

A/63/10

ORIGINAL:  English

DATE:  september 30, 2022

# Assemblies of the Member States of WIPO

**Sixty-Third Series of Meetings**

**Geneva, July 14 to 22, 2022**

general report

*adopted by the Assemblies*

## TABLE OF CONTENTS

Paragraphs

INTRODUCTION 1 to 5

## ITEMS OF THE CONSOLIDATED AGENDA

## OPENING OF THE SESSIONS

Item 1: OPENING OF THE SESSIONS 6 to 7

Item 2: ADOPTION OF THE AGENDA 8 to 75

Item 3: REPORT OF THE DIRECTOR GENERAL TO   
THE ASSEMBLIES OF WIPO 76

Item 4: GENERAL STATEMENTS 77 to 78

Item 5: ELECTION OF OFFICERS 79 to 89

## GOVERNING BODIES AND INSTITUTIONAL ISSUES

Item 6: ADMISSION OF OBSERVERS 90 to 115

Item 7: DRAFT AGENDAS FOR 2023 ORDINARY SESSIONS 116

Item 8: NEW ELECTORAL CYCLE OF THE OFFICERS OF   
WIPO ASSEMBLIES AND OTHER BODIES 117 to 127

## WIPO COMMITTEES AND INTERNATIONAL NORMATIVE FRAMEWORK

## Item 9: ReportS FROM WIPO COMMITTEES

## The standing committee on copyright and Related Rights (SCCR) 128

1. THE STANDING COMMITTEE ON THE LAW   
   OF PATENTS (SCP) 129

(III) THE STANDING COMMITTEE ON THE LAW   
OF TRADEMARKS, INDUSTRIAL DESIGNS   
AND GEOGRAPHICAL INDICATIONS (SCT) 130

1. MATTERS CONCERNING THE CONVENING   
   OF A DIPLOMATIC CONFERENCE FOR THE ADOPTION  
   OF A DESIGN LAW TREATY (DLT) 131
2. THE COMMITTEE ON DEVELOPMENT AND INTELLECTUAL  
   PROPERTY (CDIP) AND REVIEW OF THE IMPLEMENTATION  
   OF THE DEVELOPMENT AGENDA RECOMMENDATIONS 132
3. THE INTERGOVERNMENTAL COMMITTEE ON   
   INTELLECTUAL PROPERTY AND GENETIC RESOURCES,   
   TRADITIONAL KNOWLEDGE AND FOLKLORE (IGC) 133
4. THE COMMITTEE ON WIPO STANDARDS (CWS) 134

## PROGRAM, BUDGET AND OVERSIGHT MATTERS

Item 10: REPORTS ON AUDIT AND OVERSIGHT

1. REPORT BY THE INDEPENDENT ADVISORY OVERSIGHT  
   COMMITTEE (IAOC) 135
2. REPORT BY THE EXTERNAL AUDITOR 136 to 147
3. REPORT BY THE DIRECTOR OF THE INTERNAL  
   OVERSIGHT DIVISION (IOD) 148

Item 11: REPORT ON THE PROGRAM AND BUDGET COMMITTEE (PBC) 149 to 168

## STAFF MATTERS

## Item 12: REPORTS ON STAFF MATTERS

(i) Report on Human Resources 169

(ii) Report by the Ethics Office 169

Item 13: AMENDMENTS TO STAFF REGULATIONS AND RULES 170

## GLOBAL INTELLECTUAL PROPERTY SERVICES

Item 14: WIPO ARBITRATION AND MEDIATION CENTER,   
INCLUDING DOMAIN NAMES 171

Item 15: MADRID SYSTEM 172

## Item 16: Hague SysteM 173

Item 17: LISBON SYSTEM 174

OTHER ASSEMBLIES AND TREATIES

Item 18. BUDAPEST UNION ASSEMBLY 175

## OTHER MATTERS

Item 19: ASSISTANCE AND SUPPORT FOR UKRAINE’S INNOVATION AND   
CREATIVITY SECTOR AND INTELLECTUAL PROPERTY SYSTEM 176 to 318

## CLOSING OF THE SESSIONS

Item 20: ADOPTION OF THE REPORT 319 to 320

Item 21: CLOSING OF THE SESSIONS 321 to 339

# INTRODUCTION

1. This General Report records the deliberations and decisions of the following 22 Assemblies and other bodies of the Member States of WIPO (the “Assemblies”):

(1) WIPO General Assembly, fifty-fifth (30th extraordinary) session

(2) WIPO Conference, forty-third (18th extraordinary) session

(3) WIPO Coordination Committee, eighty-first (53rd ordinary) session

(4) Paris Union Assembly, fifty-eighth (33rd extraordinary) session

(5) Paris Union Executive Committee, sixty-second (58th ordinary) session

(6) Berne Union Assembly, fifty-second (27th extraordinary) session

(7) Berne Union Executive Committee, sixty-eighth (53rd ordinary) session

(8) Madrid Union Assembly, fifty-sixth (32nd extraordinary) session

(9) Hague Union Assembly, forty-second (19th extraordinary) session

(10) Nice Union Assembly, forty-second (17th extraordinary) session

(11) Lisbon Union Assembly, thirty-ninth (15th extraordinary) session

(12) Locarno Union Assembly, forty-second (18th extraordinary) session

(13) IPC [International Patent Classification] Union Assembly, forty-third (20th extraordinary) session

(14) PCT [Patent Cooperation Treaty] Union Assembly, fifty‑fourth (31stextraordinary) session

(15) Budapest Union Assembly, thirty-ninth (18th extraordinary) session

(16) Vienna Union Assembly, thirty‑fifth (16th extraordinary) session

(17) WCT [WIPO Copyright Treaty] Assembly, twenty-second (12th extraordinary) session

(18) WPPT [WIPO Performances and Phonograms Treaty] Assembly, twenty-second (12th extraordinary) session

(19) PLT [Patent Law Treaty] Assembly, twenty‑first (12th extraordinary) session

(20) Singapore Treaty [Singapore Treaty on the Law of Trademarks] Assembly, fifteenth (8th extraordinary) session.

