in respect of document WO/PBC/19/18, as recorded in document A/50/14.

WO/GA/41/7 (containing document WO/PBC/19/19)

“The Program and Budget Committee recommended to the WIPO General Assembly to take note of the contents of document WO/PBC/19/19.”

The WIPO General Assembly approved the recommendation of the Program and Budget Committee made in respect of document WO/PBC/19/19, as recorded in document A/50/14.

ITEM 14

PROPOSED AMENDMENTS TO THE FINANCIAL REGULATIONS AND RULES (FRR)

Discussions were based on documents WO/GA/41/8 (containing document WO/PBC/19/21) and A/50/14.

The Secretariat explained that many of the proposed amendments in the document were to terminology only, whilst others aligned the Financial Regulations and Rules (FRR) with the requirements of International Public Sector Accounting Standards (IPSAS). A key example of such alignment was the amendment which reflected the fact that, under IPSAS, WIPO was now required to produce annual financial statements which were then subject to an annual external audit. A further example related to the fact, that again, under IPSAS, the Organization was required to recognize non-expendable property on WIPO's balance sheet. No expendable property included such things as equipment and furniture. This property was subject to a periodic physical inventory and a rule had been included within the FRR to take account of this.

The Chair read out the decision paragraph inviting Member States to approve the recommendation made by the Program and Budget Committee in respect of this document, which was:

“The Program and Budget Committee: (i) recommended the approval of the amended Regulations 3.13, 5.10, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 8.10 and 8.11 to the WIPO General Assembly listed in document WO/PBC/19/21; and (ii) recommended to the WIPO General Assembly to take note of the amendments to Financial Rules and terminology used in the Annexes to the Financial Regulations and Rules.”

The WIPO General Assembly approved the recommendation of the Program and Budget Committee made in respect of document WO/PBC/19/21, as recorded in document A/50/14.

ITEM 15

LONG-TERM FINANCING OF AFTER-SERVICE HEALTH INSURANCE (ASHI) IN WIPO

Discussions were based on documents A/50/16 (containing document WO/PBC/19/23) and A/50/14.

The Secretariat introduced document A/50/16 recalling that the adoption by WIPO of the IPSAS meant that the Organization had an obligation to recognize in its financial statements the totality of its financial liability in respect of staff benefits, including insurance for sickness after the end of service (ASHI). The cost of funding ASHI had increased considerably over the last six years and reached 103 million Swiss francs at the end of 2011. This meant that there had been a reduction in the Organization's reserves. The Secretariat believed that there should be a way to finance this liability. Four options were evaluated in the document on the table and one of them was proposed as the best course of action to solve the problem. During the PBC meeting, as well as outside of the PBC, the Secretariat had held many discussions with delegations, some of which had given their comments and suggestions. The PBC had requested the Secretariat to draw up a new proposal for its next session. The Secretariat would prepare a new document, taking into account the suggestions and the recommendations made by Member States.

The Chair read out the decision paragraph inviting Member States to approve the recommendation made by the Program and Budget Committee in respect of this document, which was:

“The Program and Budget Committee examined the contents of document WO/PBC/19/23 and requested the Secretariat to present a redrafted proposal at the next session of the PBC, taking into account the observations and comments made by the Member States.”

The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation made by the Program and Budget Committee in respect of document WO/PBC/19/23 as recorded in document A/50/14.

ITEM 16

FINAL PROGRESS REPORT ON THE IMPLEMENTATION OF IT MODULES TO ESTABLISH COMPLIANCE WITH THE NEW FINANCIAL REGULATIONS AND RULES (FRR) AND INTERNATIONAL PUBLIC SECTOR ACCOUNTING STANDARDS (IPSAS)

Discussions were based on documents A/50/9 (containing document WO/PBC/19/16) and A/50/14.

The Secretariat introduced document A/50/9, which contained the final report on the FRR-IPSAS project approved by the WIPO Assemblies of 2008. The project had closed in February 2012 within its original budget. The unspent balance of 169,631 Swiss francs had been returned to the reserves following the external audit.

In the absence of comments the Chair read out the decision paragraph inviting Member States to approve the recommendation made by the Program and Budget Committee in respect of this document, which was:

“The Program and Budget Committee recommended to the Assemblies of the Member States of WIPO to take note of the contents of document WO/PBC/19/16.”

The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation made by the Program and Budget Committee in respect of document WO/PBC/19/16 as recorded in document A/50/14.

ITEM 17

PROGRESS REPORT ON THE IMPLEMENTATION OF A COMPREHENSIVE INTEGRATED ENTERPRISE RESOURCE PLANNING (ERP) SYSTEM

Discussions were based on documents A/50/10 and A/50/14.

The Secretariat stated that the ERP portfolio project was approved by Member States in 2010 and that the project had since made significant progress on all major streams of work under this portfolio. With the first deliverable having been the improvement of current financial and procurement systems, the Secretariat said that the systems had been upgraded to the latest version of the PeopleSoft software and that training of over 250 users in the use of the system had taken place with a focus on building an understanding of the end-to-end business processes, as well as key management and financial controls. The Secretariat underlined that the ERP systems presented a great opportunity to establish better controls and not more controls, and that would be the focus of some of its implementation efforts. The Secretariat reported that the next area that had witnessed progress was in the introduction of business intelligence tools. The

Secretariat had established a rich and comprehensive financial and procurement database through previous implementations and saw an opportunity to extract value-added information, both for Member States and stakeholders, as well as for internal management use. Furthermore, the human resource management stream of work was reported to be on track. The project team had been staffed with a judicious mix of internal and external resources. The Secretariat reported that it had leveraged the systems and experiences of its sister agencies to ensure that it did not reinvent the wheel. The time and effort saved was instead being focused on its users' needs and the opportunities to establish better processes and streamline work methods. In the first phase, the HR project would replace its 13-year-old legacy payroll system with a much more modern and well integrated ERP (PeopleSoft) system. The results-based management (RBM) stream of work, had delivered improved work planning tools and the Secretariat was now preparing to deploy, in time for the 14/15 biannual planning cycle, a new planning system, which would encompass all the functionality needed for the RBM. Finally, the Secretariat announced that in overall terms, the projects and the portfolio were within the budget, and on track in terms of timing. At the end of 2012, in principle, it would have spent nine million Swiss francs as against 12.6 million planned, with some of the major savings having come from careful and hard negotiations with service providers and vendors. The Secretariat stated that there was no ERP project without risk. Some of the major challenges being faced were reported to be change management, sustained user training and engagement, as well as the establishment of a clear regulatory framework for HR management, which it hoped to have soon. In conclusion, the Secretariat emphasized that the senior management focused on all of these aspects and the governance structures were already in place to address these issues as the projects unfolded.

The Chair read out the decision paragraphs in respect of the documents concerned:

“The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, are invited to take note of the contents of the Progress Report on the Implementation of a Comprehensive Integrated Enterprise Resource Planning (ERP) System, as contained in document WO/PBC/19/14.”

The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, took note of the contents of the Progress Report on the Implementation of a Comprehensive Integrated Enterprise Resource Planning (ERP) System in respect of document WO/PBC/19/14, as recorded in document A/50/14.

ITEMS 18 AND 19

PROGRESS REPORT ON THE NEW CONSTRUCTION PROJECT AND PROGRESS REPORT ON THE NEW CONFERENCE HALL PROJECT

Discussions were based on documents A/50/11 (and its Annex, document WO/PBC/19/12), A/50/12 (and its Annex, document WO/PBC/19/13), A/50/17 (and its Annex, document WO/PBC/19/24) and A/50/14 (Summary of Decisions and Recommendations made by the Program and Budget Committee at its Nineteenth Session (September 10 to 14, 2012)).

The Secretariat highlighted the main points reflected in document A/50/17. While about 96 per cent of the works had been completed for the New Building, the General Contractor had not complied with its contractual obligations for the remaining work and was not attending to the repair work contractually due. As the General Contractor for the New Construction Project was also the same General Contractor selected for the New Conference Hall Project, the Secretariat started witnessing a negative impact of the situation concerning the New Building on the New Conference Hall Project through a series of difficulties (mainly

delays or operational difficulties). The difficulties faced by the Secretariat with the General Contractor were the subject of regular reporting to the External Auditor, IAOD, IAOC, PBC and the Assemblies in the past two years. Since mid-2011, a path of escalation was initiated by the Secretariat *vis-à-vis* the General Contractor by raising and attempting to resolve the outstanding issues at operational meetings, coordination meetings and high-level meetings. Since all these attempts eventually failed, and wishing to avoid a long, protracted legal battle and associated high legal costs, the Secretariat decided to seek advice from an external law firm. As a last attempt to move forward, the Director General and the Chief Executive Officer of the General Contractor met in mid-July in the framework of a so-called “mini-trial” during which each side presented its view of the situation to both CEOs. The WIPO delegation included representatives of the internal construction management as well as the Pilot and the Architect. The conclusion of the mini-trial was the amicable and jointly agreed termination of both contracts (for the New Construction Project and for the New Conference Hall Project). The details of the settlement agreed at the end of July 2012 are reflected in document A/50/17. The Secretariat emphasized that the result of this approach was that the risk of a protracted litigation with the General Contractor was avoided. As a consequence of the termination of the contract for the New Conference Hall Project, the Secretariat decided not to seek another General Contractor—such a process would have brought the worksite to a standstill for at least one year— and with 30 per cent of work complete, there was no guarantee that another General contractor would accept to complete the project. The Secretariat therefore decided to resort to the so-called “classical mandate”, that is, to continue without a General Contractor. Reasons of costs were also crucial in this decision, since about 70 per cent of the construction works were already secured at 2010 prices. Under the classical mandate approach, the worksite coordination and general direction rely mainly on the Pilot, the Architect and the specialized engineers, while the WIPO internal project management team would have a larger number of contracts than previously to administer. In view of the circumstances, both the Pilot and the Architect, who have successfully undertaken the vast majority of their mandates under the “classical” approach, also advised the Secretariat to switch to a classical mandate for reasons of time, cost and quality. The Secretariat was confident that this approach would enable it to complete the New Conference Hall Project in a professional manner albeit with about a six-month delay including the delay already caused by the General Contractor. The Secretariat concluded by indicating it had duly informed the Chair of the IAOC and the Director, IAOD at the end of July, the IAOC at its session held at the end of August, and the Member States both formally and informally at the beginning of September on the occasion of the PBC session.

