

WIPO Coordination Committee

Eightieth (52nd Ordinary) Session
Geneva, October 4 to 8, 2021

DRAFT REPORT

prepared by the Secretariat

1. The WIPO Coordination Committee was concerned with the following items of the Consolidated Agenda (document A/62/1): 1, 2, 3, 4, 5, 6, 7, 10(ii), 11, 12, 30, 31, 32 and 33.
2. The reports on the said items, with the exception of items 7, 30 and 31 are contained in the draft General Report (document A/62/13 Prov.).
3. The reports on items 7, 30 and 31 are contained in the present document.
4. Ambassador Kadra Ahmed Hassan (Ms.) (Djibouti) was elected Chair of the WIPO Coordination Committee; Ambassador Alfredo Suescum (Mr.) (Panama) was elected Vice-Chair.

ITEM 7 OF THE CONSOLIDATED AGENDA

APPROVAL OF AGREEMENTS

5. Discussions were based on document WO/CC/80/1.
6. Opening Agenda Item 7, the newly-elected Chair of the WIPO Coordination Committee, Ambassador Ahmed Hassan, thanked Member States for having elected her as Chair of the WIPO Coordination Committee. She recalled that one document was under consideration on this agenda item and invited the Legal Counsel to introduce the item.
7. Introducing the agenda item, the Legal Counsel recalled that, in accordance with Article 13(1) of the WIPO Convention, any general agreement entered into with a view to establishing working relations and cooperation with other intergovernmental organizations shall be concluded by the Director General after approval by the WIPO Coordination Committee. He pointed out that there were two such general cooperation agreements, as reflected in the working document, proposed for approval by the WIPO Coordination Committee. The first agreement was a Memorandum of Understanding (MoU) between WIPO and the European Patent Office (EPO) and the second agreement was an MoU between WIPO and the International Renewable Energy Agency (IRENA). Both agreements aimed at establishing general working relations and cooperation in the field of intellectual property (IP).
8. The WIPO Coordination Committee approved the Memorandum of Understanding between WIPO and the European Patent Office (EPO); and the Memorandum of Understanding between WIPO and the International Renewable Energy Agency (IRENA), as set forth in Annexes I and II, respectively, of document WO/CC/80/1.
9. The Director General congratulated the Chair upon her election as Chair of the WIPO Coordination Committee and indicated that the Secretariat looked forward to working closely with her under her guidance, as WIPO supported the work of this important Committee. He was delighted that the WIPO Coordination Committee had approved both memoranda of understanding that would further strengthen the close cooperation that WIPO enjoyed with EPO and IRENA. In strengthening the patent application and data collection and staff exchange between the two organizations, the agreement with EPO would lead to the development of mutually beneficial projects and programs. Likewise, working with IRENA would help to drive forward the shared goal of promoting innovation in renewables and the diffusion of climate change. The Director General thanked the President of the EPO and the Director-General of IRENA for their leadership and support and looked forward to working together to realize their shared ambitions and bring value to all Member States.
10. The Delegation of the United Kingdom, speaking on behalf of Group B, thanked the Chair and the Member States for the opportunity to deliver the Group's statement. In Group B's view, working with EPO and IRENA would help to build capacity and share best practices and, in that regard, Group B was pleased to cooperate to support technological innovation in the field of climate change technologies, specifically renewable energy, and to promote and amplify the work of WIPO. It looked forward to seeing practical outputs from this cooperation and the benefits for WIPO and the cooperating partners alike.

ITEM 30 OF THE CONSOLIDATED AGENDA

REPORTS ON STAFF MATTERS

(i) Report on Human Resources

11. Discussions were based on documents WO/CC/80/INF/1, WO/CC/80/2 and WO/CC/80/4.

12. The Chair introduced Agenda Item 30 and mentioned that there were two sub-items under consideration. For the first sub-item, three documents were under consideration: the Annual Report on Human Resources, document WO/CC/80/INF/1 Rev., the Human Resources (HR) Strategy 2022-2026, document WO/CC/80/2 and the WIPO Staff Pension Committee, document WO/CC/80/4.

13. The Secretariat stated that it was pleased to present the Annual Report on Human Resources which was also presented as an information document at the 33rd session of the PBC, held in September. It added that the Annual Report covered the 12-month period from July 2020 to June 2021 and was structured into five parts as follows: (i) a snapshot of key workforce trends; (ii) staff matters to be reported to the WIPO Coordination Committee such as terminations of appointments, implementation of WIPO's policy on gender equality, rewards and recognition and extensions of temporary appointments beyond their time limits; (iii) the challenging period of the COVID-19 pandemic and the changes at WIPO during that period; (iv) overall progress made and developments over the past year; and finally (v) an outlook with respect to HR objectives for the next biennium and beyond. The Annual Report was supplemented by an online HR brochure, which provided a broad range of workforce statistics and information. Both, the HR Annual Report and the Brochure were available on the Organization's website in all United Nations (UN) languages. The Secretariat highlighted that the workforce remained stable in terms of numbers and continued to be characterized by flexibility with approximately a 70 and 30 per cent proportion between core, i.e. fixed-term, continuing and permanent staff, and flexible, i.e. temporary staff and non-staff resources. On geographic diversity, there were 121 Member States represented among WIPO staff as at 30 June 2021, whilst on gender parity, the Secretariat had an overall representation of approximately 53 per cent women and 47 per cent men. At the senior levels, the Secretariat mentioned that while it had achieved its targets at the D1 and P4 grades, it would seek to improve gender balance at the D2 and P5 grades. Furthermore, efforts to improve gender balance were supported by targeted outreach through dedicated recruitment campaigns, career fairs, and executive search services. The Secretariat stated that the past reporting year had been a challenging period for the Organization due to the COVID-19 pandemic. The mandatory teleworking and social isolation related to the lockdown had impacted the health and well-being of employees and in response, the Secretariat had initiated a number of initiatives including sessions on wellbeing, mindfulness and burnout prevention. It was also a year of transition and change with the arrival of the new Director General in October 2020, the selection and appointment of a new Senior Leadership Team in January 2021 and the realignment of the organizational structure, which was implemented in March this year. Additionally, the Secretariat stated that the past year, or the "new normal", highlighted the need for adaptability and resilience in its workforce, and compelled a reassessment of existing working practices. The Secretariat mentioned that it not only needed to manage a remote workforce, but also a more hybrid workforce and had to basically embrace an agile work culture, which enabled employees to adapt and respond to challenges as they arose, as well as keeping them engaged in their work irrespective of their physical location. Despite the pandemic and as much as the circumstances permitted, the Secretariat strived to attract and recruit diverse and qualified staff *via* its outreach efforts, noting that the efforts and engagement with unrepresented Member States continued to show positive results, notably a higher number of applications received from unrepresented Member States. Moreover, the Secretariat also continued and accelerated its implementation of new HR tools, processes and procedures, through a digital transformation

