

计划和预算委员会

第三十二届会议

2021年7月12日至16日，日内瓦

加入联合国可持续发展集团（UNSDG）

秘书处编拟

背景

1. 计划和预算委员会（PBC）在2020年9月第三十一届会议期间讨论议程第12项“加入联合国可持续发展集团（UNSDG）”（文件WO/PBC/31/10）之后，就此议程项目达成了以下决定：

“计划和预算委员会（PBC）讨论并审议了本文件（WO/PBC/31/10）及其附件中所载的对产权组织成为可持续发展集团成员的邀请：

(i) 承认可持续发展集团为实现可持续发展目标所做的重要工作，产权组织正根据2020/21年计划和预算，通过其许多计划和项目为之做出贡献；

(ii) 请秘书处向可持续发展集团秘书处寻求进一步澄清，并向PBC第三十二届会议提交一份文件，阐述：

- a. 根据联合国可持续发展集团的费用分配审查，产权组织捐款的确切数额以及所涉及的相关行政和报告问题；
- b. 对联合国发展相关活动严格规定用途的第三方非核心捐款征收1%的协调费，并由捐款来源支付；
- c. 产权组织捐款的使用情况及未来对其进行评估的可能性。

(iii) 请秘书处探讨产权组织加入可持续发展集团对计划和预算的影响，并向 PBC 第三十二届会议报告。”

2. 2020 年 11 月，总干事致函担任可持续发展集团主席的联合国副秘书长，信函内容见附件。总干事在信中传达了 PBC 的决定，并要求对委员会提出的问题作出进一步澄清。

3. 副秘书长于 2021 年 3 月正式答复了总干事的信函，其内容见附件。

产权组织对可持续发展集团的捐款数额

4. 副秘书长确认，根据可持续发展集团费用分配审查，产权组织在 2022 年和 2023 年每年的捐款确切数额为 20 万美元。信中还指出，费用分摊的分配情况每两年将更新一次，下一次此种审查是在 2023 年进行，针对的是 2024-25 年。如果产权组织签署的联合国可持续发展合作框架（UNSDCF）（以前称为联发援框架）超过 25 个，基础费将增加，因为它将包括可持续发展集团费用中更大比例的费用分摊部分。目前，产权组织签署了一个此种合作框架，即阿尔及利亚 2019-2021 年框架。在可持续发展集团以目前的形式成立之前，产权组织还于 2016 年签署了巴西 2017-2021 年联发援框架。

征收 1% 的协调费

5. 副秘书长确认，1% 的协调费适用于所有严格规定用途的发展活动捐款，无论捐款是用于总部还是外地的活动。征收的条件在[可持续发展集团网站](#)上提供的关于征收费用的如下文件中作了概述：

[《协调费操作指南》](#)、[《常见问题》](#)和[《确定是否征收费用的简化核对表》](#)。副秘书长澄清说，如果产权组织成为可持续发展集团成员，这些条件将适用于对产权组织的专用捐款，但核心捐款或分摊捐款、集合基金（对一项发展活动的多捐助方捐款）、专题资助或方案国政府的捐款除外。副秘书长信中提到的[《协调费操作指南》](#)进一步阐明，如果某些条件属实，捐款协议有可能被收费；指南还详细地列出了免于收费的例外情况。

6. 发展协调办公室（发协办）表示，收费广泛适用于指定用途的预算外资金，这些资金符合经济合作与发展组织（经合组织）发展援助委员会规定的官方发展援助（ODA）资格并可进行报告，也可以作为官方发展援助，由联合国系统各实体向联合国行政首长协调理事会（CEB）进行报告。

7. 秘书处的理解是，1% 的收费将适用于超过 10 万美元的信托基金，除非上述指南中指出的例外情况之一对协议适用。例外情况之一涉及到“方案国家”对发展活动的捐款。联合国的资金和方案有联合国会员国的预设标准，这种标准将方案国确定为有驻地协调员的国家，或在[经合组织发展援助委员会符合官方发展援助的国家名单](#)上的国家。产权组织没有将成员国指定为方案国的预设标准，也没有在其活动中适用[经合组织发展援助委员会符合官方发展援助的国家名单](#)标准。

8. 产权组织根据具体安排，在各成员国开展活动或为这些活动提供便利。如果开展这些活动的国家提供资金，可以合理地认为这是适用上文第 7 段所解释的收费的例外。收费似乎适用于（既来自产权组织成员国又来自其他来源的）指定用途的捐款，这种捐款用于在供资国以外的其他成员国开展发展活动，例如根据信托基金开展的活动。信托基金需要以逐项协议为基础，确定是否符合可持续发展集团标准，按照[《确定是否征收费用的简化核对表》](#)中的指导原则，确定是否可适用任何例外。

9. 秘书处的理解是，收费只适用于某实体加入可持续发展集团之日后签署的信托基金。这些信托基金也只有达到官方发展援助的标准时才符合收费标准。可持续发展集团规定，协议中应包括一条标准的“收费条款”，该条款的模板在[《协调费操作指南》](#)中提供。需要提请成员国注意的是，对信托基金适用收费所带来的潜在影响，可能会导致用于所计划活动的资源减少达 1%。