The Director General strongly emphasized that the new building was universally appreciated for its aesthetics and functionalities, and it had been delivered on time and on budget. As a consequence of the settlement with the General Contractor, the Secretariat was fully confident that it would manage to correct the remaining outstanding items in a very expeditious and efficient manner. Secondly, the Director General reinforced the previous statement made to the effect that risk management was about managing risks and that the Secretariat had emerged from the situation with an amicable settlement, recalling that one of the principal aims had been to ensure that WIPO did not find itself in a position in which a legal dispute arose, which would have involved a costly litigation and the paralysis of the construction site for a significant period of time. The Secretariat had managed to come away with an amicable settlement and had parted on very good terms with the General Contractor, including in respect of an ongoing transition with the General Contractor and its subcontractors. Thirdly, to ensure the proper execution of the classical mandate, the Director General confirmed the reinforcement of the internal project management team, as well as the reinforcement of the professional mandates mainly entrusted to the Pilot and the Architect. The decision to proceed with a classical mandate had obviously been the right one in the circumstances. In concluding, and in response to the intervention made previously by the Delegation of the United States of America, the Director General confirmed that the Secretariat would endeavor to continue to improve transparency. While noting this, he also stressed the need, in such circumstances, to balance on the one hand, the

confidentiality of a situation in which agreement had not yet been reached and where there was a threat of litigation, with transparency in revealing details of the situation that risked jeopardizing the possibility of an amicable settlement, on the other.

In relation to Agenda Item 18, the Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, took note of the contents of document A/50/17, taking into consideration any recommendation of the Program and Budget Committee made in respect of documents WO/PBC/19/12 and WO/PBC/19/24, as recorded in document A/50/14, and

In relation to Agenda Item 19, the Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, took note of the contents of document A/50/17, taking into consideration any recommendation of the Program and Budget Committee made in respect of documents WO/PBC/19/13 and WO/PBC/19/24, as recorded in document A/50/14.

ITEM 20

PROGRESS REPORT ON THE PROJECT TO UPGRADE THE SAFETY AND SECURITY STANDARDS FOR THE EXISTING WIPO BUILDINGS

Discussions were based on documents A/50/13 (containing document WO/PBC/19/15) and A/50/14.

The Secretariat reported that document A/50/13 presented a progress report on the Project to Upgrade the Safety and the Security Standards for the existing WIPO buildings in order to be compliant with the United Nations Headquarters Minimum Operating Safety and Security Standards (UN/HMOSS). There were two aspects to this project. First, the control center, and second, the security perimeter project. Work on the control center began in February 2012, and was now complete. The Secretariat continued that the Security Perimeter Project had been launched in 2012, and as of today was on schedule and within budget.

The Director General repeated, as reported in the document, an expression of gratitude to the Government of the Host Country, Switzerland, for its generous contribution of five million Swiss francs for the execution and completion of the Project.

The Chair read out the decision paragraph in respect of this document as follows:

“The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, are invited to approve the recommendation of the Program and Budget Committee concerning document WO/PBC/19/15, as contained in document A/50/14.”

The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation of the Program and Budget Committee concerning document WO/PBC/19/15, as contained in document A/50/14.

ITEM 21

PROGRESS REPORT ON THE IMPLEMENTATION OF THE WIPO STRATEGIC REALIGNMENT PROGRAM

Discussions were based on documents A/50/15 and A/50/14.

The Secretariat reminded the General Assembly of its decision, by referring to document WO/GA/34/16 of 2007, which approved an Organizational Improvement Program, to be implemented over a period of a number of years. The said program was launched in 2008 as the Strategic Realignment Program (the SRP). In line with Member States recommendations, the program was designed to be SMART-C, i.e. Specific, Measurable, Attainable, Realistic, Timely and Consistent. The Secretariat reported that the SRP aims to enhance WIPO's responsiveness, efficiency, capacity and focus to achieve its nine Strategic Goals. Comprising of 19 inter-related initiatives, the roadmap issued in April 2010 and updated in April 2011 illustrated how each specific initiative was consistent with one of the Organization's core values, namely: service orientation; working as one; accountability for results; and environmental, social and governance responsibility. The Secretariat underlined that the roadmap included the time schedule, which illustrated how the initiatives fitted together and stated that the program should conclude at the end of 2012. A measurement system was introduced, which tied into the Organizational results framework, where possible. It also included the issuance of a staff survey during each year of the program, and an overall SRP results framework, designed to measure the overall success of the program. In addition, Key Performance Indicators (KPIs) were devised at the initiative level and quarterly reports were issued to the IAOC. The Secretariat stated that each initiative was assigned a Project Leader and a Senior Management Team (SMT) Champion, who are accountable for project success. Initiatives necessarily cut across the Organization, inherently contributing to the "working as one" core value. Moreover, the program as a whole was on track to conclude at the end of 2012 with most initiatives to be completed by that time. By June 2013, only three initiatives would continue under their respective work programs, namely, the initiative to implement an Enterprise Resource Planning (ERP) System, the initiative to strengthen internal communications and the initiative to strengthen internal controls. The Organization would therefore enter a period of continuous improvement as at the end of 2012. Furthermore, the Secretariat reminded the Assemblies that a summary of the achievements made during the year 2011 could be found in the staff-focused SRP brochure "Taking the Initiative", available from conference services in all official languages. Considering the extensive achievements of each of the 19 initiatives, the Secretariat highlighted some of the most significant successes under each core value. Under the value of service orientation, the Secretariat reported that WIPO now offers round-the-clock human contact for stakeholders by using follow-the-sun principles utilizing its external offices. In the preceding 18 months, the percentage of Core Publications that had been made available in all required UN languages had increased from just over 62 per cent to over 70 per cent. A business continuity management strategy and a crisis management plan had been approved and helped to ensure minimal business disruption and the continuation of the Organization's most critical services at all times. The Secretariat underlined that all four of these initiatives had to be integrated and mainstreamed into work plans for 2013. Under the value of working as one, the Secretariat noted that good progress had been made. The ERP implementation, covered under Agenda Item 19, would continue after the conclusion of the SRP. It was stated that the Consultative Group reviewing the revision of WIPO's Staff Regulations and Staff Rules had made particularly good progress in the past 12 months, with almost all chapters ready for submission to the forthcoming Coordination Committee. The remaining two chapters had been planned for review in 2013. The International Bureau's initiative to strengthen communications internally tackled two aspects, both the communication to staff and the communication between staff. That initiative generated many staff suggestions, such as informal staff-to-staff information sessions and a revitalized "Tea with the Director General" program. The Secretariat also stated that in strengthening its accountability for results value, every sector had undergone an organizational design

review, looking to fine-tune its structure. In its RBM, it had also made clear progress, shifting the focus from planning to full lifecycle program management. The Performance Management and Staff Development System (PMSDS) of the International Bureau had seen vast improvements in both operability and acceptance within the Organization. The improvements planned for internal controls and risk management were reported to be comprehensive. This initiative would continue into 2013. A revised risk management policy was reported to have been drafted and a draft roadmap had been developed. Awareness sessions and interviews had begun with all SMT and Directors. The Organization's initiative to strengthen the management of financial resources had given the International Bureau a better understanding of how the economic forecast maps to revenue generated services and expenditure, and had encompassed policies such as the hospitality policy.

Finally, under the value environmental, governance and social responsibility, the Organization had continued to undertake a series of environmentally conscious projects. Its ethics and integrity system was now coherent and comprehensive – a code of ethics had undergone a wide consultation and had been issued, a whistleblower protection policy was under final review and a financial disclosure policy had been drafted. In the coming months, every staff member at all levels of the Organization would attend a face-to-face ethics awareness training, with a specially adapted program for those in high-risk positions, such as human resources and procurement. Looking forward, the Secretariat said that these initiatives would be integrated into programs at the end of this year. A further staff survey would be undertaken and success of the SRP would therefore be measured in terms of its ability to strengthen its core values. While the SRP had already delivered several concrete benefits, the full benefit of the SRP would be realized in the coming years and reports on such benefits would be provided to the Member States regularly.

The Chair read out the decision paragraph inviting Member States to approve the recommendation made by the PBC in respect of this document, which was:

“The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, are invited to take note of the contents of the progress report (document WO/PBC/19/22).”

The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, took note of the content of document WO/PBC/19/22, as recorded in document A/50/14.

ITEM 22

SUMMARY ANNUAL REPORT OF THE DIRECTOR OF THE INTERNAL AUDIT AND OVERSIGHT DIVISION

Discussions were based on document WO/GA/41/9.

The Director of the Internal Audit and Oversight Division (IAOD or the Division) presented the IAOD Summary Annual Report which included the results of audit, evaluation and investigation work as well as follow-up of oversight recommendations, other activities and IAOD's resources and procedures. The Director, IAOD stressed the independence of IAOD and underlined that the Division establishes its annual work plan as well as individual work plans for audit, evaluation and investigation work in full independence. Five audit reports, three evaluation reports and various investigation reports were issued by IAOD during the reported period.

The Director, IAOD stated that IAOD, being an internal division of WIPO, did not limit its independence but being independent did not mean being irresponsible. He added that IAOD reports on its work to the

Director General and to the Independent Advisory Oversight Committee (IAOC) and oversight work was carried out in strict respect of the various professional standards. IAOD plans its work in consultation with audited/evaluated entities. As regards the results of IAOD's activities, IAOD has reported its conclusions in the following areas: the program project management, the results-based management, the management of human resources and the information and communication technologies. This has been done through five audit reports, three evaluation reports and various investigation reports.

Regarding program and project management, IAOD reached the conclusion that the support provided by WIPO was adapted to the needs of its beneficiaries and was producing the required results. It could therefore turn more to the use of SMART performance indicators to produce Specific, Measurable, Achievable, Relevant and Time-bound results to measure the impact of projects, in particular at the level of beneficiaries. As far as measuring the impact of projects could be possible, IAOD estimated that the project viability could be improved through strategies supported by the governments. The Director urged that greater attention should have been given to strengthening synergies within and outside WIPO.