process. To improve organizational agility, workforce planning with more flexibility to allow a redeployment of the workforce on a more dynamic basis to navigate change and accommodate new ways of working was being developed, whilst the entire recruitment process from planning and talent sourcing to assessing, selecting and hiring was now conducted virtually. The Secretariat also stated that it also continued to strengthen Diversity and Inclusion initiatives. Among others, training on inclusive leadership continued to be offered to personnel at all levels, while Gender Focal Points were enrolled in a dedicated capacity-building program. A Young Expert Program (YEP) targeted at global, diverse, young and talented individuals would be established with an aim to welcome WIPO's first YEP cohort in early 2022. This program would contribute to attain at least three of the Strategic Pillars of the MTSP as well as its Foundation as well as the Organization's diversity and inclusion strategies from gender, geographical, age and social economic perspectives. The program would also facilitate the development and recognition of actual and potential talent with a key objective to build capacity and democratize intellectual property (IP) so that YEP alumni could further their career inside or outside of WIPO whether in the international or national contexts. Finally, the Secretariat stated that the Internal Oversight Division (IOD) had just completed a review of its performance and staff development framework and that it expected this review to lead to the streamlining of the current Performance Management and Staff Development System (PMSDS), so that it better supported organizational performance and staff development. The Secretariat added that it would also align learning and development with new talent management strategic priorities, whilst engaging with the UN-system wide framework on learning to ensure coordination and convergence with the system.

14. The Delegation of the United Kingdom, speaking on behalf of Group B, wished to congratulate the Chair and the Vice-Chairs on their election to head the WIPO Coordination Committee. The Group thanked the Secretariat for preparing the Annual Report on Human Resources and, in the interest of time, recalled its statement on the report delivered at the 33rd session of the Program and Budget Committee (PBC) and wished to reiterate the message expressed in that statement.

15. The Delegation of Brazil thanked the Secretariat for preparing the Annual Report on Human Resources and for the HR Strategy 2022-2026. The Delegation stated that it was aware of the challenge that it was to manage a workforce during the pandemic, and to strategically plan the use of human resources so that it could have the level of performance expected from the Organization. The Delegation added that, as Member States, it was also their duty to ensure that some principles and values, such as diversity and inclusivity, were enforced as these values were not only dear to multilateral organizations such as WIPO, but also were increasingly recognized as principals in the private sector as well in the management of human resources. Against this backdrop, the Delegation first wished to talk about the geographical distribution of staff, adding that the data showed that the Organization still had a long way to go to ensure greater representation and regional balance in its workforce. Some countries and regions were overrepresented, and the Delegation's attention was drawn to the fact that recruitment in the last few years continued to privilege the same regions at the detriment of others who were less represented. The Delegation was aware that some programs had been implemented in the last few years to try and reduce these inequalities and made special reference to the recruitment policy for countries that were not represented in the Secretariat. Nonetheless, the Delegation was of the view that these initiatives still fell short regarding recruitment and also regarding career progression, and would like to see the Organization have clear objectives to increase diversity amongst personnel. In that regard, it urged the Secretariat to continue intensifying efforts in the regions that were underrepresented, whilst adding that candidates from different parts of the world might not be familiar with the selection process adopted by the Organization and with what was expected from them at each step of the process. The Delegation mentioned that clear and accessible information was needed, which would assist candidates in preparing themselves, that the process needed to be more transparent and that candidates should be informed when their candidacies had been

rejected at the early stages of the process and whether a vacancy has been filled or not. Regarding the measures to increase the proportion of women in the higher echelons of the Secretariat, the Delegation was pleased to see there were policies adopted to increase the recruitment of women, whilst noting that the objectives to increase the number of women in the Secretariat had not been met. The Delegation requested the Secretariat to provide a clarification on this matter.

16. The Delegation of the United States of America congratulated the Chair on her election to lead the WIPO Coordination Committee. The Delegation conveyed its appreciation for this informative report and thanked the Secretariat, especially the Human Resources Management Department (HRMD), for its efforts to pursue the Organization's HR Strategy from 2017-2021, despite the extraordinary difficulties of the COVID-19 pandemic. It also appreciated the opportunity to review and discuss the HR Strategy 2022-2026. The Delegation took note of the Secretariat's continued pursuit of initiatives to improve geographical representation and gender parity at the Organization, and appreciated the detailed information provided on outreach to represent Member States. It also welcomed the appointment of three highly qualified women to serve as Deputy Directors General. The Delegation also thanked the Organization for its continuous efforts to implement the WIPO Policy on Gender and the UN System-wide Action Plan on Gender and the Empowerment of Women (UN-SWAP). While it welcomed the Secretariat's progress on achieving gender parity targets, particularly at the D1 and P4 levels, it did note however that women's representation decreased at the D2 and P5 grades, for a second biennium, which in its view had required revisions to gender parity targets for those grades. The Delegation wished to know if and how WIPO was working to reverse those specific trends. Finally, the Delegation thanked the Secretariat for the way it had demonstrated its commitment to addressing Member States' concerns during the reporting period, including its decision to remove the organizational performance award from the 2020 Rewards and Recognition Program, as Member States had requested.