产权组织捐款的使用

10. 所有资源，包括对可持续发展集团费用分摊的所有捐款，都被视为共同混合的核心资源，以资助驻地协调员制度及其运作。资助的费用用于一名全职的驻地协调员和大约 1,100 名联合国工作人员，外加业务费用。副秘书长告知产权组织，驻地协调员制度运作的资源不归属于任何具体的捐助方，无论是可持续发展集团成员还是会员国捐助方。

11. 秘书处还与发协办举行了一次会议，讨论加入可持续发展集团对产权组织的价值，包括产权组织如何利用驻地协调员及其办事处、联合国国家工作队和发协办来支持产权组织的工作计划。发协办表示，加入可持续发展集团可能会改善与联合国系统其他实体和伙伴的多边合作，并激发人们思考在实现可持续发展目标时，如何以更有机的方式将知识产权纳入进来。虽然产权组织在外地的存在有限，但发协办表示，产权组织将被纳入联合国国家工作队层面的讨论，以促进联合国可持续发展合作框架的发展，而且产权组织也可以确定如何与驻地协调员合作，支持与产权组织任务授权有关的活动。发协办举例指出，有一个专门机构采取的做法是，仅选取其认为与驻地协调员开展合作有价值的几个国家作为目标。发协办指出，加入可持续发展集团也是一个潜在的机会，可以使活动超越知识产权，并与可能影响知识产权生态系统的其他发展活动相互关联。

12. 提议决定段落措词如下。

13. 计划和预算委员会 (PBC)：

(i) 请秘书处继续与发展协调办公室接触，以进一步澄清加入联合国可持续发展集团对产权组织工作的影响。

(ii) 请秘书处就上文第(i)段所述的秘书处的进一步磋商提交一份报告，以便为计划和预算委员会第三十三届会议讨论关于加入联合国可持续发展集团的决定提供便利。

[后接附件]

总干事致函可持续发展集团



Ms. Amina J. Mohammed
Deputy Secretary-General
United Nations Headquarters
405 East 42nd Street
New York, NY 10017
United States of America

November 18, 2020

Dear Deputy Secretary-General Mohammed,

I refer to the invitation from you, as Chair of the United Nations Development Group (UNDG), dated April 26, 2018, to the Director General of the World Intellectual Property Organization (WIPO), to join the UNDG, and the subsequent reply dated May 11, 2018. I have the pleasure to inform you that the WIPO Secretariat submitted the invitation to join the United Nations Sustainable Development Group (UNSDG) to the 31st session of its Program and Budget Committee (PBC) in September 2020 for its consideration.

Following deliberations in the PBC, confirmed by the WIPO Assemblies, Member States tasked the Secretariat to seek further clarifications from the UNSDG Secretariat to facilitate further deliberations by the Member States on the invitation.

The Member States sought clarifications in three areas, namely on: (a) the exact amount of the expected WIPO contribution to the UNSDG and the associated administrative and reporting implications; (b) the application of the 1 per cent levy; and (c) the use of the WIPO contribution and the possibilities for its future evaluation¹.

With regard to the issue of the exact amount of the WIPO contribution, the Secretariat has carefully examined the extensive material available on the UNSDG website, including the Dalberg Report of 2017. While WIPO is aware of some of the general attributes used for the cost sharing formula, including such items as annual base fee, agency size and system load, we would be grateful for further clarification on how the different attributes of the cost sharing formula would be applied to WIPO in determining the contribution amount.

I...

¹ The decision of the PBC is contained in document [WO/PBC/31/13](#), sub-paragraph ii) of Agenda Item 12.

2.

Ms. Amina J. Mohammed, New York – November 18, 2020

WIPO is also aware that the cost sharing formula is currently being revised and would therefore, in this regard, be grateful for information on how the new formula would be applied to WIPO, what the expected contribution would be and the various factors used to calculate the amount. Further clarification is also sought on possible annual or regular increases in the contribution in the future and the modalities by which approval of such increases will be sought from member organizations, noting that the other joint cost sharing arrangements within the UN system are discussed and considered in the Finance and Budget Network.

Regarding the application of a 1 per cent coordination levy on tightly earmarked third party non-core contributions to UN development-related activities, we have consulted the following available documents: *Simplified Checklist to determine whether an agreement is subject to the levy*, the *Coordination Levy FAQs March 2019* and the *Coordination Levy Operational Guidance*.

The explanations provided in these documents, although informative, are more aligned with the business models of the large development funds and programmes that have correspondingly large earmarked resources and an extensive field presence. They do not therefore provide sufficient clarifications on the questions raised by the WIPO Member States as to how the levy would apply to WIPO. We would therefore be grateful if you could kindly provide WIPO with specific information on how the UNSDG Secretariat would interpret the application of the 1 per cent levy in the WIPO context, considering that WIPO has a different business model than that of the major development agencies with a large field presence, is predominantly Headquarter- based and has services provided electronically mostly through technology platforms.