Concerning human resources management, IAOD indicated the possibilities of strengthening the internal controls framework and better aligning WIPO's human resources management with best practices in human resources. A formal human resources management strategy, in line with the strategies and the plans of WIPO, should be drawn up along with well-defined policies for post and talent management. This should allow WIPO to acquire and retain skills within the Organization, while making sure that technical knowledge and experience correspond best to the needs of organizational units where they are the most useful. This would need the revision, if necessary, and the consistent implementation of human resources policies and procedures, especially as regards recruitment, reclassification, career development and dispute settlement. WIPO would benefit from a thorough analysis of the causes of staff absenteeism which has a significant cost. As regards investigations, 18 new cases were received or opened compared to 14 cases in the previous period. Sixteen cases were closed as compared to 27 in the previous period. The Summary Annual Report (SAR) submitted to Member States describes the types of investigation cases.

The Director, IAOD mentioned that at the time of the presentation of the SAR, 140 outstanding oversight recommendations, made by IAOD, were being implemented and there is an ongoing dialogue with program managers so that a proper follow-up of oversight recommendations is performed.

The Director, IAOD also added that IAOD provided two types of advisory services. Firstly, IAOD staff attend various WIPO committees as observers and secondly, IAOD provides advice on general policy documents and/or regulatory framework. This was mentioned to indicate that IAOD is an active component of the Organization.

As regards IAOD's resources, human resources problems have long held up the effective and satisfactory functioning of internal oversight activity at WIPO. IAOD has 11 positions for the 2012/2013 Biennium. While the budget and the personnel of the Division only represent 1.6 per cent and 0.9 per cent of the budget and staff of WIPO respectively, the Organization is obviously within the average of other UN organizations. The Director, IAOD stated that a major concern was to go from a structure relying on engagement of consultants with short-term contracts to a structure composed of a majority of staff with fixed-term contracts which would bring IAOD in line with other UN agencies.

The Director, IAOD suggested that the Legal Counsel might be able to answer the question asked by the Delegation of Germany. As regards access to the IAOD report, the Director, IAOD pointed out that the General Assembly had adopted amendments to the IOC which provide for access to IAOD reports and that his understanding was that access was granted for future reports, as of the adoption of the amended IOC.

As the audit report on human resources management was issued before the amended IOC was adopted, the previous rules would apply to that report unless the Member States would decide otherwise. He stated that if requested and if possible under the rules, he would attend and present the human resources management report to the Coordination Committee.

In the afternoon session, the Legal Counsel explained that the Member States are now guaranteed access to the internal audit and evaluation reports following the decision taken to amend the IOC and that decision will be formalized when the reports are adopted on Tuesday, October 9, 2012. In respect of access for future documents as explained by the Director, IAOD, the Legal Counsel explained that Member States will have guaranteed access and the Director, the Division will make these available to them. That does not preclude the possibility that Member States would also be given, if they requested, access to existing or previous documents. The Legal Counsel informed Member States that they should feel free to consult with the Director, IAOD who will make the reports available to them as well. All these documents both previous, pre-existing and future will be available to Member States. The Delegation of France was satisfied with the clarification given.

The WIPO General Assembly took note of the Summary Annual Report of the Director, IAOD.

ITEM 23

REVISION OF THE TERMS OF REFERENCE OF THE INDEPENDENT ADVISORY OVERSIGHT COMMITTEE (IAOC) AND THE INTERNAL OVERSIGHT CHARTER AND THE TERMS OF REFERENCE GOVERNING EXTERNAL AUDIT

Discussions were based on documents WO/GA/41/10 Rev. and A/50/14.

The Chair of the WIPO Independent Advisory Oversight Committee (IAOC) recalled that, when the new membership first met in March 2011, it had reviewed the WIPO Internal Oversight Charter, the Terms of Reference Governing External Audit and the IAOC's Terms of Reference to understand, among other things, the functional relationships of WIPO's triangular oversight architecture. It was clear to the IAOC that there was room for improvement to reduce incoherence between the three texts and to bring them in line with international standards. The Chair further recalled that the IAOC's proposal for revisions had been reviewed independently by the External Auditor and the Director, IAOD, and discussed jointly at the IAOC's 25th session, which had resulted in a joint proposal to the PBC. The PBC had approved this proposal with minor changes, including additions to strengthen further the independence of the Director, IAOD and the IAOC. The Chair summarized the principle changes to the Internal Oversight Charter as follows: a refined definition of the independent status of the Director, IAOD; clarification of IAOC oversight of IAOD workplans; access for the IAOD Director to the Coordination Committee Chair; modifications to provisions on follow-up on oversight recommendations to bring them in line with best practices; facilitated access for Member States to IAOD audit and evaluation reports; access for the External Auditor and the IAOC to investigation reports; provision for any investigation reports concerning the Director General to be copied additionally to the Chair of the Coordination Committee; reporting by the Director, IAOD to the PBC in writing; IAOC consultation on the selection process for the Director, IAOD; and, endorsement by the Coordination Committee and the IAOC on the appointment, replacement or dismissal of the Director, IAOD. With respect to the Terms of Reference Governing External Audit, the Chair stated that only one change had been proposed, which was to enable the External Auditor to draw the attention of the IAOC to any cases where access to information was denied. Concerning the IAOC's Terms of Reference, the principle changes were: designation of the

IAOC as a subsidiary body of the PBC and GA; strengthening of the oversight role of the IAOC for all internal oversight functions; provision for IAOC review, at least every three years, of Financial Regulations and Rules; IAOC review of IAOD self-assessment and external assessment reports; non-eligibility for employment at WIPO for IAOC members and their immediate family during their mandate and for a period of five years thereafter; and, submission of a written IAOC annual report to the PBC and GA.

The Chair of the IAOC, referring to paragraph 4 of the Internal Audit Charter, stated that while the IAOC had proposed deletion of the phrase “(...) but he/she should be free to carry out any action within the purview of his mandate” it had, in the same paragraph, proposed a new sentence: “He/she has the authority to initiate, carry out and report on any action, which he/she considers necessary to fulfill his/her mandate.” Consequently, the proposal was not so much a deletion as a change in language from “he/she should be free” to “he/she has the authority to initiate (...)”. The IAOC strongly supported this change because, although the Director, IAOD was independent, it believed that this should not imply that he/she could initiate action at will, but only on a basis disclosed beforehand, such as a risk analysis and the annual work plan. The purpose of the change was therefore to strengthen due process.

The Secretariat, referring to the question raised on how to ensure that access for the External Auditor and the IAOC to investigation reports would not compromise due process or confidentiality rights, noted that Article 13(b) of the Charter provided for clear establishment by the IAOD, in consultation with Member States, of policies and guidelines for all oversight functions. Consequently, the IAOD would prepare a document on operational procedures to guarantee all the necessary protections for those under investigation and the investigators themselves. Concerning full disclosure by some organizations of audit reports, the IAOD Director noted that such a decision had been made following a transitional period during which Member States had facilitated access to audit and the evaluation reports in line with that which had been proposed in the Charter.

The Secretariat, referring to paragraph 31 of the Charter, confirmed that the Coordination Committee was the appropriate body to deal with the appointment process for the Director, IAOD as it was the Committee responsible for WIPO staff matters.

In the absence of further comments the Chair read out the decision paragraph in document WO/GA/41/10 Rev.

The WIPO General Assembly: (i) approved the proposed revisions to the WIPO Internal Oversight Charter, the Terms of Reference Governing External Audit and the Terms of Reference of the WIPO Independent Advisory Oversight Committee contained in the Annex to document WO/GA/41/10 Rev.; and (ii) took note that the relevant sections of the Financial Regulations and Rules will be amended accordingly.

ITEM 24

REPORT ON THE OUTCOME OF THE BEIJING DIPLOMATIC CONFERENCE ON THE PROTECTION OF AUDIOVISUAL PERFORMANCES

Discussions were based on document WO/GA/41/11 Rev.

The Secretariat introduced document WO/GA/41/11 Rev., The Report on the Outcome of the Beijing Diplomatic Conference on the Protection of Audiovisual Performances, and celebrated the Beijing Treaty as a historic achievement. The adoption of the text for a substantive WIPO treaty for the first time in 16 years was clearly an achievement that merits celebration. Thanks were extended to China for its superb hosting of the Beijing Diplomatic Conference. In addition, thanks were extended to the many performers and creators and producers representatives who engaged in positive collaborative discussions in Geneva and in Beijing in order to achieve this result after many years of effort. The Secretariat explained that the work on the Beijing Treaty was not finished. As the Report indicated, 48 Member States signed the Treaty at the end of the Diplomatic Conference. The Report also indicated that 30 ratifications were needed for the Treaty to enter in to force.

The Chair stated that the effects of the Treaty would only be seen after a certain period of time for which the prerequisite was that the Treaty came into force. He made a plea to Member States to speed up the process of signing and then subsequently the process of ratification. Thirty ratifications were required. He informed the meeting that the Delegations of Botswana and Honduras had expressed the wish to sign the Beijing Treaty during these Assemblies and therefore a signing ceremony would be organized for these countries.

The Assembly took note of the contents of document WO/GA/41/11 Rev.

ITEM 25

REPORT OF THE COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY (CDIP)

ITEM 25(i)

REVIEW OF THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA RECOMMENDATIONS

Discussions were based on documents WO/GA/41/12 and WO/GA/41/13 Rev.

The Chair introduced Agenda Item 25, which addressed two items, namely, the Report of the Committee on Development and Intellectual Property (CDIP) contained in document WO/GA/41/12, and the sub-item on the Review of the Implementation of the Development Agenda Recommendations, document WO/GA/41/13 Rev.