(21) Marrakesh Treaty [Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled] Assembly, seventh (7th ordinary) session.

(22) BTAP [Beijing Treaty on Audiovisual Performances] Assembly, third (3rd ordinary) session

The Assemblies of the Member States met in Geneva from July 14 to 22, 2023, and decisions were made in joint meetings of two or more of the said Assemblies and other bodies convened (hereinafter referred to as “the joint meeting(s)” and “the Assemblies” respectively).

1. In addition to this draft General Report, separate draft Reports have been drawn up on the sessions of the WIPO General Assembly (WO/GA/55/12), WIPO Coordination Committee (WO/CC/81/4), Madrid Union Assembly (MM/A/56/2), Hague Union Assembly (H/A/42/2) Lisbon Union Assembly (LI/A/39/2), and Budapest Union Assembly (BP/A/39/2). Furthermore, consolidated reports of the sessions of the other bodies have also been drawn up, as follows: WIPO Conference (WO/CF/43/1), Paris Union Assembly (P/A/58/1), Paris Union Executive Committee (P/EC/62/1), Berne Union Assembly (B/A/52/1), Berne Union Executive Committee (B/EC/68/1), Nice Union Assembly (N/A/42/1), Locarno Union Assembly (LO/A/42/1), IPC Union Assembly (IPC/A/43/1), PCT Union Assembly (PCT/A/54/1), Vienna Union Assembly (VA/A/35/1), WIPO Copyright Treaty Assembly (WCT/A/22/1), WIPO Performances and Phonograms Treaty Assembly (WPPT/A/22/1.), Patent Law Treaty Assembly (PLT/A/21/1.), Singapore Treaty Assembly (STLT/A/15/1), Marrakesh Treaty Assembly (MVT/A/7/1) and Beijing Treaty Assembly (BTAP/A/3/1).
2. The list of the members and observers of the Assemblies, as of July 14, 2022, is set forth in document A/63/INF/1 Rev.
3. The meetings dealing with the following items of the Agenda (document A/63/1) were presided over by the following Chairs:

|  |  |
| --- | --- |
| Items 1, 2, 3, 4, 6, 8, 9, 10, 11, 14, 19, 20 and 21 | Ambassador Tatiana Molcean (Ms.) (Republic of Moldova), Chair of the WIPO General Assembly |
| Item 5 | Ambassador Kadra Ahmed Hassan (Ms.) (Djibouti), outgoing Chair of the WIPO Coordination Committee (presided over the start), Ambassador Alfredo Suescum Alfaro (Mr.) (Panama), Chair of the WIPO Coordination Committee (presided over its conclusion) |
| Items 7, 12 and 13 | Ambassador Alfredo Suescum Alfaro (Mr.), Chair of the WIPO Coordination Committee |
| Item 15 | Philippe Cadre (Mr.) (France), Chair of the Madrid Union Assembly |
| Item 16 | David R. Gerk (Mr.) (United States of America), Chair of the Hague Union Assembly |
| Item 17 | Pascal Faure(Mr.) (France), Chair of the Lisbon Union Assembly |
| Item 18 | Csaba Baticz (Mr.) (Hungary), as Acting Chair of the Budapest Union Assembly, in the absence of Abdelsalam Mohamed Al Ali (Mr.) (United Arab Emirates), Vice-Chair of the Budapest Union Assembly |

1. The agenda, as adopted, the list of documents and the list of participants appear in documents A/63/1, A/63/2 and A/63/INF/5, respectively.

## ITEM 1 OF THE CONSOLIDATED AGENDA OPENING OF THE SESSIONS

1. The Sixty-Third Series of Meetings of the Assemblies of WIPO was convened by the Director General of WIPO, Mr. Daren Tang.
2. The sessions were opened in a joint meeting of all the 22 Assemblies and other bodies concerned by Ambassador Tatiana Molcean (Ms.) (Republic of Moldova), Chair of the WIPO General Assembly.