17. The Delegation of the Russian Federation congratulated the Chair on her election and thanked the Secretariat for having prepared the Annual Report on Human Resources and for its presentation. The Delegation was grateful for the information on staff management in the course of the crisis brought about by the COVID-19 pandemic and wished to have some further clarifications as to how the Secretariat adapted its system for performance assessment for remote working, and also how it managed to motivate personnel in order to maintain productivity when working remotely. The Delegation also requested information on how many candidates had been placed on "Reserve Lists" and which geographical regions they represented. It also conveyed its support to the efforts undertaken by the Secretariat in supporting young people, particularly with the development of the Fellowship Program and the launch of YEP. The Delegation was convinced that work on promoting the careers of young specialists was a very important step forward, in order to ensure the effective operation of the HR system. It also took note of the programs as well as the initiatives intended to promote equitable geographical representation and called upon the Secretariat to continue that work. The Delegation stated that it took as its fundamental premise the need not only for an increase in the number of represented Member States within the workforce, but also an equal distribution of posts, and added that it was sad to note that its regional group was not sufficiently represented within the Secretariat. The Delegation mentioned that it would work with the Secretariat to ensure representation of States from its region.

18. The Delegation of South Africa, speaking on behalf the African Group, congratulated the Chair on her election and thanked the Secretariat for the compilation and presentation of the Annual Report on Human Resources. The Group recalled its statement at the 33rd session of the PBC and thanked WIPO Management for its efforts to ensure that key HR targets were achieved. In particular, those related to geographical and gender balance. The Group noted that women represented over 50 per cent of WIPO's workforce. While that was welcomed, the Group was concerned that women continued to be underrepresented in managerial positions.

Furthermore, the Group noted that 121 Member States were now represented at all levels and categories of staff, whereas 109 Member States were represented on posts subject to geographical distribution. It was also concerned that 84 Member States remained unrepresented in all posts subject to geographical distribution. The Group further noted that staff regional representation varied considerably and that there were significant imbalances. The Group appealed to the Secretariat to look at ways to rectify that. The Group recognized the steps taken by WIPO in promoting gender mainstreaming in accordance with WIPO's Policy on Gender Equality and the improvement in the Organization's compliance rate with the UN-SWAP. The Group took note of the HR Strategy 2022-2026, which was aligned with the Medium-Term Strategic Plan (MTSP), and appreciated that the HR Strategy did not just identify challenges to human resources, but in most cases proposed solutions as well. It also welcomed the commitment by HRMD to actively contribute to the development of a more open, dynamic, and collaborative organizational culture, which in its view would facilitate the implementation of other goals identified in the HR Strategy. The Group wished to underscore once again that the gender balance should be at the forefront of the Strategy. Finally, the Group requested clarifications on secondment and staff exchanges and how these were to be carried out as they were reflected in the HR Strategy.

19. The Delegation of Spain aligned itself with the statement made by the Delegation of the United Kingdom on behalf of Group B, and thanked the Secretariat for preparing the Annual Report on Human Resources, which the Delegation had backed at the 33rd session of the PBC. The Delegation stated that a good HR policy was a priority in any organization, but even more so in an organization such as WIPO, which above all was based on the skills and talent of its personnel and which was also reflected in the analysis of the Program of Work and Budget. Despite the positive comments reflected in the Report, the Delegation believed that the Secretariat should make greater efforts to ensure greater geographical diversity and gender parity at different levels. The Delegation stated that this created a sub-optimal situation and that the Secretariat needed to ensure that it had the maximum amount of internal talent and that it recruited the maximum of external and best talent as well. In this respect, the Delegation was concerned with what was contained in paragraph 64 of the Annual Report, which spoke about increasing the externalization of services. The Delegation was of the view that the externalization of services should only happen when required skills could not be covered by internal personnel and not as a general practice, otherwise it would create a serious problem with maintaining know-how in the Organization. The Delegation expressed its appreciation for the rapid management of teleworking in response to the COVID-19 pandemic, and mentioned that valuable lessons could be learnt regarding hybrid work formats, enabling the possibility to work more flexibly and in a more modern fashion. The Delegation added that, as was the case in its national offices, including the Spanish Patent and Trademark Office (OEPM), there was a reconciliation of serving the public interest and personal lives. The Delegation hoped that the Secretariat would be able to implement the HR Strategy 2022-2026 and that it would be reflected in the Annual Report on Human Resources. Finally, the Delegation added that it wished to see a dynamic organizational culture, one which created teamwork, increased institutional agility and flexibility in the Organization.

20. The Delegation of Georgia, speaking on behalf of the Central European and Baltic States (CEBS) Group, thanked the Secretariat for preparing introducing the Annual Report on Human Resources. The CEBS Group welcomed the gender parity targets for the 2022-23 biennium, and also noted the decrease in the representation of women in managerial positions. The CEBS Group was confident that the targets would be achieved in the coming years. At the same time, it noted the Secretariat's improved compliance rate with the UN-SWAP. The Group wished to highlight the importance of geographical diversity among the Organization's staff and mentioned that balanced representation of Member States was important for the development of an effective global intellectual property (IP) system. The CEBS Group was confident that through the joint efforts and close cooperation between the Secretariat and the CEBS members, the Secretariat would be able to attract qualified

candidates for the underrepresented CEBS region in the very foreseeable future. Finally, the CEBS Group wished to thank the Secretariat for preparing the HR Strategy 2022-2026, and understood that the new Strategy would be critical in achieving the vision articulated in the MTSP.

21. The Delegation of Sudan congratulated the Chair and the Vice-Chairs on their elections. The Delegation also congratulated Mr. Daren Tang on assuming the position of Director General of the Organization, and thanked the Secretariat for its efforts to improve the representation of Member States that were unrepresented. The Delegation wished to assure the Committee that two workshops had been held with Sudan, in cooperation with the Secretariat, to provide further information on the pathways to employment. On the extended meaning of geographical representation, the Delegation thanked the Secretariat and hoped that all the efforts would prove to be successful leading to Sudan having opportunities to contribute to the work of the Organization.