The Secretariat presented the Report of the CDIP, with respect to the two sessions of the CDIP held since the last session of the General Assembly. The eighth session was held from November 14 to 18, 2011, and the ninth session was held from May 7 to 11, 2012. The Committee had agreed earlier that the Summary of the Chair for those two sessions would constitute the Committee's report to the General Assembly. During the eighth session, the Committee was chaired by Ambassador Abdul Hannan, the Permanent Representative of Bangladesh, and the ninth session was chaired by the newly elected Chair, Ambassador

Mohamed Souad Doualeh, Permanent Representative of Djibouti. The Committee was assisted by two Vice-Chairs, Mrs. Alexandra Grazioli, Switzerland, and Mr. Garikai Kashitiku, Zimbabwe. The Secretariat expressed profound gratitude to both the Chairs and the Vice-Chairs for the excellent stewardship of the Committee which had contributed to the efficient management and atmosphere during those Committee meetings. The Secretariat introduced the two documents presented under Agenda Item 25. First, document WO/GA/41/12 contained the Report of the CDIP, made up of the Summaries of the Chair for the eight and ninth sessions. Second, document WO/GA/41/13 Rev. contained a description of the contribution of the relevant WIPO bodies to the implementation of the respective DA recommendations in accordance with the coordination mechanism and Monitoring, Assessing and Reporting Modalities ('the coordination mechanism') approved by the General Assembly at its thirty-ninth session in 2010. The respective bodies' reports were included by reference to the relevant paragraphs in those reports. In the Secretariat's view, significant progress had been made in implementing and mainstreaming the DA into the work of the Organization, as one of the core objectives of the DA. The last two sessions of the Committee had witnessed a consolidation of achievements on the one hand, and new activities being undertaken on the other hand. Twenty-four projects were underway and six of the completed projects had been evaluated by independent evaluators, with further evaluations due for completion and reporting to the tenth session of the Committee to be held in November 2012. The Committee had also considered the Report on an External Review of WIPO Technical Assistance in the Area of Cooperation for Development (CDIP/8/INF/1), and would further deliberate on that Report in its forthcoming session. The Committee had further discussed a proposal to organize in 2013, an International Conference on Development and Intellectual Property. It was also notable that the Committee had unanimously approved the project on Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries, proposed by the Delegation of Burkina Faso. Finally, the Secretariat noted the constructive dialogue and engagement which had exemplified the approach by the Member States in the work of the Committee. It was noted that while there were important issues still to be agreed upon, the Secretariat was always ready and willing to engage and help in the process of reaching consensus on the important work the Committee had to perform.

The Chair of the CDIP, Ambassador Mohamed Souad Doualeh, noted that the Committee had been established by the General Assembly in 2007, in response to the wishes of the Member States. The WIPO DA represented a high water mark to promote the use of the IP system. The DA sought to maintain a judicious balance between the rights of civil society and those of the IP rightholders in order to promote creativity and the intellectual progress of mankind. As noted by the Deputy Director General, significant progress had taken place in the implementation of the DA, which took a leap forward in 2009, with the adoption of a project-based approach by the Committee and progress in other areas such as flexibility in international instruments, the contribution of IP to the Millennium Development Goals (MDGs) and the mainstreaming of various DA principles in the work of WIPO. The Chair of the CDIP expressed appreciation to the Director General for his achievements and leadership. The Report of the CDIP demonstrated the substantive progress made during the previous year. The Committee had adopted four new projects, considered a number of important documents related to various issues such as flexibilities, the external review of WIPO's technical assistance and recommendations made in a scoping study on copyright and related rights. In addition, the Committee considered the outputs of completed DA projects, progress reports including one by the Director General, and reviewed six external evaluation reports. At the tenth session of the CDIP, to be held in November 2012, the Committee had an important agenda before it, including the convening of a conference on Development and Intellectual Property, resuming discussion on the technical assistance review, undertaking further work on flexibilities and other work of significant importance. There clearly remained certain points of differences in various areas, but confidence was expressed that in view of Member States' collective will and efforts, the Committee would be able to forge consensus on all of those issues. The Chair of the CDIP sought to carry forward the previous achievements, and remained committed to promoting multilateralism and consensus building. The Members of the

Committee were called upon to continue to positively engage in the process. The Chair of the CDIP expressed thanks to all Delegations, the Director General and the Secretariat for their considerable support.

The WIPO General Assembly

- (i) *took note of the information contained in document WO/GA/41/12 and its Annex; and*
- (ii) *took note of the information contained in document WO/GA/41/13 Rev. and to forward the reports to the CDIP.*

ITEM 26

REPORT ON THE WORK OF THE STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS (SCCR)

Discussions were based on document WO/GA/41/14.

The Secretariat said that the report from the SCCR reflected the progressive engagement of Member States in the work on an instrument to improve access to copyright protected works for the visually impaired persons, the blind and persons with print disabilities. During its 24th session significant progress was made in the Committee on the text. The Committee had therefore agreed to recommend to the General Assembly its plan to work towards the possibility of convening a diplomatic conference in the year 2013. The first step in the plan, if approved by the General Assembly, would be to hold informal consultations from October 17 to 19, 2012. The second step would be the SCCR meeting in its 25th session from November 19 to 23, 2012, to discuss the work done in the informal consultations and to advance the negotiations on the text with the objective of concluding or substantially advancing the text-based work. As the third step, the General Assembly was asked to convene an Extraordinary Session of the General Assembly meeting in December 2012 that could decide whether to convene a diplomatic conference during 2013. In addition to the excellent work on that agenda item, the SCCR had also made significant progress on two other agenda items regarding limitations and exceptions: First, on limitations and exceptions for libraries and archives and second, on limitations and exceptions for education, teaching, and research institutions and persons with other disabilities. In that respect, the SCCR had recommended continuing discussions to make progress consistent with the schedule it had set to make recommendations to the General Assembly at future meetings. Finally, the Secretariat indicated that the Committee recommended that the General Assembly encourage the continuation of the work on the subject of signal-based protection of broadcasting organizations in the traditional sense, consistent with the mandate of the General Assembly. The SCCR had addressed that subject with renewed energy in its previous few meetings. At SCCR 24 a single text was adopted by the Committee, which was going to be an important tool for the SCCR to work towards the objective of reaching a decision on the possible convening of a diplomatic conference on the protection of broadcasting organizations in 2014. The Secretariat also drew attention to the Committee's contribution to the implementation of the DA recommendations.

The WIPO General Assembly:

- (i) *took note of the information contained in document WO/GA/41/14;*
- (ii) *encouraged the SCCR to continue its work regarding the issues reported on in this document; and*
- (iii) *approved the recommendations of the SCCR as set out in paragraphs, 9, 14, 19 and 23 of document WO/GA/41/14 regarding broadcasting organizations and limitations and exceptions.*

ITEM 27

MATTERS CONCERNING THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE (IGC)

Discussions were based on document WO/GA/41/15.

The Chair of the General Assembly opened the item and referred to informal consultations that had taken place on this item. The Chair of the General Assembly invited the Chair of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (the IGC), His Excellency Ambassador Wayne McCook of Jamaica, to report on the outcome of those consultations.

His Excellency Ambassador Wayne McCook, in his capacity as Chair of the IGC, recalled that the Chair of the General Assembly had requested him to conduct informal consultations on this agenda item, and stated that he was grateful for the trust that had been placed in him. The Chair of the IGC confirmed that, under the mandate of the IGC for the 2012-2013 biennium, the present session of the General Assembly was specifically invited to decide on convening a diplomatic conference and consider the need for additional meetings, taking account the budgetary process. Under the mandate provided to him by the Chair of the General Assembly, he had convened two informal consultations, on Wednesday, October 3, 2012, and Thursday, October 4, 2012. To these consultations, he had invited Regional Coordinators plus three, and, with the consent of the Regional Coordinators, it had also been permitted that other interested delegations sit in on the consultations as observers. The consultations had been intense and lengthy, and the Chair of the IGC thanked the Regional Coordinators, as well as the delegates who had assisted them, for their dedication and flexibility, and for the collaboration between them that had enabled progress to be made. He also thanked the IGC's Vice-Chairs for their assistance. The IGC Chair was pleased to report that the delegates had been able to reach an agreement, but he would leave it to them to present their views and make such other interventions as they might wish after the adoption of the proposal. Once again, the IGC Chair thanked the Chair of the General Assembly for the confidence that he had placed in him. The IGC Chair sought the guidance of the Chair of the General Assembly as to how to introduce to the plenary the draft proposal for a work plan which had been agreed upon in the informal consultations.

The IGC Chair read out the proposal for the workplan as follows:

In accordance with the mandate of the IGC for 2012/2013, the Assemblies of the Member States of WIPO agree to continue intensive negotiations and engagement in good faith, with appropriate representation, towards concluding the text(s) of an international legal instrument(s) which will ensure effective protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs), and decide:

- (a) The work of the Committee will be carried out through three thematic IGC sessions as set out in the table below.
- (b) The work will build on the existing texts submitted by the IGC to the General Assembly (Annex A, Annex B, and Annex C of document WO/GA/41/15).
- (c) The Committee is requested to submit to the 2013 General Assembly the text(s) of an international legal instrument(s) which will ensure the effective protection of GRs, TK and TCEs. The General Assembly in 2013 will take stock of and consider the text(s), progress made, and decide on convening a diplomatic conference.

(d) The work of the IGC shall follow the program set out below:

Provisional Date	Activity
February 2013	IGG 23 - Genetic Resources (5 days)
April/May 2013	IGC 24 – Traditional Knowledge. With a focus on, but not limited to, 4 key Articles viz Subject Matter of Protection, Beneficiaries, Scope of Protection and Limitations and Exceptions (5 days)
July 2013	IGC 25 – Traditional cultural expressions. With a focus on, but not limited to, 4 key Articles viz Subject Matter of Protection, Beneficiaries, Scope of Protection and Limitations and Exceptions (5 days) Review and take stock of the text(s) of the International legal instrument(s) ensuring the effective protection of TCEs, TK, and GRs and make a recommendation to the General Assembly (3 days)
October 2013	WIPO General Assembly Decide on convening a diplomatic conference

The WIPO General Assembly took note of the information contained in document WO/GA/41/15, and agreed as follows:

In accordance with the mandate of the IGC for 2012/2013, the Assemblies of the Member States of WIPO agree to continue intensive negotiations and engagement in good faith, with appropriate representation, towards concluding the text(s) of an international legal instrument(s) which will ensure effective protection of GRs, TK and TCEs, and decide:

- (a) *The work of the Committee will be carried out through three thematic IGC sessions as set out in the table below.*
- (b) *The work will build on the existing texts submitted by the IGC to the General Assembly (Annex A, Annex B, and Annex C of document WO/GA/41/15).*
- (c) *The Committee is requested to submit to the 2013 General Assembly the text(s) of an international legal instrument(s) which will ensure the effective protection of GRs, TK and TCEs. The General Assembly in 2013 will take stock of and consider the text(s), progress made and decide on convening a diplomatic conference.*
- (d) *The work of the IGC shall follow the program set out below:*

<i>Provisional Date</i>	<i>Activity</i>
<i>February 2013</i>	<i>IGG 23 - Genetic Resources (5 days)</i>
<i>April/May 2013</i>	<i>IGC 24 – Traditional Knowledge. With a focus on, but not limited to, 4 key Articles viz Subject Matter of Protection, Beneficiaries, Scope of Protection and Limitations and Exceptions (5 days)</i>
<i>July 2013</i>	<i>IGC 25 – Traditional cultural expressions. With a focus on, but not limited to, 4 key Articles viz Subject Matter of Protection, Beneficiaries, Scope of Protection and Limitations and Exceptions (5 days)</i> <i>Review and take stock of the text(s) of the International legal instrument(s) ensuring the effective protection of TCEs, TK, and GRs and make a recommendation to the General Assembly (3 days)</i>
<i>October 2013</i>	<i>WIPO General Assembly</i> <i>Decide on convening a diplomatic conference</i>

Ambassador Wayne McCook, in his capacity as IGC Chair, thanked all the delegations for their constructive engagement in the fashioning of the workplan. He appealed to all delegations, having agreed to the workplan, to be prepared to engage constructively in serious deliberations over the period ahead. He thanked the delegates for their constructive spirit, in recognition that the issues were difficult, but that the degree of difficulty set a demand for a degree of deliberate engagement. He thanked the Chair of the General Assembly for his leadership in the deliberations on this item.