## ITEM 2 OF THE CONSOLIDATED AGENDA ADOPTION OF THE AGENDA

1. Discussions were based on document A/63/1 Prov.4.
2. The Delegation of the Russian Federation said that it viewed the inclusion of the new Agenda Item 19 in the draft consolidated agenda with concern. It stated that the World Intellectual Property Organization (WIPO) should confine its deliberations to matters relating strictly to its mandate. The Delegation cautioned that Member States should refrain from artificially politicizing the Organization’s work and rather engage in a spirit of constructive and inclusive dialogue and cooperation. The inclusion of item 19 in the agenda also raised procedural questions. Member States had been notified of its proposed inclusion one month prior to the Assemblies, but they had received the full text only two working days prior to the opening of the Assemblies, which meant that they not had enough time to examine the proposed agenda item at the national level. The content of the agenda item amounted to a political declaration containing assessments and affirmations that went beyond the mandate of WIPO. As a matter of principle, the Organization should not adopt such documents. Moreover, neither the substance of Agenda Item 19 nor its financial implications had been examined. It had not been brought before any of the Organization’s main committees for consideration, even though its sponsors had had ample time to do so. It was also unclear why the focus of item 19 was on one particular country. The Russian Federation observed that in the wake of the COVID-19 pandemic and turbulence in the markets, many countries were in need of the Organization’s assistance. The Delegation believed that effective cooperation on intellectual property (IP) matters was possible only on the basis of consensual decision-making. Item 19 was clearly politicized and confrontational in character and its Delegation could therefore not support its inclusion in the agenda.
3. The Delegation of Belarus said that, in the interests of all Member States, the work of the Organization should not be politicized. The introduction of item 19 into the agenda by a particular group of Member States ran counter to accepted practice, undermined multilateralism and constituted an abuse of the Organization as a platform to promote the ambitions of one or several States. The Delegation pointed out that many other countries, aside from Ukraine, faced armed conflict, humanitarian catastrophes and profound economic crises, and were equally in need of assistance and support. Moreover, the fact that various of the Member States that had co-sponsored the new agenda item were fanning the flames of the conflict in Ukraine, stood in contrast to their calls for assistance for that country’s innovation and creativity sector and IP system. The unilateral coercive measures taken by Member States sponsoring Agenda Item 19 also had a destructive impact on innovative and inclusive development and infringed intellectual property rights (IPRs). The inclusion of item 19 in the agenda, which had not been properly considered, was clearly controversial, and would set a dangerous precedent that could bring WIPO into disunity and crisis.
4. The Delegation of Zimbabwe said that Member States had been given insufficient time to consider Agenda Item 19. WIPO was a technical agency and political issues should be addressed by other international bodies that had a mandate to do so. The inclusion of item 19 in the agenda carried with it the risk of breaking with the practice and unwritten convention of WIPO of taking decisions by consensus, and could have serious ramifications for its future work and the development of IP. The Delegation stated that it could not support the selective prioritization of one State over others that were experiencing similar or direr circumstances. It was of the view that the Assemblies could consider the agenda item if its scope were extended to all States facing emergency situations, whether induced by climate change, war or economic circumstances. Such a proposal should be examined by the Program and Budget Committee (PBC) or the Committee on Development and Intellectual Property (CDIP). Consideration of the proposed agenda item should therefore be deferred to the Sixty-Fourth Series of Meetings of the Assemblies of the Member States of WIPO.
5. The Delegation of the Syrian Arab Republic said that WIPO should adopt a balanced approach to the support it provided, in particular with regard to developing and least developed countries (LDCs), many of which faced economic crises exacerbated by the COVID-19 pandemic and obstacles to development arising from the imposition of unilateral coercive measures. The latter prevented millions of people from realizing their right to development and stymied the recovery of their national economies. In the Delegation’s view, the last-minute attempt to include an agenda item concerning support for IP infrastructure in one country, breaking with the Organization’s usual practice, was highly irregular. It suggested discrimination, selectivity and an unacceptable politicization of the Organization’s work, which should remain purely technical and unaffected by any political agendas.
6. The Delegation of Nicaragua said that Agenda Item 19 constituted a political declaration that was incompatible with the Organization’s technical mandate.
7. The Delegation of the United Kingdom, speaking on behalf of the 43 Member States that had requested inclusion in the agenda of item 19, said that the request had been submitted on June 14, 2022, in line with Rule 5(4) of the WIPO General Rules of Procedure. Adoption by the Assemblies of the agenda as a whole was a formality and any substantive discussions should be held under individual agenda items. Failure to adopt the agenda could set a dangerous precedent. It stated that it was inconceivable that it might not be adopted because certain Member States were uncomfortable with the idea of discussing a topic contained therein. There had been ample time to discuss the content of any of the agenda items prior to the opening of the Assemblies. It pointed out that the extraordinary situation in Ukraine and the damage caused to its entire innovation and creativity sector and IP system, had brought about an urgent need for assistance and support. The Delegation recalled that the purpose of Agenda Item 19 was not to discuss the political situation in that country but rather to ensure that it received targeted and timely technical assistance, which WIPO was best placed to provide.
8. The Delegation of Venezuela (Bolivarian Republic of) aligned itself with the position of the Delegation of the Syrian Arab Republic with regard to the impact of unilateral coercive measures on the IP systems of countries subject to such measures, and in its view, the situation in such countries should also be discussed at the current Assemblies, should Agenda Item 19 remain on the agenda. Item 19 as currently drafted should be dropped and the remainder of the agenda adopted by consensus.
9. The Delegation of the United States of America said that a few Member States should not be allowed to hold the Assemblies hostage and block the Organization’s work. The Delegation of the Russian Federation had deliberately conflated the rules of procedure on requests for the inclusion of supplementary items in the agenda, with those regarding the provision of an accompanying document for discussion under that item. It stated that only the request to add an agenda item must be submitted one month in advance of the Assemblies. The inclusion of item 19 in the agenda had been requested in order to enable discussion on support and assistance for the innovation and creativity ecosystem in Ukraine, in the wake of the damage caused by the brutal aggression against that country by the Russian Federation. It fell well within the mandate of WIPO, which indeed needed to act urgently. With regard to the view that the Assemblies should not focus on a single country, the Delegation referred Member States to paragraph 15 of UN General Assembly resolution ES-11/1, based on which WIPO could not ignore the context of the crisis. The invasion by the Russian Federation and its collateral impacts, including the destruction of livelihoods, entrepreneurship and the creativity sector in Ukraine, undermined the ability of WIPO to advance towards its main goal: a balanced and effective IP system that promoted innovation and creativity for a better and more sustainable future.
10. The Delegation of France said that its support for the inclusion of item 19 in the agenda arose from the need to help a neighboring country, the cultural heritage and IP system of which were in the process of disappearing. WIPO was in a position to provide practical and legal assistance to Ukraine for its IP system. Moreover, it had an obligation to do so under its mandate and in the light of the United Nations (UN) call to the entire multilateral system for the provision of whatever assistance that country might require.