22. The Delegation of Algeria congratulated the Chair on her election to head the WIPO Coordination Committee and thanked the Secretariat for the Annual Report on Human Resources. The Delegation mentioned that it valued diversity in the Secretariat and wished to ensure that there were awareness-raising activities carried out amongst unrepresented Member States so that representation would be increased in the Organization. The Delegation also believed in the importance to ensure gender equality and encouraged the Secretariat to ensure that there were high-ranking female officials. In this respect, the Delegation welcomed the initiatives that had been taken by the Secretariat to ensure that there were women at the D2, P4 and P5 levels.

23. The Secretariat thanked the delegations for their comments and questions, and stated that it stood ready to meet with delegations and representatives of Member States at any time to discuss issues raised during the session. With respect to geographical distribution, the Secretariat stated that no agreement was reached by Member States in 2016 to adjust targets for geographical regions or on aspects of distribution within regions and that, since 2016, it has been working through the Focal Point Initiative to reach out to unrepresented Member States and underrepresented regions. The Secretariat added that the success of these initiatives depended on the engagement of Member States in partnership with the Secretariat. In response to the question by the Delegation of Brazil, the Secretariat clarified that the Focal Point Initiative included schemes to provide more information to candidates with respect to employment opportunities and recruitment procedures. Concerning the representation of women, as indicated and underscored by some of the delegations, the Secretariat reiterated that the targets at D1 and P4 levels had been met, but that it had to do more work on the P5 and D2 positions. The Secretariat added that the D2 positions were the most complicated as there were only a few such posts, consequently as soon as a female staff member retired for instance, it created an immediate imbalance. On the other hand, the Secretariat had had good success at the D1 level, as seven out of the 10 new D1 positions since 2017 had been awarded to female candidates, whilst parity had been reached at the P4 level, all of this despite the lower proportion of female candidates for senior roles at P4 positions and above. The Secretariat stated that there was still room for improvement and that it would continue to work on increasing the number of senior female professionals through targeted outreach and through executive and search firms. With respect to the question by the Delegation of the Russian Federation on the measurement of performance since the COVID-19 pandemic and remote working, the Secretariat stated that it had provided many support mechanisms to its managers and staff to cope with this new way of working from one week to another. It added that the number of positive and outstanding evaluations of staff performance submitted in the performance management system confirmed that everything had gone beyond expectations since the start of remote working in March 2020.

24. The Delegation of Brazil wished to clarify one of the comments that it had made in its statement and stated that it would discuss with the Secretariat how the latter could make publicly available to candidates information on the selection process and what was expected by candidates at each stage of the process. The Delegation mentioned that this information should not just be made available only to the Permanent Missions and that candidates from Brazil were sometimes not familiar with the recruitment process, for example on which forms to use or what should be included in a motivation letter. The Delegation was of the view that such information on the process should be made more accessible, perhaps on the Organization's public website, to candidates.

25. The Delegation of South Africa, speaking on behalf of the African Group, stated that it wished to have a response to its question on secondments and staff exchanges.

26. In response to the clarification by the Delegation of Brazil, the Secretariat stated that it would ensure that the relevant information on the different stages of the recruitment process would be made available on the recruitment page of the Organization's public website. With respect to the question from the Delegation of South Africa on secondments and staff exchanges, the Secretariat explained that this was included in the HR Strategy, which proposed the use of secondments in/out as well as the development of programs for staff exchanges for more frequent exchanges with the broader IP network. The Secretariat added that this was work in progress and in order to expand mobility and increase diversity, it would be beneficial to develop secondment and exchange programs similar to the UN system-wide program already in place. The Secretariat mentioned that this UN system-wide program was of help for some profiles, for example in the administration area, but it was effectively more difficult for profiles specialized in IP. Hence, the Secretariat was looking to expand possibilities of exchanges, notably with the broader IP community similar to WIPO's successful Fellowship Program with IP offices to bring people to the Organization. The Secretariat mentioned that that was really a starting point and that it would be able to provide more information on this topic next year.

Human Resources (HR) Strategy 2022-2026

27. The Secretariat introduced document WO/CC/80/2 entitled Human Resources (HR) Strategy 2022-2026. The Secretariat stated that the basis for the HR Strategy was WIPO's new MTSP for the same period, which recognized staff as the main pillar of growth and success of the Organization and committed the Secretariat to invest in the development of its workforce to ensure continued agility and resilience. The Secretariat mentioned that the HRMD would play a key role in providing the Organization with the right resources and training to work effectively, collaboratively and innovatively. It added that the most fundamental change would be the transformation of the Secretariat's culture and the way it worked, and that it would evolve towards a more open, dynamic and collaborative organizational culture. The Secretariat also stated that the key priorities would be to break silos through enhanced cooperation and new ways of working, to engage staff and to build trust. In that respect, a survey to better understand WIPO's culture had been launched recently and an Employee Engagement Survey would follow later this year, which would inform the Secretariat's work going forward. The Secretariat stated that HRMD's work program for the next five years would be articulated around the inter-related objectives that were presented in the Strategy. While work had already commenced on some of these objectives, as reported in the Annual Report on Human Resources, HRMD would:

- Contribute to the development of a vibrant organizational culture, encouraging open dialogue, collaboration, knowledge sharing and teamwork;
- Improve organizational agility, create adequate flexibility and increase mobility to meet the evolving staffing needs of the business units;

- Further strengthen the focus on diversity and inclusion, which were key enablers to achieve WIPO's vision. This focus would be articulated both through gender balance and geographical representation, maximizing on their intersection whenever possible;
- Ensure that management of people performance added value by improving organizational performance and developing staff skills;
- Take a more strategic view of learning and career development as integral parts of talent development;
- Invest in leadership and management development;
- Enhance staff engagement and wellbeing; and
- Develop a "one stop shop" service model for HRMD adapted to the needs of the business units.