ITEM 28

REPORTS ON OTHER WIPO COMMITTEES

ITEM 28(i)

STANDING COMMITTEE ON THE LAW OF PATENTS (SCP)

Discussions were based on document WO/GA/41/16, “Reports on Other Committees”, in particular, on item 28(i): “Standing Committee on the Law of Patents (SCP)”

The WIPO General Assembly took note of the contents of document WO/GA/41/16.

ITEM 28(ii)

STANDING COMMITTEE ON THE LAW OF TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS (SCT)

Discussions were based on documents WO/GA/41/16 and WO/GA/41/16 Add.

Following the informal consultations, the Chair announced that delegations had reached agreement on the following text:

“The WIPO General Assembly notes the Summary by the Chair of the 27th session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), and the progress made by the SCT on industrial design law and practice - draft Articles and Regulations.

“Recognizing the importance for all member States of a Design Law Treaty, the General Assembly urges the SCT to expedite in a committed manner work with a view to advance substantially the basic proposals for a Design Law Treaty (draft Articles and Regulations contained in revised Annexes of documents SCT/27/2 and SCT/27/3).

“In its work, consideration will be given to include appropriate provisions regarding technical assistance and capacity building for developing countries and LDCs in the implementation of the future Design Law Treaty. “The General Assembly in 2013 will take stock of and consider the text, progress made, and decide on convening a diplomatic conference”.

The WIPO General Assembly adopted the text as contained in paragraph 231.

ITEM 28(iii)

COMMITTEE ON WIPO STANDARDS (CWS)

Discussions were based on document WO/GA/41/16.

The Secretariat explained the document and recalled that the CWS was created in 2009 to continue technical work on WIPO Standards previously performed by working groups for the last 30 years. It was also recalled that, last year, the General Assembly clarified the mandate of the CWS. With this mandate, technical discussions for developing WIPO standards made good progress by means of electronic correspondence and a web-based electronic forum open to all CWS members. The Committee considered six existing WIPO Standards for revision, updating and follow-up implementation. One new standard was adopted. This marked a significant achievement of five years extensive discussions by experts and finally became an international technical standard which recommended the most up-to-date format and structure of all types of industrial property data. It was expected to promote on-line data exchange by machine-to-machine transmission and search/examination file sharing projects among IP offices and WIPO. Concerning organizational and procedural matters of the Committee, at the second session in April-May this year, the Committee did not reach an agreement on special rules of procedure. The Committee agreed that the Chair of the WIPO General Assembly should conduct informal consultations on these remaining issues after the second session of the CWS in order to reach agreement. Since then, several informal consultations were conducted. Further sessions were foreseen in the forthcoming weeks with the hope that the issues will be resolved before the end of this year and in good time before convening the next session of the CWS. The Assemblies was invited to take note of the context of the Report.

The Chair indicated that he would continue to consult with Member States on the subject matter, hoping to find an appropriate solution before the next meeting of the CWS.

The WIPO General Assembly took note of the contents of document WO/GA/41/16.

ITEM 28(iv)

ADVISORY COMMITTEE ON ENFORCEMENT (ACE)

Discussions were based on document WO/GA/41/16.

The Secretariat explained that the information report in document WO/GA/41/16, paragraphs 33 to 40, summarized the work undertaken by the ACE at its seventh session, held from November 30 to December 1, 2011. The Committee continued addressing the work program, agreed at its sixth session, as set out in paragraph 35 of document WO/GA/41/16, on the basis of presentations which were made to the Committee by experts. The subjects covered by these presentations are set out in paragraph 36 of document WO/GA/41/16. For its eighth session, which is scheduled to take place on December 19 and 20, 2012, the Committee will continue its work on the basis of the current work program. The agenda will also include an item on future work of the Committee, and the Secretariat encouraged all Member States to engage constructively in the discussion with a view to reaching an agreement on the Committee's future work program. The Secretariat explained that paragraph 39 of document WO/GA/41/16 contains the views which Member States expressed at the seventh session on the contribution of the ACE to the implementation of the WIPO DA.

The WIPO General Assembly took note of the contents of document WO/GA/41/16.

ITEM 29

PCT SYSTEM

PCT Working Group: Report on the Fifth Session

Discussions were based on document PCT/A/43/1.

The Secretariat explained that the purpose of document PCT/A/43/1 was to inform the Assembly about the discussions and agreements reached during the fifth session of the PCT Working Group, held in Geneva in May/June 2012. The Summary by the Chair, set out in Annex I to the document, contained an overview and summary of the items discussed and the agreements reached during that session. In addition, since the publication of document PCT/A/43/1, the final report of the fifth session of the Working Group (document PCT/WG/5/22) had been adopted by Member States by correspondence, having been made available as draft report (document PCT/WG/5/22 Prov.), in both English and French, for comments by all participants in the meeting on the Working Group's electronic forum.

The Secretariat further stated that, as could be seen from the Summary by the Chair, in addition to a number of more technical issues, the focus of the discussions in the Working Group had again been on the continued implementation of the Recommendations which had been endorsed by the Working Group at its third session in 2010 on how to improve the quality of the services offered by the PCT system, for the benefit of all stakeholders. The Working Group further had agreed on a number of proposed amendments to the PCT Regulations for adoption by the Assembly, as set out in document PCT/A/43/2. Finally, Annex II to the document reproduced the statements made by delegations during the fifth session of the Working Group on the agenda item "Contribution of the Working Group to the Implementation of the Respective Development Agenda Recommendations", further to the decision by the 2010 WIPO General Assembly on the Development Agenda Reporting Mechanism.

The Assembly:

- (i) *noted the Summary by the Chair of the fifth session contained in document PCT/WG/5/21 and reproduced in Annex I of document PCT/A/43/1;*
- (ii) *noted the excerpts from the draft report of the fifth session of the Working Group contained in document PCT/WG/5/22 Prov. and reproduced in Annex II of document PCT/A/43/1, concerning the contribution by the Working Group to the implementation of the respective Development Agenda Recommendations; and*
- (iii) *approved that, subject to the availability of sufficient funds, one session of the Working Group should be convened between the October 2012 and September/October 2013 sessions of the Assembly; and that the same financial assistance that had been made available to enable attendance of certain delegations at the fifth session of the Working Group should be made available to enable attendance of certain delegations at that next session.*

Quality Management Systems for International Authorities

Discussions were based on document PCT/A/43/2.

The Secretariat, in introducing document PCT/A/43/2, noted that the purpose of the document was threefold. Firstly, to inform Member States of the availability, on WIPO's web site, of the latest reports by International Authorities on the state of their existing quality management systems. A summary of the main points of interest, prepared by the Quality Subgroup of the Meeting of International Authorities, was contained in Annex I to the document. Secondly, to report on the outcome of the second meeting of the Quality Subgroup, which took place in Canberra in February 2012, as set out in Annex II to the document. As could be seen from the report, the focus of this second meeting of the quality subgroup had again been on effective quality improvement measures, that is, measures to improve the overall quality and usefulness of the international work products of the PCT, that is, the PCT international search reports and the international preliminary reports on patentability. Finally, the document also reproduced, in its Annex III, the relevant sections (in relation to the quality framework) of the Summary by the Chair of the nineteenth session of the Meeting of International Authorities, held in Canberra in February 2012.

The Assembly noted the contents of document PCT/A/43/2.

Review of the Supplementary International Search System

Discussions were based on document PCT/A/43/3.

The Secretariat, in introducing document PCT/A/43/3, recalled that the PCT Union Assembly, at its thirty-sixth session held in September/October 2007, adopted amendments to the Regulations so as to introduce a supplementary international search system to the PCT. These amendments had entered into force on January 1, 2009. Along with adopting these amendments, the Assembly had decided that the International Bureau should report on the financial and operational situation of the supplementary international search system and that the Assembly should review the supplementary international search system three years after the date of entry into force of the system. Annex I to document PCT/A/43/3 set out the requested report by the International Bureau on the financial and operational situation of the supplementary international search system, three years after its entry into force; that report had been reviewed and extensively discussed by the Working Group at its fifth session.

The Secretariat further stated that, clearly, the very low uptake by applicants of the supplementary international search system during the first three years of its existence was disappointing, in particular in view of the strong demand by the user community for the establishment of such a system. On the other hand, the statistics for the first three years and the feedback received by the International Bureau in reply to a Questionnaire sent out to all major stakeholders suggested that there were very concrete reasons for the low uptake, notably the very limited mix of languages offered by the Authorities currently carrying out supplementary searches. In addition, there were a number of further developments, as set out in the document (such as the fact that some Authorities had only recently begun to offer the service, and that work-sharing arrangements such as PPH might provide a stronger incentive to use the system) which suggested that it might be too early to “give up” on the eventual acceptance and success of the system. Thus, based on a recommendation by the PCT Working Group, the document invited the Assembly to take the decision to continue to monitor the operation of the system for a further three years, during which time Offices should seek to raise awareness of the system and International Authorities should review the scope and cost of the services which they offer under that system.