11. The Delegation of Monaco said that the destruction of innovative businesses, universities, hospitals, laboratories, research bodies and public institutions in Ukraine had imperiled the entire IP ecosystem of that country. It pointed out that one of the main tasks of WIPO was to provide technical assistance to its Member States in areas that came under its mandate. For that reason, Monaco had co-sponsored the inclusion of item 19 in the agenda.
12. The Delegation of Ukraine said that no UN agency, however technical in nature, could remain silent or ignore current challenges. Member States should therefore adopt the agenda as currently drafted.
13. The Delegation of Lithuania stated that the expression of solidarity with Ukraine through Agenda Item 19 was a response to the destruction caused to that country’s IP system by the unprovoked and unjustified aggression against it by the Russian Federation. In its view, Ukraine was at war and WIPO must establish a system for providing it with assistance immediately.
14. The Delegation of Slovakia said that Agenda Item 19 was technical in nature and that its inclusion in the agenda had been requested in compliance with the WIPO General Rules of Procedure. There was no need to either exclude or amend it and those Member States that opposed the inclusion of item 19 in the agenda were themselves politicizing the Organization’s work.
15. The Delegation of Bulgaria stood in solidarity with the people of Ukraine. The war launched by the Russian Federation on it was undermining not only global security and stability, but also economic development. Ukraine needed the support of the international community in general, and of WIPO in particular. Bulgaria stood ready to work with other Member States and Ukraine to rebuild that country’s innovation and creativity sector and to look for common synergies in their respective systems.
16. The Delegation of Bolivia (Plurinational State of) said that it opposed any attempt to politicize any area of the work of WIPO and its Assemblies or to turn the latter into a platform for confrontation. WIPO should concentrate its efforts on reaching positive accords and advancing its normative agenda. Moreover, it should provide technical assistance to all Member States.
17. The Delegation of China said that it opposed the politicization of technical issues. As a specialized technical agency, WIPO should focus on its mandate and main responsibilities. Important technical issues concerning the future development of WIPO were on the agenda for the current Assemblies. The introduction of controversial issues and political statements that could affect proceedings should therefore be avoided. Member States should consider the long-term development of WIPO and deal with relevant issues by consensus, which was an important safeguard that ensured ongoing broad support for the Organization.
18. The Delegation of Cuba said that it would not be prudent to include in the agenda an item that, at the very least, would cast a pall over the work of the Assemblies. Delegations had not had sufficient time to consult with their capitals on the document accompanying Agenda Item 19, which had been circulated only 48 hours prior to the opening of the Assemblies. Item 19 contained aspects that went beyond the mandate of WIPO. The Delegation counseled that the Assemblies should work on the basis of consensus, as it had always done.
19. The Delegation of Portugal said that the addition of item 19 on the agenda had been requested in line with the Organization’s rules of procedure. The agenda should be adopted, as a whole, as currently drafted.
20. The Delegation of Switzerland stated that, given that technical assistance fell within the mandate of WIPO, there was no reason to exclude item 19 from the agenda. The Delegation also observed that this agenda item had been requested in line with WIPO’s General Rules of Procedure.
21. The Delegation of the Czech Republic, speaking on behalf of the European Union and its Member States, said that, in addition to human suffering, the war in Ukraine was causing severe damage to that country’s cultural heritage, IP infrastructure and innovation ecosystem in general. No organization was better placed to address those issues than WIPO. The Delegation was of the view that work under item 19 would facilitate a constructive response to those pressing issues.
22. The Delegation of Canada said that excluding item 19 from the agenda would be tantamount to silencing the efforts of Member States convened to express their collective support for Ukraine and their shared commitment to the UN system. The Delegation insisted that the current Assemblies must not proceed without item 19.
23. The Delegation of the Democratic People’s Republic of Korea opposed the inclusion of item 19 in the agenda, as it was clearly politicized and directed at one country. Its Delegation was of the view that discussions at the Assemblies should be conducted in a transparent manner.
24. The Delegation of Estonia aligned itself with the statements made by the Delegation of the United Kingdom, the Czech Republic, on behalf of the European Union and its member states and other delegations in support of the inclusion of item 19 in the agenda.
25. The Delegation of the Russian Federation said that the discussion under way had demonstrated that there could be no consensus among the Member States on the adoption of the agenda if item 19 were retained.
26. The Delegation of Australia urged Member States to adopt the agenda as currently drafted and to reserve discussion of the substance for the relevant agenda items.
27. The Delegation of New Zealand supported the inclusion of item 19 in the agenda.
28. The Delegation of Norway said that there was no reason, procedural or otherwise, not to adopt the agenda as drafted and added that Norway was deeply concerned about the consequences of the invasion of Ukraine by the Russian Federation.
29. The Delegation of Sweden said that the request to include item 19 in the agenda should be seen, not as a discriminatory act, but rather as a response by WIPO to the urgent need in Ukraine for assistance with regard to its cultural heritage, IP infrastructure and innovation ecosystem, upon all of which the aggression by the Russian Federation had had a grave impact.
30. The Delegation of Latvia said that unanimous support was not a prerequisite for adoption of the agenda as currently drafted.
31. The Delegation of the Republic of Korea said that there was no reason not to include item 19 in the agenda. The WIPO General Rules of Procedure had been observed and the aim of the item was merely to provide assistance for the innovation and creativity sector and the IP system in Ukraine.
32. The Delegation of the Dominican Republic said that none of the Member States that opposed the inclusion of item 19 in the agenda had stated that Ukraine was not in need of assistance. Rather, they had pointed out that other Member States also required support. It was clear that Ukraine needed assistance immediately and the Delegation wondered if the Member States opposed to Agenda Item 19 were suggesting that WIPO should wait until the process of destruction in Ukraine was complete before acting. The absence of unanimity on the question in no way meant that item 19 should be dropped from the agenda and its Delegation supported its inclusion.
33. The Delegation of Japan said that the scope of Agenda Item 19 fell within the technical mandate of WIPO. That the item had been included in the draft agenda one month prior to the Assemblies and that discussions on it were due to take place the following week. The Delegation therefore urged Members States to adopt the agenda as drafted.
34. The Delegation of Poland said that as a result of military aggression by the Russian Federation, Ukraine needed technical assistance and capacity-building to rebuild its IP infrastructure and innovation ecosystem. It was therefore of the view that Member States should adopt the agenda as a whole in order to provide Ukraine with such assistance.
35. The Delegation of the Russian Federation said that it was unacceptable that political accusations and statements were being made in the course of the current discussion. The Delegation cautioned that Member States should refrain from politicizing the work of the Assemblies and stated that the Chair should call to order any Member States making such statements.
36. The Chair acknowledged the point of order made by the Delegation of the Russian Federation.
37. The Delegation of Germany said that Agenda Item 19 had been included in the agenda at the request of numerous delegations, because IP provided an important tool for crisis recovery and meeting global challenges. The invasion of Ukraine was the latest and most urgent such challenge, which affected the work of WIPO and was having an immediate impact on the creativity and innovation sector in and beyond that country. It urged that the agenda should therefore be adopted with item 19.
38. The Delegation of Israel said that Agenda Item 19 had been proposed ahead of time in line with the Organization’s rules of procedures. For that reason, the Delegation supported the adoption of the agenda as a whole.
39. The Delegation of Albania said that Members States should adopt the agenda as a whole.
40. The Delegation of Slovenia urged Member States to adopt the agenda as a whole and said that rebuilding IP infrastructure in Ukraine was a major priority.