28. The Delegation of the Russian Federation thanked the Secretariat for having prepared the HR Strategy 2022-2026. The Delegation stated that it supported the thrust of this Strategy, the closer linkage of staff policy with the specific needs of the Organization, the flexibility that had been introduced in order to meet certain staff requirements, the extension of diversity and inclusivity, as well as the enhancement of the effectiveness of the work that had been done. It was clear to the Delegation that the Secretariat was now focused on further improvement of the culture that existed within the Organization and indeed the renewal of staff. The Delegation considered this as a matter of priority, insofar as the work being done by the Secretariat, that it should be guided by the need to find competent professional candidates who worked in good faith. The Delegation was of the view that appropriate attention must be devoted to efforts to ensure equitable geographical representation within the Organization, as it believed that geographical diversity would ensure effective work. Finally, it wished to underscore a matter of key importance to the Delegation, which was that the Secretariat should abide by recommendations and decisions taken by the International Civil Service Commission (ICSC) and relevant resolutions of the UN General Assembly when ensuring appropriate working conditions for staff.

29. The Delegation of China congratulated the Chair on her election and thanked the Secretariat for the thorough preparation of the document. The Delegation stated that Chinese culture advocated a people-centered approach. The Delegation believed that human resources were the key asset of any organization. It mentioned that WIPO undertook the responsibility of being innovative, and the leadership in IP development and the related ecological development. The Delegation stated that it would keep abreast of the times and took note of the forward-looking design of the HR Strategy, which defines the future orientation to meet the demands of the business. The Delegation welcomed the Strategy and its seven objectives, and was delighted to see the concrete measures proposed in the report, for example the engagement with the broader scale of community and the strengthening of mobility within the Organization as well as setting a career path for staff. The Delegation believed that improving the agility of the Organization, improving the age structure, capacity building and helping staff to grow would be essential for the future of the Organization. The Delegation also stated that the Secretariat should seek balanced geographical representation and gender balance, so the Organization could be more inclusive in HR. Finally, the Delegation mentioned that it would welcome more information, especially on the implementation of the agility component in the Organization, and that was looking forward to the Annual Report on Human Resources on the implementation of this Strategy.

30. The Secretariat responded to the statements by asserting that the new HR Strategy was work in progress and that it would report on the progress made and the different initiatives in the Annual Report on Human Resources next year. The Secretariat added that it appreciated the comments made by the delegations and the confirmation that it was proceeding in the right direction, working on diversity, inclusion, agility, mobility and career development of staff.

WIPO Staff Pension Committee (WSPC)

31. The Secretariat introduced document WO/CC/80/4 entitled WIPO Staff Pension Committee (WSPC) and stated that the WIPO Staff Pension Committee consisted of three members and three alternate members, with one member and one alternate member elected by the WIPO Coordination Committee. It added that the members proposed by the Director General for election by the WIPO Coordination Committee normally served a four-year term of office. The Secretariat also stated that, in order for a broader-based call for and consideration of candidates presented by Member States for the eventual election of the member and the alternate member of the WSPC by the WIPO Coordination Committee, it was proposing the reduction of the terms of office for this election, exceptionally, to one and two years respectively. The Secretariat mentioned that the current member elected by the WIPO Coordination Committee was Mr. Vladimir Yossifov, whose term of office ends in 2021. The Director General had received from the Permanent Mission of Bulgaria the proposal that Mr. Yossifov be re-elected by the WIPO Coordination Committee as member of the WSPC to represent the Member States until the 2022 Ordinary Session of the WIPO Coordination Committee. Furthermore, the Secretariat also mentioned that the current alternate member elected by the WIPO Coordination Committee was Mr. Philippe Favatier whose term of office ends in 2023 and who had recently expressed his intention to end his mandate. The Director General had received from the Permanent Mission of France the proposal that Mr. Jean Luc Perrin be elected by the WIPO Coordination Committee as alternate member of the WSPC to replace Mr. Favatier and represent the Member States until the 2023 Ordinary Session of the WIPO Coordination Committee.

32. The WIPO Coordination Committee elected:

- (i) Mr. Vladimir Yossifov as member of the WIPO Staff Pension Committee for the period up to the end of the ordinary session of the WIPO Coordination Committee in 2022.
- (ii) Mr. Jean-Luc Perrin as alternate member of the WIPO Staff Pension Committee for the period up to the end of the ordinary session of the WIPO Coordination Committee in 2023.

(ii) Report by the Ethics Office

33. Discussions were based on document WO/CC/80/INF/2.

34. The Chief Ethics Officer *ad interim* introduced document WO/CC/80/INF/2 entitled Annual Report by the Ethics Office covering the period January 1 to December 31, 2020. The Chief Ethics Officer *ad interim* mentioned that the incumbent Chief Ethics Officer had started the year in office, but had retired in March 2021. As such, the report was based on information received from colleagues and the reading of correspondence received by the Ethics Office during 2020. The Chief Ethics Officer *ad interim* mentioned that the Ethics Office had pursued all the usual activities of a UN ethics office during the reporting period. It provided advice to personnel on outside activities, gifts and other conflicts of interest as well as providing advice to management on policy issues, administered the Organization's financial disclosure declaration of interest program, provided ethics training in cooperation with HRMD, and ensured coherence with ethics offices of other UN organizations. The Chief Ethics Officer *ad interim* stated that, due to the

COVID-19 pandemic and as was the case with other ethics offices, the major programs of the Ethics Office on financial disclosure and the protection from retaliation continued virtually. It added that the Financial Disclosure Declaration Program culminated with 111 staff filings and showed 100 per cent compliance rate save for one staff member who was on sick leave. Furthermore, there were no formal requests for protection against retaliation. Face-to-face training had to be cancelled, but 248 personnel completed the mandatory online ethics course during the year, while an in-person public lecture on ethics was organized at the beginning of the year where 116 personnel attended. Finally, the Chief Ethics Officer *ad interim* mentioned that, whilst the incumbent Chief Ethics Office may not have accomplished everything she would like to have accomplished in a normal year, the WIPO Ethics Office continued to function during this time.