The Assembly noted the report by the International Bureau on the financial and operational situation of the supplementary international search system contained in paragraphs 7 to 34 of document PCT/WG/5/8 and reproduced in the Annex to document PCT/A/43/3.

The Assembly, having reviewed the supplementary international search system three years after the date of entry into force of the system, decided:

- (a) to invite the International Bureau to continue to closely monitor the system for a period of another three years, and to continue to report to the Meeting of International Authorities and the Working Group on how the system is developing;*
- (b) to invite the International Bureau, International Authorities and national Offices and user groups to increase their efforts to raise awareness of and promote the service to users of the PCT system;*
- (c) to invite the International Authorities which offer supplementary international searches to consider reviewing the scope of their services provided under the system and consequently the levels of fees charged for the services provided, which should be reasonable; and to invite Authorities which currently do not offer the service to reconsider whether to offer the service in the near future;*
- (d) to review the system again in 2015, taking into account further developments until then, notably in relation to efforts to move towards collaborative search and examination models and in relation to efforts to improve the quality of the “main” international search.*

Proposed Amendments to the PCT Regulations

Discussions were based on document PCT/A/43/4.

The Secretariat, in introducing document PCT/A/43/4, explained that the effect of the proposed amendments would be a simplification of PCT procedures for applicants from all Contracting States. In particular, inventors no longer had to be named as applicants solely for the purposes of the designation of the United States of America, with consequential impact on signature requirements and with regard to the furnishing of certain documents containing oaths or declarations of inventorship. All of these changes were consequential on the recent enactment in the United States of America of the America Invents Act. The Secretariat further stated that the proposed amendments had been discussed in great detail by the

PCT Working Group, which had unanimously agreed to recommend that this Assembly should adopt the amendments as proposed. Annex I contained a marked-up text of the proposed amendments of the Regulations, with changes highlighted by underlining and strikethrough. Annex II contained a clean text of the amended Rules as they would stand after amendment. A proposed draft decision with regard to entry into force and transitional arrangements was set out in paragraph 7 of the document.

The Assembly:

- (i) *adopted the proposed amendments to the Regulations under the PCT set out in the Annex to this report;*
- (ii) *decided that the amendments of Rules 4.15, 51bis.1, 51bis.2, 53.8 and 90bis.5 set out in the Annex to this report shall enter into force on January 1, 2013, and shall apply to any international application whose international filing date is on or after that date.*

Appointment of the National Institute of Industrial Property of Chile as an International Searching and Preliminary Examining Authority under the PCT

Discussions were based on document PCT/A/43/5 Rev.

The Chair stated that the PCT Committee on Technical Cooperation had held its twenty-fifth session to give advice to the PCT Union Assembly on the request of the National Institute of Industrial Property of Chile to be appointed as an International Searching and Preliminary Examining Authority under the PCT. Having listened to the presentation by the Delegation of Chile, all delegations which had taken the floor on the matter had expressed their support for the appointment; some delegations had made constructive proposals aimed at strengthening and further developing the quality of the work carried out by International Authorities. The Committee had given a unanimous favorable advice on the appointment of the National Institute of Industrial Property of Chile as an International Searching and Preliminary Examining Authority under the PCT.

The PCT Assembly, having heard the Representative of the National Institute of Industrial Property of Chile and taking into account the advice of the PCT Committee for Technical Cooperation, unanimously

- (i) *approved the text of the draft Agreement between the National Institute of Industrial Property of Chile and the International Bureau as set out in Annex III to document PCT/A/43/5 Rev; and*
- (ii) *appointed the National Institute of Industrial Property of Chile as an International Searching Authority and an International Preliminary Examining Authority with effect from the entry into force of the Agreement until December 31, 2017.*

Loan Granted by the PCT Union to the Hague Union

Discussions were based on document PCT/A/43/6.

The Secretariat, in introducing document PCT/A/43/6, recalled that, in 2008, the PCT Union Assembly had authorized the granting of a loan to the Hague Union of an amount of 3 million Swiss francs to cover the share of the Hague Union in the financing of an IT modernization program. The purpose of the present document was to inform the Assembly that, earlier during the day, the Madrid Union Assembly had decided that the Madrid Union should assume the financing of the Hague Union's contributions to the

IT modernization project, rather than the PCT Union. Consequently, the loan would no longer be “on the PCT’s books”.

The Assembly noted the contents of document PCT/A/43/6.

ITEM 30

MADRID SYSTEM

Discussions were based on documents MM/A/45/1, MM/A/45/2, MM/A/45/3 and MM/A/45/4.

Proposed Amendments to the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement

In the absence of the Chair of the Working Group on the Legal Development of the Madrid System for the International Registration of Marks (hereinafter referred to as “the Working Group”), the Chair informed the Assembly of the recommendations of the Working Group, as set out in document MM/A/45/1. The Chair said that the document contained proposals for the amendment of three Rules of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement (hereinafter referred to as “the Common Regulations”), which were no longer applicable, namely, Rules 7(3)(b), 24(2)(a)(i) and 40(5).

The proposed date of entry into force of the amendments, if adopted, would be January 1, 2013.

The Assembly adopted the proposed amendments to Rules 7(3)(b), 24(2)(a)(i) and 40(5) of the Common Regulations, with a date of entry into force of January 1, 2013.

Madrid System Goods and Services Database: Progress Report

Discussions were based on document MM/A/45/2.

The Chair said that a new version of the Madrid System Goods and Services Database (G&S Database) had been made available on January 1 of this year in 10 languages and in full compliance with the tenth edition of the Nice Classification and she recalled that the objective of 40,000 terms had been reached. The Chair also indicated that a proposal had been made at the end of the progress report concerning the use of remaining funds to increase the linguistic diversity of the database.

The Assembly:

- (i) *took note of the progress made in the implementation of the project of the Madrid System Goods and Services Database, as described in document MM/A/45/2;*
- (ii) *approved the use of the remaining cooperation funds (paragraph 37 of document MM/A/45/2), in order to financially help some offices to finalize the translation of the G&S Database for the purposes of making it available in languages not included in the pilot project relating to the feasibility of introducing additional languages in the Madrid system;*
- (iii) *approved the postponement of the study on the introduction of additional filing languages in the Madrid system (see paragraph 38 of document MM/A/45/2) and supported the efforts of the*

International Bureau of WIPO in further increasing the relevancy and linguistic diversity of the G&S Database; and

- (iv) *took note of the proposal by the Secretariat to report to the Assembly in 2013 on the operational status of the implementation of the G&S Database.*

Information Technology (IT) Modernization Program (Madrid International Registration System): Progress Report

The Chair presented document MM/A/45/3: Information Technology (IT) Modernization Program (Madrid International Registration System): Progress Report. The document outlined progress on the IT Modernization Program since the last Assembly of the Madrid Union. The document also served to update Madrid Union members on any change to the overall approach to the completion of the Program, as well as to notify any change to the Program schedule. In presenting the document, the Chair reminded the Assembly of the request to endorse the transfer of the loan from the PCT Union to the Madrid Union for the financing of the Hague Union's contribution of the IT Modernization Program.

The Assembly:

- (i) *took note of the status of implementation of Phase I of the Program;*
- (ii) *took note of the progress of Phase II of the Program;*
- (iii) *took note of the possibility of the reintroduction of Phase III of the Program; and*
- (iv) *endorsed the transfer of the loan from the PCT Union to the Madrid Union.*

Review of the Proposal on Translations Requested by the Madrid Union Assembly

The Chair presented document MM/A/45/4: Review of the Proposal on Translations Requested by the Madrid Union Assembly.

The Chair noted that document MM/A/45/4 concerned two standing practices with respect to the translation of certain documents, which the Assembly, at its previous session, had requested the Working Group to review. The Chair stated that the Working Group had agreed to recommend that the Assembly continue to take note of the aforementioned practices, as described in the document under discussion, and that the Working Group had further agreed to recommend to the Assembly that it mandate the International Bureau of WIPO to undertake a review of the said practices after a period of three years, or earlier, at the request of the Working Group.

The Assembly:

- (i) *continued to take note of the practice of the International Bureau concerning translation upon request of statements of grant of protection, following a provisional refusal, as well as the translation of the list of goods and services affected by a limitation, as described in document MM/A/45/4; and*
- (ii) *mandated the International Bureau, after a period of three years, or earlier at the request of the Working Group, to undertake a review of said practices in light of the views expressed by delegations and user-organizations in the Working Group, in light of ongoing developments, including information technology and automated translations.*

ITEM 31

HAGUE SYSTEM

Discussions were based on document H/A/31/1.

The Chair presented document H/A/31/1: Information Technology (IT) Modernization Program (Hague International Registration System): Progress Report. The document outlines progress on the IT Modernization Program since the last Assembly of the Hague Union. The document also serves to update Hague Union members on any change to the overall approach to the completion of the Program, as well as to notify any change to the Program schedule. In presenting the document, the Chair reminded the Assembly of the transfer of the loan from the PCT Union to the Madrid Union for the financing of the Hague Union's contribution of the IT Modernization Program.

The Secretariat gave an update on the latest development of the Hague system, including the new accessions by Montenegro, Tajikistan and Tunisia to the Geneva (1999) Act of the Hague Agreement Concerning the International Registration of Industrial Designs. The Secretariat further informed the Assembly that Spain had communicated its consent to the termination of the London (1934) Act of the Hague Agreement since the last session of the Assembly of the Hague Union held in September 2011. The other Contracting States to the London Act, which had not yet communicated their consent to the termination, were urged to do so. The Secretariat recalled that the last session of the Assembly took the decision to establish a Working Group to address the legal development of the Hague system and reminded the delegations that the next meeting of the Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs will take place from November 5 to 7, 2012.

The Assembly:

- (i) *took note of the status of implementation of Phase I of the Program;*
- (ii) *took note of the progress of Phase II of the Program;*
- (iii) *took note of the possibility of the reintroduction of Phase III of the Program; and*
- (iv) *took note of the transfer of the loan from the PCT Union to the Madrid Union.*

ITEM 32

LISBON SYSTEM

Discussions were based on document LI/A/28/1.