41. The Delegation of Luxembourg, stating that it had co-sponsored the request to include item 19 in the agenda, said that there was an urgent need to restore the IP sector and ecosystem in Ukraine.
42. The Delegation of Belgium said that it was deeply concerned about the illegal and brutal invasion of Ukraine by the Russian Federation. It observed that Ukraine needed assistance urgently and Member States should therefore adopt the agenda as a whole.
43. The Delegation of Sierra Leone said that it supported the inclusion of item 19 in the agenda as Ukraine required assistance. It stated that other Member States were also free to seek support for the inclusion of similar items in the agenda regarding their own situations.
44. The Delegation of Iran (Islamic Republic of) said that it was regrettable that WIPO should find itself mired in a divisive debate at the outset of the current Assemblies. The long-standing practice of taking decisions by consensus had been beneficial for the Organization and its Member States and should be maintained. The Delegation was in favor of supporting the IP infrastructure and the creativity and innovation sector in Ukraine. Other countries facing economic difficulties, conflict, occupation, unilateral coercive measures and natural disasters, such as Afghanistan, Libya, the Syrian Arab Republic, Venezuela (Bolivarian Republic of), Yemen and Iran (Islamic Republic of), would also benefit from such support. Technical assistance could be provided under established mechanisms, such as through consideration of specific proposals by the CDIP. The inclusion of item 19 in the agenda was potentially divisive and could jeopardize the normal functioning of WIPO. The Organization should focus on its technical mandate and avoid being dragged into the discussion of contentious geopolitical issues.
45. The Delegation of Austria said that Member States should proceed with the adoption of the agenda, as amended one month prior to the Assemblies, and save substantive issues for discussion under the appropriate agenda items.
46. The Chair suggested that the draft consolidated agenda contained in document A/63/1 Prov.4 be adopted. The Chair pointed out that it had been prepared in line with the WIPO General Rules of Procedure and the vast majority of delegations that had taken the floor in the course of the preceding discussion had expressed support for its adoption as a whole.
47. The Delegation of the Russian Federation objected, saying that consensus on the inclusion of item 19 in the agenda had not been reached and that a number of Member States clearly opposed its inclusion. The question of the adoption of the agenda should therefore be put to a vote.
48. The Chair suggested to adjourn the meeting in order to allow the interested parties to discuss the matter further informally.
49. Upon returning to the plenary, the Chair, regretting the absence of consensus on the adoption of the draft agenda, opened the floor to the Delegation of the Russian Federation to state clearly their proposal with regard to the adoption of the draft agenda.
50. The Delegation of the Russian Federation, stating its regret that there was no consensus, said that it believed that the only way to adopt the draft Agenda by consensus was to remove Agenda Item 19 from the agenda. Noting that they did not wish to force a vote as it was not normal WIPO practice, the Delegation stated that Agenda Item 19, as proposed, was politicized and, as it had been submitted a month prior to the WIPO General Assembly it had not been subject of consultations in the relevant committees. The Delegation stated that financial expenditure details had not been provided, and, in the Delegation’s opinion, with regard to Agenda Item 19, it had not been proposed in conformity with WIPO procedure. In the Russian Federation’s opinion, the goal of Agenda Item 19 was to demonize the Russian Federation and accuse it of aggression. In the Delegation’s view, the proponents of Agenda Item 19 were trying to violate the Rules of Procedure in the course of discussion. With these statements, and reiterating that retaining Agenda Item 19 on the Agenda as proposed was unacceptable to the Russian Federation, the Delegation requested the Chair to clarify the situation regarding the draft consolidated agenda as it was proposed.
51. The Chair asked the Russian Federation if her understanding that the Delegation of the Russian Federation was proposing to have a concrete proposal on Agenda Item 19 was correct.
52. The Delegation of the Russian Federation clarified that they were suggesting the removal of Agenda Item 19 from the agenda.
53. The Delegation of Belarus, stating that it was not in a position to support the retention of Agenda Item 19 on the draft consolidated agenda, supported the removal of Agenda Item 19 from the agenda.
54. The Delegation of the Syrian Arab Republic stated its support of the Russian Federation’s request to remove Agenda Item 19 from the draft consolidated agenda.
55. The Chair concluded that the Russian Federation was proposing a vote with the Delegations of Belarus and the Syrian Arab Republic supporting the proposal. The Chair requested the Deputy Legal Counsel to make an announcement regarding the voting process.
56. The Delegation of Iran (Islamic Republic of) requesting clarification, asked whether the Delegation of the Russian Federation asked for Agenda Item 19 to be put to a vote, or if it was stating their objection to the inclusion of Agenda Item 19, noting that there might be other ways to reach consensus.
57. The Chair, thanking the Delegate of Iran (Islamic Republic of), stated that the various positions were clear and the request was for the exclusion of Agenda Item 19 from the draft Consolidated Agenda. She gave the floor to the Deputy Legal Counsel for clarification on the procedure.
58. The Deputy Legal Counsel, thanking the Chair, stated that a vote had been requested. She wished to recall that the Delegation of the Russian Federation had submitted, in accordance with Rule 21 of the WIPO General Rules of Procedure, the following proposal on which it requested a vote. The proposal was for the exclusion of Agenda Item 19 from the draft Consolidated Agenda as contained in document A/63/1 Prov.4. The Deputy Legal Counsel stated that the proposal had been supported by the Delegation of Belarus, thus, in accordance with Rule 25, the proposal would be put to a vote. She drew the Delegates’ attention to document A/63/INF/1 Rev. paragraph 2, which contained the list of Member States of the WIPO Conference. Delegates representing these Member States of the Conference were invited to vote. She recalled that, in accordance with Article 7(3)(c) and (e), subject to the provisions of Article 17 of the WIPO Convention, the WIPO Conference made its decisions by a majority of two-thirds of the votes cast, and abstentions were not to be considered as votes. With regard to the necessary quorum which was constituted by one-third of the States members of the WIPO Conference, she had been informed that the necessary number of Member States were present. The Deputy Legal Counsel recalled that in accordance with Rule 29 of the WIPO General Rules of Procedure, after the Chair had announced the beginning of voting, voting shall not be interrupted except on a Point of Order in connection with the actual conduct of the voting.
59. The Chair announced the beginning of the vote by roll-call and gave the floor to the Deputy Legal Counsel to provide additional guidelines for the voting process.
60. The Deputy Legal Counsel stated that in order to proceed with the vote by roll-call, she wished to remind delegates that the roll-call vote would be called in the alphabetical order of the names in French of the States Member of the WIPO Conference. The Deputy Legal Counsel requested the Chair to draw by lot the delegation that would be called first.
61. The Delegation of the Russian Federation, raising a point of order, asked how the voting process would be organized to include the delegations who were not physically in the room due to the hybrid format of the meeting.
62. The Deputy Legal Counsel stated that countries would be called in the order of the French alphabet to state their vote and that those in the room would do so in the room, and those connecting virtually would do so virtually through the platform by which they had been intervening thus far. The Deputy Legal Counsel, stated that, by the Chair’s drawing by lot, the roll call vote would begin with Kazakhstan and then would proceed in alphabetical order of the names in French. She restated the proposal on which the vote was conducted, which was the exclusion of Agenda Item 19 from the draft Consolidated Agenda as contained in document A/63/1 Prov. 4. Any delegation wishing to support the proposal was requested to respond with “yes”; any delegation opposing the proposal was requested to respond with “no”; and delegation wishing to abstain from the vote was requested to respond “abstain”. The Deputy Legal Counsel recalled that pursuant to the General Rules of Procedure, the vote of each delegation would be recorded in the Report of the Session.
63. The result of the vote was as follows:

The Delegations – in the order of the voting, which followed the French alphabet and the names of the countries in French – of Nicaragua, Syrian Arab Republic, Democratic People’s Republic of Korea, Samoa, Vanuatu, Venezuela (Bolivarian Republic of), Zimbabwe, Belarus, China, Cuba, Russian Federation and Iran (Islamic Republic of) voted “yes” (12). The Delegations -in the order of the voting, which followed the French alphabet and the names of the countries in French – of Latvia, Liechtenstein, Lithuania, Luxembourg, North Macedonia, Malta, Mexico, Monaco, Montenegro, Norway, New Zealand, Panama, Paraguay, Netherlands, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Dominican Republic, Czech Republic, Romania, United Kingdom, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, Sweden, Switzerland, Türkiye, Ukraine, Albania, Germany, Andorra, Australia, Austria, Bahamas, Barbados, Belgium, Bulgaria, Cabo Verde, Canada, Chile, Cyprus, Colombia, Costa Rica, Croatia, Denmark, Ecuador, Spain, Estonia, United States of America, Finland, France, Georgia, Ghana, Greece, Guatemala, Hungary, Ireland, Iceland, Israel, Italy and Japan voted “no” (65). The Delegations – in the order of the voting, which followed the French alphabet and the names of the countries in French – of Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Libya, Madagascar, Malaysia, Malawi, Mali, Mongolia, Mozambique, Namibia, Nepal, Niger, Nigeria, Oman, Uganda, Uzbekistan, Pakistan, Philippines, Qatar, Central African Republic, Lao People’s Democratic Republic, United Republic of Tanzania, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Senegal, Serbia, Seychelles, Sudan, Tajikistan, Thailand, Trinidad and Tobago, Tunisia, Uruguay, Viet Nam, Zambia, Afghanistan, South Africa, Algeria, Angola, Saudi Arabia, Argentina, Armenia, Bahrain, Bangladesh, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Cambodia, Cameroon, Congo, Egypt, El Salvador, United Arab Emirates, Ethiopia, Gabon, Gambia, Grenada, Guinea-Bissau, Honduras, India, Indonesia, Iraq, Jamaica and Jordan abstained from voting (71). The Delegations -in the order of the voting, which followed the French alphabet and the names of the countries in French – of Kiribati, Kuwait, Lebanon, Liberia, Maldives, Morocco, Mauritius, Mauritania, Myanmar, Nauru, Niue, Papua New Guinea, Democratic Republic of the Congo, Rwanda, Holy See, Sao Tome and Principe, Somalia, Sri Lanka, Suriname, Chad, Timor-Leste, Togo, Tonga, Turkmenistan, Tuvalu, Yemen, Antigua and Barbuda, Azerbaijan, Benin, Burkina Faso, Burundi, Comoros, Côte d’Ivoire, Djibouti, Dominica, Eritrea, Eswatini, Fiji, Guinea, Equatorial Guinea, Guyana, Haiti, Cook Islands, Marshall Islands and Solomon Islands were absent (45).