35. The Director General thanked Mr. David Mitchels for his work *ad interim* in the WIPO Ethics Office whilst the recruitment process for WIPO's new Chief Ethics Officer was ongoing. The Director General presented the new Chief Ethics Officer, Ms. Jovanie Philogène, to the WIPO Coordination Committee and stated that she brought a wealth of experience to the role from across the UN family and from the private sector. He encouraged Member States to reach out to her and engage with her in order to give their views and help improve and strengthen the Organization's framework for ethics under her leadership. The Director General mentioned that the Chief Ethics Officer would be working closely with him and other senior leaders in the Organization as well as supporting other colleagues with different methods relating to ethics. The Director General hoped that WIPO would continue being a place where its work was underpinned by strong ethical standards to develop its ethics programs and a place where it would learn from the best practices in the UN system and beyond. The Director General once again encouraged Member States to reach out to the new Chief Ethics Officer and welcomed her to the WIPO family.

36. The Delegation of the United Kingdom, speaking on behalf of Group B, thanked the Secretariat for preparing the Annual Report by the Ethics Office and for the presentation by the Chief Ethics Officer *ad interim*. The Group also thanked the Director General for his brief comments and stated that the Ethics Office was an indispensable part of the good governance structure of WIPO. The Group added that ensuring that the Organization adhered to the highest standards of accountability was paramount to ensure it could properly perform its functions. The Group encouraged the Ethics Office to continue to strengthen its engagement with the Independent Advisory Oversight Committee (IAOC) and its cooperation with the Joint Inspection Unit (JIU). In terms of UN system-wide collaboration, the Group encouraged the WIPO Ethics Office to actively engage with the ethics network of multilateral organizations. The Group welcomed the appointment of the new Chief Ethics Officer and looked forward to engaging with her and to a new plan of action to be presented to the next session of the WIPO Coordination Committee. The Group was aware that mandatory online training courses on ethics and integrity had been available since 2017, and wished to be assured that many, if not most of, the more than 1,000 WIPO staff members had successfully completed this training. The Group mentioned that it looked to the Ethics Office to strongly encourage engagement in this area, and closed its statement by thanking the Ethics Office again for its work and by stating that it looked forward to the continued key and active role of the Ethics Office in this Organization.

37. The Delegation of the United States of America thanked the Director General for his comments. The Delegation welcomed the arrival of the new Chief Ethics Officer and wished her the best in her new and important role. The Delegation stated that it strongly supported the mission of the ethics function in international organizations and appreciated the informative report on the activities undertaken by WIPO's Ethics Office in 2020. The Delegation was pleased to note WIPO's continued pursuit of initiatives aimed at promoting a culture of ethics and integrity and appreciated the detailed information provided on the 248 staff members who had completed the mandatory online ethics and integrity training. The Delegation requested the Secretariat to clarify what percentage of staff this represented. It also mentioned that it would

appreciate information on the steps the Secretariat was taking to achieve 100 per cent participation in such mandatory trainings in line with the Ethics Office's consistent message on expected standards of conduct and ethical leadership. The Delegation also appreciated the Ethics Office's activities to promote mechanisms that supported personnel who contributed to transparency and oversight activities. It also stated that it would welcome additional information on the awareness raising activities specifically related WIPO's policy to protect against retaliation or for reporting misconduct and on the efforts to engage staff confidence in these policies. Lastly, the Delegation stated that it would appreciate, if possible at this juncture given the transition at the moment, receiving more information about the Ethics Office's priorities for 2021 and 2022 and on any observations that the Ethics Office had made to management during the reporting period and to date.

38. The Director General thanked the Member States for their statements and stated that he had made it very clear on many occasions, even when he was confirmed as Director General last year, that ethics and governance were a core part of the work of the Organization. He mentioned that it had several elements that were important for this Organization and indeed for organizations, it built trust amongst the colleagues, it built trust with Member States and it was about making sure that WIPO did things right. The Director General wished to assure Member States that this administration took governance and ethics extremely seriously and added that he came from Singapore, a country known for its high levels of governance and ethics. The Director General was very pleased to hear Member States' support for the Chief Ethics Officer *ad interim* who had just left as well as for the new Chief Ethics Officer who had just joined the Organization. With respect to the question from the Delegation of the United States of America, the Director General stated that, as the new Chief Ethics Officer had only joined the Organization in mid-September, she was in the process of formulating and presenting plans, including the action plan that would be submitted to the IAOC. He mentioned that the advice to work closely with the IAOC, the JIU and the ethics network of the UN family was well taken. The Director General added that he had spoken to the new Chief Ethics Officer and had agreed that they would encourage this sort of cross agency, cross family perspective on ethics because the challenges faced were not unique to WIPO, but were common to many of the other UN agencies and international organizations as well. The Director General, with the permission of the Chair, then passed the floor to the new Chief Ethics Officer.

39. The new Chief Ethics Officer stated that she was pleased to be introduced as WIPO's new Chief Ethics Officer and mentioned that this was a critical role in the Organization and that she was definitely up for the challenge. She thanked the Member States, the Director General, the executive team and colleagues across the Organization for their warm welcome. The Chief Ethics Officer mentioned that she had met with the IAOC and that she took note of the encouragement to strengthen that relationship, which was certainly going to be a priority in her work. The Chief Ethics Officer also conveyed that there was a very long list of items to go through and that she had commenced working on a plan, which she would be happy to present to Member States once finalized. She wished to reassure Member States that conversations with WIPO staff was going to be a priority, whether it was through mandatory training, awareness raising activities and one-on-one meetings. The Chief Ethics Officer also stated that protection against retaliation would continue to be a high priority for the Ethics Office. She added that, even where people knew they were protected from retaliation, coming forward was a daunting task and that it was something the Ethics Office would be having open discussions about in WIPO to ensure that colleagues felt safe coming forward. The Chief Ethics Officer also mentioned that it had been good so far meeting colleagues and people around the Organization and that she looked forward to the work ahead. Finally, the Chief Ethics Officer stated that she felt confident that she had the independence and support she needed to perform her duties with integrity. She mentioned that she looked forward to working together and that Member States could count on her cooperation and her commitment to this role.