The Chair of the Working Group on the Development of the Lisbon System (hereinafter referred to as “the Working Group”), Mr. Mihály Ficsor (Hungary), reported on the activities of the Working Group since the previous session of the Assembly, while recalling that, at its twenty-seventh (19th ordinary) session held in Geneva, from September 26 to October 5, 2011, the Assembly of the Lisbon Union had adopted some amendments to the Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and taken note of the considerable progress made, and the planned work ahead, in the review of the Lisbon system. Since then, these amendments had entered into force, on January 1, 2012, and two further meetings of the Working Group had taken place – i.e., the fourth

session, in December 2011, and the fifth session, in June 2012. He said that, since its fourth session, in December 2011, the Working Group had been discussing the further development of the Lisbon system and the contemplated establishment of an international registration system for geographical indications and appellations of origin on the basis of draft treaty texts. As a result of the discussions held so far under this two-fold mandate, the Working Group had agreed that it would continue its work towards:

(i) a revision of the Lisbon Agreement that would involve the refinement of its current legal framework and the inclusion of the possibility of accession by intergovernmental organizations, while preserving the principles and objectives of the Agreement; and (ii) the establishment of an international registration system for geographical indications. However, as further reflection was needed as to how those elements could be combined in substantive and procedural terms, the Working Group had not yet been in a position to recommend: (i) when a diplomatic conference might be convened; and (ii) whether its work should result in a revised Act of the Lisbon Agreement, a protocol supplementing the Lisbon Agreement or an entirely new treaty. At its next session, scheduled for the first week of December 2012, the Working Group would continue its examination of the draft new instrument and draft regulations, on the basis of revised versions prepared by the International Bureau, taking into account the comments and drafting suggestions made during the previous session. In terms of substance, the revised versions should reflect, in particular, that the prevailing view in the Working Group was that the level of protection should be high and the same for both geographical indications and appellations of origin. Finally, the Chair welcomed the establishment by the International Bureau, in line with the desire of the Working Group, of an electronic forum which participants could use to exchange comments and drafting suggestions between Working Group sessions, for information purposes only and without prejudice to the role of the Working Group and the formal discussions therein.

In conclusion, the Chair of the Working Group on the Development of the Lisbon System wholeheartedly recommended the Assembly to take note of document LI/A/28/1.

The Assembly took note of document LI/A/28/1 and of the statements made.

ITEM 33

WIPO ARBITRATION AND MEDIATION CENTER, INCLUDING DOMAIN NAMES

Discussions were based on document WO/GA/41/17 Rev.2.

The Chair raised Agenda Item 33 on the WIPO Arbitration and Mediation Center (Center), including Domain Names. The Secretariat noted that the document for the General Assembly provides an overview of the work of the Center over the last year, in three parts. The first part, paragraphs 3 to 7, reports on the activities of the Center in the area of alternatives to court litigation, specifically arbitration and mediation. The Secretariat highlighted the activities reported in paragraph 4 concerning the Center's cooperation with Intellectual Property Offices in establishing alternative dispute resolution (ADR) procedures for opposition and other disputes before these Offices. The second part of the document, paragraphs 8 to 19, reports on the Center's domain name case administration. The Secretariat noted that the demand for this WIPO service continues to grow, with almost 2,800 cases filed with the Center under the Uniform Domain Name Dispute Resolution Policy (UDRP), representing an increase of 2.5 per cent over the previous year's filings. The Secretariat further noted that paragraphs 20 to 46 of the document address policy developments in the Domain Name System, most notably with regard to the introduction of new generic Top Level Domains (gTLDs) by the Internet Corporation for Assigned Names and Numbers (ICANN), the authority which is charged with overseeing the Domain Name System. The expected introduction beginning in the course

of next year of more than 1,300 new gTLDs raises intellectual property concerns. The Secretariat noted that the document provides an overview of the mechanisms that rightsholders will have at their disposal to address these concerns. In this regard, the Center has been providing observations to ICANN, and will continue monitoring developments. The Secretariat noted that it will report on these developments to the General Assembly next year, and that the SCT has placed this item on its agenda.

The WIPO General Assembly took note of the contents of document WO/GA/41/17 Rev.2.

ITEM 34

SINGAPORE TREATY (STLT) ASSEMBLY

Discussions were based on document STLT/A/4/1.

The Secretariat introduced document STLT/A/4/1, containing a proposal for the review of Model International Form No. 1 of the Singapore Treaty on the Law of Trademarks. The review became necessary as a consequence of the amendments to Rule 3 of the Regulations to the Treaty, which introduced in paragraphs (4) to (6) certain modalities for the representation or hologram marks, motion marks, color marks, position marks and sound marks, as well as one additional detail on the representation of three-dimensional marks. The adoption of revised Model International Form No. 1 was recommended by the Working Group on the Review of Model International Form No. 1 which met on January 31, 2012.

The Assembly:

- (i) *took note of the content of document STLT/A/4/1; and*
- (ii) *adopted the proposed amendments, as reproduced in the Annex to document STLT/A/4/1.*

ITEM 35

ANNUAL REPORT ON HUMAN RESOURCES

Discussions were based on documents WO/CC/66/1 and WO/CC/66/1 Corr.

The Secretariat provided an overview of documents WO/CC/66/1 “Annual Report on Human Resources” and WO/CC/66/1 Corr. It was stated that the report covered human resources (HR) activities in the period from mid-2011 to mid-2012 and HR statistics as at December 2011. Workforce metrics included a staff of 1,240, a number which had been largely unchanged for three years, efforts to rebalance regular and temporary staff, and implementation of decisions of the WIPO Coordination Committee in 2010 and 2011 to regularize long-serving temporary employees (LSTEs). Ninety nine per cent of WIPO’s workforce was based in Geneva, and only 10 staff were in offices in New York, Rio, Singapore and Tokyo. Sixty-five per cent of staff held permanent contracts and 33 per cent fixed-term contracts. The rest were on various types of short-term appointments. Upcoming retirements in 2013 were 1.1 per cent and in 2014 some 1.9 per cent of the workforce. With regard to HR reforms, progress was made on several key initiatives, and as part of the Strategic Realignment Program (SRP). The creation of an enabling regulatory framework for HR management would be largely achieved with the proposed revision of the Staff Regulations and Rules (SRR) taking effect on January 1, 2013. The Organizational Design (OD) initiative was aimed at critically examining the distribution of staff resources and ensuring that resources were properly aligned with WIPO’s program of work and priorities. Performance Management and Staff Development was another key element of the

reforms, so were the introduction of an Enterprise Resource Planning (ERP) system and of an Ethics and Integrity system. The long-term outcome of these initiatives would improve efficiency and transparency, result in a higher level of accountability and foster a conducive and supportive work environment for WIPO staff. A number of improvements in process efficiency and quality were made, particularly in recruitment and performance management. On the latter, the high rate of compliance was noted, but also the need for more training in elements of the performance management process, including in goal setting and planning, in providing constructive performance feedback and in addressing underperformance. Improvements were also made in training and development, with some 1,600 training units provided. Training resources were applied towards the achievement of organizational objectives as well as to training for new tools, including in IT and in the areas of HR policy such as performance management and recruitment. Some resources were provided for training in staff career development. Cost-efficiency gains were made by joint language training contracts with other United Nations (UN) organizations in Geneva. The OD would be integrated in the annual planning process. The Secretariat stated that with regard to the coming period, the development of a comprehensive HR strategy was a priority. Improved policies and processes in the hiring of staff, in the treatment of short-term staff and in job classification also needed to be implemented. A review of the internal justice system and of the time management system was planned to be completed in 2013. The Secretariat indicated that it was keen to improve future versions of the Annual Report on Human Resources, taking into account suggestions received from Member States. Specifically, the improvements would permit comparison between WIPO and other UN organizations on key HR benchmarks, include more information on costs, reflect better integration of training costs and make reference to the implementation of audit recommendations. The Secretariat confirmed that it would engage in a dialogue with Member States in this regard. In implementing HR reform, the Secretariat reaffirmed its commitment to working closely with managers, staff and staff representatives and with Member States.

The WIPO Coordination Committee took note of the information provided in the Annual Report on Human Resources as per:

paragraph 60, on status reports, projects launched in 2011 and 2012, and projects and policies to be implemented “The WIPO Coordination Committee is invited to take note of paragraphs 1 to 59.”

paragraph 71, on the termination of employment contracts “The WIPO Coordination Committee is invited to note the information provided on the agreed terminations and the termination for abolition of post.”

paragraph 73, on the ICSC report “The WIPO Coordination Committee is invited to note the information contained in the preceding paragraph.”

paragraph 75, on the UNJSPF report “The WIPO Coordination Committee is invited to note the information contained in the preceding paragraph.”

ITEM 36

REVISION OF THE STAFF RULES AND REGULATIONS

Discussions were based on document WO/CC/66/2.

The Secretariat introduced a reformed version of WIPO Staff Regulations and Rules (SRR), the result of a consultation process between WIPO staff representatives and management spanning nearly two years with more than 50 consultation sessions. The SRR were subjected to intensive scrutiny by a consultative body established for this purpose by the Director General. The Secretariat thanked both the staff representatives and management representatives for their work, adding that both Chairpersons (staff representative and management) were invited to be present for the presentation. The Chairperson representing the staff was absent and so only one Chair was available today. The Secretariat noted that the aim of the review was to make the SRR more compatible with modern administrative and management norms and best practice in the UN system. The consultation process resulted in a significantly improved version of the SRR in a largely consensual manner. Where the consultative body was unable to achieve consensus, the Director General made decisions in the interests of the Organization, after hearing both sides. In doing so, he had to balance the views and preferences of staff representatives with those of management. Two entire chapters remain to be reviewed in 2013 and presented for approval to the WIPO Coordination Committee. The Secretariat noted that the revised SRR would provide more clarity on the terms of employment for temporary staff, the use of temporary contracts would be brought within a contractual framework and would be more tightly regulated, and it represented an important improvement for WIPO staff. The SRR would provide more responsiveness and agility in meeting certain staffing needs and provide for lighter and faster recruitment processes. There would be improvements in the classification process, regulating more carefully the use of reclassification and bringing it within the framework of organizational planning. Classification rules foresaw that career progression by way of reclassification was regulated, requiring a competitive process for reclassification from General Service to the Professional category, from Professional to Director and within the Director category. Safeguards which prevented undue career progression through repeated requests for reclassification were introduced. Another important and new element in the revised SRR related to the reporting of misconduct and protection of whistleblowers. The new regulation was synchronized with WIPO's internal oversight charge. Internal rules in the form of an office instruction would be in place providing detailed guidance to staff on how to deal with instances of alleged misconduct and describing the terms for the protection of staff who participated in a protected activity. Compensation for staff who work overtime would be more flexible. Staff and managers would benefit from the revised SRR in several ways. In addition to clarity on the reporting of alleged misconduct and protection of whistleblowers, other important benefits related to LSTEs who would have proper employment contracts with clear terms from January 1, 2013. Staff and managers would have more clarity about the conditions in which jobs could be reclassified. Managers could better compensate staff during times of peak workload. Managers would be able to hire staff for limited periods more quickly. The two important chapters in the SRR on Disciplinary Measures and Appeals had to be reviewed. This would be preceded by a review of the internal justice system in the coming months. By second quarter 2013, the Consultative Group would resume its work and review the two remaining chapters. Other amendments to this version of the SRR might become necessary as well in 2013. Should the UN General Assembly make decisions regarding the UN retirement age, amendments to the SRR would be necessary. A large number of policy instruments such as office instructions and guidelines needed to be synchronized with the revised SRR so that by January 1, 2013, WIPO would have a solid regulatory framework which would serve as a basis for sound and efficient HR management. The Chair noted that the draft SRR were before the WIPO Coordination Committee for approval following a long process of consultation between staff representatives and management. He added that this was for the Member States to approve on recommendation from the Director General. The Member States could set broad direction and express the desire to see certain aspects of the rules of how WIPO should be managed.