1. The Deputy Legal Counsel announced the results of the vote, on the basis of which the Chair stated that the proposal to exclude Agenda Item 19 from the agenda had not been adopted.
2. The Assemblies of WIPO, each as far as it is concerned, adopted the agenda as proposed in document A/63/1 Prov.4 (referred to in this document as “the Consolidated Agenda”). The Consolidated Agenda was adopted following a vote of 12 in “favor”, 65 “against” and 71 “abstentions” on a proposal to remove Agenda Item 19 from the draft agenda, as proposed in document A/63/1 Prov.4.
3. The Delegation of the Russian Federation said that 117 Member States had not given their support to the inclusion of item 19 in the Draft Consolidated Agenda. There was therefore no consensus among Member States in that regard. Many of the Member States that had not taken part in the vote needed the assistance of WIPO and had not been prepared to participate in the politicization of its work. The result of the vote, in the conduct of which there may have been infringements of procedure, was shameful. The question now arose, given that a majority of Member States had not supported the inclusion of item 19 in the draft Consolidated Agenda, as to how Member States intended to approach the substance of that item in upcoming meetings.
4. The Delegation of Singapore said that it had voted in favor of tabling Agenda Item 19 because all WIPO Member States should have the right to table agenda items of concern to them relating to the work at WIPO. This is, however, without prejudice to its voting position on the proposal that may be considered under Agenda Item 19, and which will be considered in its own merit.
5. The Delegation of Indonesia said that it had abstained out of concern that the decision to resort to a vote on the adoption of the Consolidated Agenda could constitute an undesirable precedent for the Organization’s working methods.