40. The Director General took the floor to clarify to Member States that it was mandatory to be trained in ethics and integrity for the entire Organization and added that all WIPO staff members, junior professional officers, fellows, interns and agency workers had to go through the mandatory ethics and integrity course. The Director General explained that the figure of 248 that was conveyed by the Secretariat during the presentation of the Annual Report by the Ethics Office comprised the number of personnel who had taken the mandatory course during the reporting period in 2020. The Director General added that Member States should bear in mind that personnel who had joined the Organization before the reporting period would have taken the mandatory course on ethics and integrity prior to the drafting of the report.

41. The Chair thanked the Director General for his clarifications and noted that there were no other delegations requesting the floor.

ITEM 31 OF THE CONSOLIDATED AGENDA

AMENDMENTS TO STAFF REGULATIONS AND RULES

42. Discussions were based on document WO/CC/80/3.

43. The Secretariat introduced the document WO/CC/80/3 entitled “Amendments to Staff Regulations and Rules” and stated that amendments to the Staff Regulations were presented to the WIPO Coordination Committee’s for its approval, whilst amendments to the Staff Rules were approved by the Director General and were being presented to the WIPO Coordination Committee only for information. The Secretariat mentioned that amendments to seven Staff Regulations were being submitted to the WIPO Coordination Committee for its approval and added that some amendments were essentially editorial in nature, aimed at clarifying a provision or at correcting an error, whilst a few amendments were more substantive. The Secretariat also stated that amendments to 25 Staff Rules were being reported to the WIPO Coordination Committee for information, the majority of which had already been implemented with a few being implemented in the next few months.

44. The Delegation of the United Kingdom, speaking on behalf of Group B, thanked the Director General for the preparation of document WO/CC80/3, setting out the Amendments to Staff Regulations and Rules. The Group also thanked the Secretariat for having engaged with Group B members on these issues ahead of the session. The Group took note of the proposed amendments and was particularly pleased to see amendments to paternity and maternity leave Rules that gave staff more flexibility on how to use leave entitlements to allow and support the equal participation of both parents. The Group noted the changes that allow for the payment of a relocation lump sum in cases of organization-assisted shipments and expected that there would be the necessary checks in place to ensure this relocation lump sum was claimed appropriately. The Group took the opportunity to thank the Director General once again for giving the opportunity to review this document and approve the amendments contained within.

45. The Delegation of China noted the newly added provision in the Staff Regulations and Rules on fixed-term appointments and was of the view that this provision might decrease flexibility of human resources of the Organization. The Delegation hoped that the Secretariat could further clarify which specific posts were covered by this provision and what were the number of years in overall terms of limited duration.

46. The Delegation of the Russian Federation thanked the Secretariat for having developed these amendments to the Staff Regulations and Rules and for its presentation of the document. The Delegation stated that it recognized that the proposed amendments did not contradict the standards within the UN common system, especially when it came to determining positions of service. The Delegation also mentioned that following recommendations and decisions taken

by the ICSC and also abiding by the appropriate resolutions adopted by the UN General Assembly should guarantee appropriate conditions of service for those who work within the Organization and added that they were, after all, WIPO's greatest asset. The Delegation, therefore, wished to emphasize that teleworking for staff members should remain temporary, as it was something that had been required to be introduced because of the particular circumstances of the pandemic. The Delegation also conveyed that, in the future, when preparing the draft amendments to Staff Regulations and Rules, it would be useful for the Secretariat to provide a detailed analysis of the financial implications of the proposed amendments, as that would give Member States a clearer picture of the situation, which they could then assess.

47. The Delegation of the United States of America thanked the Director General for the report and the Secretariat's efforts to ensure WIPO's regulatory framework remained applicable to the changing needs and priorities of the Organization. The Delegation appreciated the Secretariat's attention to pursuing amendments to the Staff Regulations and Rules that directly responded to key recommendations of the JIU. It noted that these included the express position of fixed-term appointments under Regulation 4.17, as well as the provision and reception of complaints, including those related to discrimination and harassment, in the IOD for amended Rule 11.4.1. The Delegation noted, however, that the termination indemnities proposed under Regulation 9.8 do not, to its knowledge at least, exist elsewhere in the UN system or in staff regulations of other UN-system organizations. This proved potentially difficult for Member States to evaluate their appropriateness and effective usage and the Delegation welcomed any comment by the Secretariat on that observation. Furthermore, if adopted, the Delegation mentioned that it would also like to see recording on the amount and effects of such indemnities paid, including in future WIPO resource reports or whatever would be most appropriate report.

48. The Secretariat, in response to the question on fixed-term appointments, mentioned that it already had this kind of limited duration contracts for certain functions in the Organization, such as the Director, IOD and the Chief Ethics Officer. The Secretariat stated that it had identified this need for flexibility for a number of positions insofar that certain functions would not be continuing functions in the future. And where the Secretariat would need to recruit someone on a fixed-term position for a limited number of years, which was not project-related and reserve-funded. With respect to the amendment to Staff Regulation 9.8, the Secretariat clarified that this was not about the possibility to a separation agreement. Rather the amendment would allow the payment of a termination indemnity to staff members who had not yet reached the mandatory age of separation of 65, but who had reached their normal retirement age of either 60 or 62 depending on the date of recruitment of that staff member. The Secretariat added that it was willing to elaborate further if needed.

49. The WIPO Coordination Committee:

- (i) approved the amendments to the Staff Regulations as provided in Annex I, document WO/CC/80/3; and
- (ii) noted the amendments to the Staff Rules as provided in Annexes II and III, document WO/CC/80/3.

[Annex¹ follows]

¹ It is customary practice that, on request, the Chair allows a representative of the WIPO Staff Council to address members of the WIPO Coordination Committee after the conclusion of its agenda in order to provide the perspectives of staff. The Chair informed that she would follow the precedent set forth with the agreement of the Member States, and so she proceeded. The statement of the representative of the Staff Council is annexed.