However, Member States were not to enter into the minutiae of managing the details of decision-making which the Director General had. It was for that reason that the representatives of the Consultative Group were to be here. Unfortunately, the Co-Chair who represented the staff was ill today. Otherwise, she would have been here. Even if she were present as Co-Chair, the Chair noted that he was not prepared to have a direct discussion between the Member States and the Staff Council because that would in effect provide a basis for Member States to micromanage issues in the realm of the Director General. The Chair added that it was an annual practice to invite the Staff Council to hear its views. However, this was an opportunity to hear the concerns of the staff they represent, not an opportunity for dialogue. The WIPO Coordination Committee did not dialogue with a segment of the staff. The interlocutor for the WIPO Coordination Committee was the Director General and the senior management.

The Chair noted that the Director General had been extremely hands-on in briefing many of the Geneva-based Ambassadors. He had regular series of meetings and Ambassadors received the big picture and were told what was happening without the level of detail that the experts had to grapple with. Understanding the desire for greater clarity, and recognizing that work was perhaps sometimes done in less than ideal timeframe due to the rush in the months before the General Assembly, the Chair noted that in the context of the Secretariat itself, a balance must be struck in the interests of all the stakeholders and there must be a considerable consultation with the staff and their representatives as their buy-in was so critical to moving forward on many of these issues. Whenever delegations had asked for information, there was no unwillingness to provide it.

In responding to the questions from the Delegation of Spain, the Secretariat underscored that detailed information had been issued on changes made to the SRR in the form of a three-column document which had been published before the September 19 briefing. On the question of cost savings, the Secretariat stated that there were not direct but indirect savings through more efficient management and less potential for conflict and disputes which were costly for the Organization. With regard to the IAOD, the Secretariat noted that this body did not review the SRR. On the question of additional costs, the Secretariat reminded that this had already been raised in the Program and Budget Committee and that information had been made available on WIPO's web site in this regard. The annual cost of these changes would be two million Swiss francs per year and provisions to absorb these costs were made in the current biennium. For 2014/15, the additional costs would be included in the budget.

The Director General paid tribute to the excellent collaboration that existed between the representatives of the Staff Association and the management on the Consultative Group. One of the Chairs was, in fact, on the podium. There was another hard-working Chair that participated throughout this process. The Director General stated that it was an exemplary process. It naturally took quite a long time to go through the whole SRR with the exception of two chapters that had been mentioned by the Delegation of the United States of America. Concerning those two chapters, the agreement with the Staff Council was that an external consultant who would provide advice on best practices with respect to the administration of justice in the UN system. This would be the subject of a new process which would go forward over the coming 12 months in the Consultative Group. The Director General added that this new process should bear fruit in the form of draft regulations or revision to the draft regulations that were before the WIPO Coordination Committee in 12 months' time. He added that the Consultative Group met on more than 50 occasions. For this reason it was difficult to get the document out in a timely manner to Member States. The three-column document that was made available prior to the briefing for Member States here in Geneva on September 19, 2012, specified or indicated very precisely the changes in the SRR. The cost information was posted on the WIPO web site.

In relation to cost, the Director General noted that certain costs were additional. This was a logical consequence of the change in the structure of the contract framework that the WIPO Coordination Committee approved one year ago. This change resulted in the elimination of the widely perceived injustice of having LSTEs involved and absorbing them into a contract framework which enshrined equal pay for equal work. With regard to disagreements between the representatives of management and those of the Staff Council, a procedure was agreed on for this. There were less than 10 items in the whole document that were not the subject of agreement between all the members of the Consultative Group, and on which Director General after taking into account all views, took a decision.

In noting the remarks of delegations and the response of the Secretariat, the Chair noted that some of the increased costs arose from the implementation of measures highly supported by both Member States and the staff, such as the regularization of LSTEs. In encouraging delegations to support the proposed revisions, the Chair said that he would impose on the Director General and senior management the need to continue remaining open to consultation and provide any information that Member States sought with a view to a continuous process of improvement.

There being no further comments or remarks on document WO/CC/66/2, the WIPO Coordination Committee approved the WIPO Staff Regulations and Rules Chapters I through IX, and Chapter XII and their Annexes.

The WIPO Coordination Committee approved document WO/CC/66/1, as follows:

- (i) paragraph 68 concerning amendments to the WIPO Staff Regulations; and*
- (ii) paragraph 82 regarding the new Staff Regulation 3.24 on mobility and hardship.*

ITEM 37

ADOPTION OF THE GENERAL REPORT AND OF THE INDIVIDUAL REPORTS OF EACH GOVERNING BODY

Comments by several delegations were noted by the Secretariat for inclusion in the final versions of the reports.

The General Report was unanimously adopted by the Assemblies of the Member States of WIPO and other governing bodies, each as far as it was concerned, on October 9, 2012.

Each of the 20 Assemblies and other governing bodies of the Member States of WIPO, each as far as it was concerned, unanimously adopted the separate report concerning its session, on October 9, 2012.

ITEM 38

CLOSING OF THE SESSIONS

The Director General thanked all Member States and all delegations for their extremely constructive engagement during the Assemblies, as well as for their support and commitment to the Organization throughout the past year. The Director General noted that some extremely successful outcomes had been achieved during these Assemblies. In particular, the Director General referred to the roadmap for the proposed treaty on visually impaired persons, including the decision to hold an Extraordinary General Assembly in December 2012, with a view to considering the possible convening of a diplomatic conference in 2013. He also referred to the roadmap for the IGC in the determination of which Member States had shown a high degree of commitment. The Director General also thanked Member States for the excellent outcome on a possible design law treaty. Further, the Director General noted the need to continue consultations with Member States on a wide range of issues such as the language policy, the management of meetings, external offices, as well as development assistance, to name a few. The Director General extended his thanks to the Chair for his wise stewardship of these meetings and for his commitment to the informal negotiations, which had achieved a positive outcome. In conclusion, the Director General expressed deep gratitude to all of his colleagues, in particular Messrs. Naresh Prasad, Sergio Balibrea and Ambi Sundaram. The Director General wished all delegations a very safe return and looked forward to engaging fully with Member States in the course of the next 12 months.

In his closing remarks, the Chair stated that the Assemblies had been most productive and constructive and had reached agreement on a number of important issues, ranging from taking stock of where Member States stood on different items under consideration, to deliberations about the future, or setting criteria and time frames for conclusion of the final phases of work in the normative arena. He believed that the Assemblies had critically and objectively assessed and appreciated the financial standing of WIPO, the improvements in its rules and regulations, and had monitored the implementation of the Program and Budget and of WIPO administration in general. The Assemblies had also approved the enhancement of WIPO's oversight structure as an important element of its governance, and had taken note of discussions related to governance within the mandate of the PBC. Some standing committees had been encouraged to enhance their commitment to future substantive and operational work, and to overcome certain differences in approach that had had a slowing effect on their capacity to deliver. The Chair noted that, following intensive informal consultations on the IGC and the SCT, a clear commitment towards overcoming differences in approaches and interests had prevailed. Member States had agreed on the importance of international instruments and the roadmap leading to the adoption thereof regarding GRs, TK and TCEs, as well as designs. The Chair expressed his gratitude to the Regional Groups, Coordinators and Member States who had participated in those informal consultations. He also commended them for their high level of professionalism and capacity to accommodate differences in a cooperative manner. The strategic political commitment to the cooperation framework to which the IGC and designs belonged also contained two important agreements reached within the normative sphere, namely the intensification of the work on the basic provisions of the future visually impaired persons treaty and the holding of the Extraordinary General Assembly in December 2012, as well as the further advancing of the work on broadcasting towards 2014. The Chair stated that the Management of WIPO merited credit for its efforts to improve on performance and results, as well as to review and, where needed, introduce rules and procedures which were there to provide openness, predictability, efficiency, as well as responsibility and accountability. These were important contributions by the management of WIPO to good governance. The Chair stressed that those efforts should continue and should be fully supported. As regards the General Assembly, and based on his experience of having chaired it twice, the Chair believed that the Secretariat led by the Director General deserved recognition for its high level of professionalism and efficiency. Nevertheless, certain aspects could further be improved and attuned to the possibilities of modern communication technologies,

such as clarification in the formulation of decisions, modernization of style/presentation and organization of work. The Chair congratulated and expressed his thanks to the Director General, the Secretary of the Assemblies and the Assemblies Affairs and Documentation Division for their organizational leadership and hard work, as well as to the Senior Management Team and the staff of WIPO for their work throughout the previous Assemblies and during the current Assemblies. He also expressed his thanks to the interpreters and translators for their professionalism and for having borne with the sometimes hectic schedule of the meetings. The Chair concluded by thanking all delegations for their support and work, and urged them to continue their efforts to find the best solutions to the pending items on the agenda.

The Fiftieth Series of Meetings of the Assemblies and other Bodies of the Member States of WIPO was closed by the Chair of the WIPO General Assembly.