Lastly, concerning the use of the WIPO contribution and the possibilities for its future evaluation if WIPO were to join the UNSDG, the WIPO Secretariat has examined the *2020 Report of the Chair of the United Nations Sustainable Development Group on the Coordination Office*, and specifically, the Annex with the, *Overview of Resources of the Special Purpose Trust Fund of the Resident Coordinator System*. The report does not clarify the link between the individual contribution of an organization such as WIPO and the use of its contribution. Given the results-based nature of WIPO's budget, the link between resources and results is critical to WIPO Member States, and they would therefore appreciate additional information on how WIPO's contribution would be used and, in particular, which activities it would fund within the overall Special Purpose Trust Fund.

I thank you in advance for providing the necessary clarifications in order to facilitate the discussions of WIPO Member States regarding the invitation for WIPO to join the UNSDG at the 32nd session of the PBC which is expected to take place mid-2021.

I look forward to hearing from you and to continuing our excellent cooperation.

Yours sincerely,



Daren Tang
Director General

可持续发展集团回函



THE DEPUTY SECRETARY-GENERAL

31 March 2021

Dear Mr. Tang,

I would like to thank you for your letter, dated 18 November 2020, regarding the possible membership of the World Intellectual Property Organization (WIPO) in the United Nations Sustainable Development Group (UNSDG), and the recent deliberations of the Program and Budget Committee (PBC) of WIPO on this matter. I appreciate the follow-up by WIPO to my earlier invitation and remain hopeful that positive consideration will be given to joining the UNSDG.

I note the areas for clarification sought by the WIPO PBC and propose that WIPO responds to Member States along the lines below.

If WIPO were to join the UNSDG before or during 2022, then its annual contribution to the UNSDG cost-sharing for 2022 and 2023 would be \$200,000. Following the recent revision to the cost-sharing formula, this remains the minimum base fee for UNSDG members, and it applies to any United Nations entity with an average annual total expenditure (over two years) of less than \$100 million, and/or which is currently signatory to less than 25 United Nations Sustainable Development Cooperation Frameworks. As this second requirement applies to WIPO, only the minimum base fee of \$200,000 would be expected – the agency size and system load criteria would not apply.

Cost-sharing allocations will be updated every two years – in 2021 for the period 2022-23, in 2023 for 2024-25, etc. Updates will be based on the latest data available. Entities are informed of changes to allocations that eventuate as a result of the latest data as early as possible the previous year, to allow for the necessary budgetary approvals by governing bodies. Based on the current formula, the proposed allocation for WIPO would only increase for 2024-25 if the number of Cooperation Frameworks to which WIPO was signatory would increase beyond 25. According to the latest data from the Development Coordination Office (DCO), WIPO is currently signatory to only one such document.

Mr Daren Tang
Director General
World Intellectual Property Organization
Geneva

Regarding the 1% levy, this does apply to any tightly earmarked contribution for development activities, irrespective of whether the contribution is for headquarters or field-level activities. The conditions for the levy outlined in the documents on the application of the levy – i.e. the Coordination Levy Operational Guidance, the Frequently Asked Questions, and the checklist – would apply to earmarked contributions to WIPO should it become a UNSDG member. The levy does not apply to core or assessed contributions, pooled funds, thematic funding, or contributions from program country governments.

I note the question from the PBC regarding reporting on the individual contributions of UNSDG member entities and the use of its contribution. The results of the Resident Coordinator (RC) system are not attributable to any specific donor, be they a UNSDG entity or a Member State contributor. All resources to the Special Purpose Trust Fund (SPTF) for the RC system, including all contributions to the UNSDG cost-sharing, are considered as co-mingled core resources to fund the RC system and its operations. This includes the costs of a full-time Resident Coordinator and their office and staff in 131 countries globally, as well as the costs associated with DCO and its staff at Headquarters and regional level. The report of the Chair of the UNSDG on DCO and its Annex on the Overview of Resources of the SPTF serve as the reporting on the use of all contributions to the SPTF, irrespective of their size or source. The online portal for the SPTF (<https://unsdg.un.org/SPTF>) also provides further details on an updated basis regarding the allocation of the funds globally.

Regarding the specific value of UNSDG membership to WIPO, including ways in which WIPO might leverage the Resident Coordinators and their offices, the United Nations country teams, and DCO in support of its important mandate, I propose that your office liaise and discuss with DCO. Colleagues in DCO can help outline concrete means by which WIPO can draw on the capacities and support of the RC system to advance its objectives and ensure intellectual property issues feature as part of development plans and programs at country and regional levels. Please do not hesitate to contact the Assistant Secretary-General of DCO, Mr. Robert Piper, to discuss this.

Thank you for initiating these discussions with the PBC regarding the possible membership of WIPO in the UNSDG. Should I be able to personally assist in ensuring a positive outcome from the PBC in these deliberations, please let me know. Either way, I look forward to hearing from you on the outcome of the discussions at the 32nd session of the Program and Budget Committee of WIPO.

Yours sincerely,



Amina J. Mohammed