Statement by the WIPO Staff Council to the Coordinating Committee of Member States of the World Intellectual Property Organization
7 October 2021, Geneva

Your Excellencies,
Madam Chair,
Director General,
Delegates and
Dear WIPO colleagues,

On behalf of the WIPO Staff Council, and all the staff of this Organization, we are truly honored to address you, the representatives of the members of the WIPO Coordination Committee, again today.

Last April, the seven representatives - three women and four men – of the Staff Council team were elected or re-elected for three years.

As we often say, the primary mandate of the Staff Council is to **represent**, **defend** and **serve the interests** of **all** staff members of this Organization vis-à-vis the Office of the Director General and its representatives.

The WIPO Staff Council team sets great store by maintaining exemplary conduct in our dealings with the Administration. Respect, politeness and honesty have long been the hallmark of our approach. WIPO staff seem to appreciate the tone and style we adopt in our dealings with the leaders of this Organization, and this approach undoubtedly serves the interests and objectives of all. The precious climate of trust that we have built with our interlocutors since 2017, delicate and at times sorely tested, and the results achieved through our cooperation, lead us rightly to believe that a sound working environment and the well-being of staff will continue to be **THE** top priority for all stakeholders.

On behalf of the staff of WIPO and the Staff Council, we would like to take this opportunity to warmly congratulate Daren Tang, our Director General, on his first year at the helm of WIPO. We wish him every success in his new position and look forward to working together in the spirit of the good relations that we have already established. We also take this opportunity to congratulate the heads of sectors, present here today, who are also leading WIPO as Deputy Directors General and Assistant Directors General.

The cooperation we have initiated with Mr. Tang and his team bodes well. Our dialogue is frank, transparent, healthy and marked by good will. We welcome the fresh approach and unique personal touch that the Director General has brought to the running of the Organization: he has the tact and ability to c-o-n-s-u-l-t staff as a whole. This is quite a novel approach, the like of which has not been seen at WIPO in living memory...

The COVID-19 pandemic has had a profound and irreversible impact on our working lives. The considerable changes that have ensued, such as teleworking, have forced us to adapt with a sense of urgency to the radical measures taken by our leaders. We are fully aware that most of the representatives of the Coordination Committee members present in this room are themselves facing the same - if not more challenging - realities than those of WIPO employees. We would simply ask Committee members to ensure that the process put in place by this Organization for the return to work of its employees is carried out with the necessary precautions and provisions to safeguard the health and safety of all.

From the outset, WIPO staff have shown an extraordinary resilience in adapting to these new working conditions. They have maintained a high level of service quality and productivity, enabling WIPO, as always, to generate substantial financial assets and income. However, in the Staff Council's view, the real asset of WIPO is its human capital. Staff can be proud of their strength, efforts and determination to maintain the Organization's pre-eminent position in the world of intellectual property (IP), despite the daunting challenges of the past almost two years.

Nonetheless, the Staff Council needs to resolve many outstanding issues with the Administration, starting with the mental health and well-being of staff, which have suffered considerably because of the COVID-19 crisis. Some WIPO staff members continue to face other issues: how to find and pay for childcare and places in crèches in the Lake Geneva area; the excessively high rent charged in the area on both sides of the Franco-Swiss border; and the prohibitive cost of education. With regard to staff policy, expectations are high in many areas, such as the need for broad recognition by WIPO of experience acquired; internal mobility for long-serving and new recruits; career development for staff who have been with the Organization for many years; merit-based promotions and reclassifications for qualified staff or those with significant seniority and experience; priority access to posts for temporary staff, consultants and agency workers having long-term contracts with WIPO and, of course, geographical representation and gender parity at all levels. Some of those issues are addressed in the Human Resources Strategy for 2022-2026. Nonetheless, we call on the members of the Coordination Committee to give this Administration its full support in doing everything possible, at pace, to propose realistic, concrete and equitable measures that are beneficial to the maximum number of WIPO staff members, many of whom have served this Organization for decades. Other problematic issues also remain: fewer continuing contracts are being awarded and are taking longer to process; promotion is too slow for managers; the global health crisis has had direct social consequences, such as loneliness, fear for the future and anxiety about returning to work on site; and the forthcoming International Civil Service Commission (ICSC) survey, taking place in the midst of a pandemic, which will determine the salaries of Professional and higher categories over the next five years, is taking place in the midst of a pandemic. We therefore reiterate our desire to work with the Administration's teams and to move forward with them, and we offer them all our encouragement.

Lastly, the greatest challenge for the Council will clearly be to rebuild a social fabric that has been strained considerably and to restore a sense of unity among staff members, who have witnessed the conflicts and controversies that have for too long plagued our daily lives. Working closely with colleagues responsible for the interests of the staff of this Organization, the Staff Council intends to do everything in its power to build a calm and stable future and to ensure that the flouting of justice in this Organization comes to an end. In that regard, we welcome the Director General's successful resolution of a particularly sensitive case involving a senior colleague who was dismissed on dubious grounds. We thank the Director General for his clear-sightedness and keen sense of social justice.

Overall, we are encouraged by the direction taken by the new Administration. Notable improvements have already been implemented, such as with regard to working hours management, maternity and paternity leave and the proposed arrangements for continuing teleworking and combining it with on-site work. Staff welcome those measures. We are especially gratified that the Director General's teams are taking into account the Staff Council's concerns and proposals. We are equally grateful to the Human Resources Management Department for heeding our recommendations. At times, we may disagree with the Department. Eventually, however, we end up finding common ground and very much appreciate the prevailing spirit, characterized by a willingness to work together and move in the same direction. WIPO must remain a platform of choice for attracting and recruiting highly qualified talent on the best possible terms, while preserving and promoting in every way the jobs currently held by staff members.

In conclusion, let us pay tribute to the late Naresh Prasad, former Secretary of the WIPO Assemblies, former Chief of Staff and Assistant Director General. Naresh left us a short time ago and his sudden departure leaves a huge gap. Naresh was a tireless and perceptive supporter of this Organization's staff and the Staff Council greatly appreciated working with him. On behalf of the staff, we say may his memory be eternal.

Thank you for your attention.

[End of Annex and of document]