## ITEM 3 OF THE CONSOLIDATED AGENDA REPORT OF THE DIRECTOR GENERAL TO THE ASSEMBLIES OF WIPO

1. The Address of the Director General is recorded as follows:

“Your Excellency, Ambassador Tatiana Molcean, Chair of the WIPO General Assembly,

“Honorable Ministers,

“Excellencies,

“Distinguished Delegates,

“Friends and Colleagues,

“It is my honor and privilege to welcome you to the Sixty-Third Series of Meetings of the Assemblies of the WIPO Member States.

“After two years of meeting in a mostly empty hall it is an incredible feeling to be able to welcome 900 of you in person this year. Our warm welcome also extends to those who are joining us remotely from around the world. Together we have over 1100 participants from the global IP community at this year’s Assemblies.

“I first want to thank our Chair, Ambassador Molcean, for your invaluable leadership and guidance to me and my colleagues throughout the first year of her term, and in the lead up to this year’s Assemblies. Our appreciation also goes to all the Presiding Officers of the many committees, working groups and other bodies whose meetings took place over the past year. And as ever, we are deeply grateful for the support of the Group Coordinators, who have the challenging task of representing the different regional groups and of finding consensus. Your guidance, support and encouragement helps us make WIPO work for all of its Members.

“My deepest thanks also goes to the many colleagues at WIPO who have been working tirelessly and passionately to make these Assemblies a success, and who are working closely with all of you in the past year.

\*\*\*

“Dear Colleagues,

“When we met at last year’s Assemblies, I said, “that in these times the work of WIPO cannot be business as usual”. That is why our Medium Term Strategic Plan laid out an ambition where the world “uses IP as a powerful tool to create jobs, attract investments, grow businesses, and ultimately develop economies and societies”.

When I shared this new vision and mission, we were still in the midst of the Covid crisis. This year, it seems that we may finally be emerging from the long and dark Covid tunnel, but our exit is not to sunny days and blue skies, but to storms above and clouds ahead.

“The invasion of Ukraine. Global inflation. Disruptions to food and energy supply chains. Our global situation remains extremely challenging.

“But despite these challenges, we cannot look back or stop our work of building the future of the global IP ecosystem.

“We as the global IP community must continue being fully committed to transforming IP from a technical vertical of interest only to specialists, into a powerful catalyst for jobs, investments and development that supports innovators and creators everywhere.

“Indeed, the larger trends are also telling us that we have to remain strong on our path. Although the pandemic has been a great disruptor, it has also been a powerful accelerator for technology, digitalization and innovation. In many countries, IP continues to move from the periphery to the center, as businesses and economies use the crisis as an opportunity to reimagine, restructure and rebuild, using innovation and creativity as engines of growth.

“International patent applications filed via WIPO's PCT system reached their highest ever level in 2021, passing the 275,000 mark for the first time. Trade Mark and Design applications coming through the Madrid and Hague systems saw double-digit growth of 15 and 21 percent respectively. Usage of WIPO’s ADR mechanisms grew by 44 percent, with a 22 percent rise in the usage of WIPO’s domain name dispute resolution mechanisms.

“These numbers reinforce the larger arc of IP filings growth in recent years, which many of you as national IP offices are experiencing as well. Since 2015, trademark volumes have explosively doubled to over 17 million filings, and whilst more modest, patent and design filings have risen by a substantial 15 percent over the same period.

“Other elements of the innovation economy are also growing or resilient. Unlike after the 2008 financial crisis, global R&D expenditure grew by over 3 percent in 2020. At the company level R&D growth has continued into 2021, with the top corporate R&D spenders increasing their expenditure by an estimated 10 percent. The 2022 edition of WIPO’s Global Innovation Index, to be published in September, will provide more detail on the state of innovation globally.

“Significantly, these positive IP, innovation and creativity metrics are being driven by diverse engines of growth, rather than just those from the traditional innovation powerhouses.

“7 out of 10 IP applications are now taking place in Africa, Asia and Latin America. Venture capital investment more than quadrupled in Africa and Latin America over the last twelve months to US$3 billion and US$16 billion respectively. Bollywood and Nollywood have surpassed Hollywood in terms of the number of films produced, and in 2021, the most streamed content on Spotify and Netflix came from Puerto Rico and the Republic of Korea.

“Countries as diverse as Brazil, Bulgaria, India, and Viet Nam are amongst the most consistent in making progress in the GII. And close to 50 countries now boast a start-up that has achieved unicorn status – including Ecuador, Indonesia, Lithuania, Malaysia, Senegal and Thailand. A decade ago, the number stood at just five.

“These are exciting times we live in, where innovation and creativity can come from anywhere.

“But what is most touching for me is the real impact that our work is having on people on the ground.

“When I was on mission in Mexico earlier this year, I had the privilege of meeting with indigenous communities from across the country who made the long journey to Mexico City to engage with WIPO, because they want to know how IP can be their friend and ally in bringing their heritage to the world. These communities included a special group of women from the State of Oaxaca who have a traditional handicraft, a form of silk weaving called “Seda de Cajonos”, which has recently obtained GI status.

“The Oaxaca region has been badly hit by the pandemic, and as the local community looks to get back on its feet, WIPO is helping them to combine GI protection with the use of trade marks, designs and other types of IP, to market, brand and package this artisanal product in a way that takes it to the world whilst respecting local traditions.

“Stories like this remind us of the importance of our work at these Assemblies, and that when we work well together in here, we can make a difference to the lives of people out there.

“Dear colleagues and friends,

“Last year, we received your approval of the Program and Budget for 2022/23, and your endorsement of our Medium Term Strategy Plan 2022- 2026.

“Our focus since then has been simple and single-minded – to translate them into concrete plans and actions so as to deliver the results and impact that you expect.

“To do this well, we have continued to manage the organization’s resources prudently, efficiently and effectively, using the Results Based Management framework.

“I am pleased to report that, despite the challenges posed by the pandemic, we have recorded a very healthy surplus of almost 245 million CHF for the 2020/21 biennium. This puts us in a good position to invest these surpluses into capabilities, tools and projects to continue supporting you strongly, even as the overall financial and macro-economic environment remains volatile and challenging.

“High standards of governance and risk management are key to our success, and I am also happy to share with you that our External Auditor has recognized our approach to risk management and internal controls as one of the strongest in the UN system.

“A UN agency that supports innovators and creators must itself have a workplace culture that supports initiative, energy and proactivity. This transformation of our culture to one that is open, transparent and dynamic continues to be a key leadership priority for me and my colleagues, and we are fully committed to making it happen over the years.

“As part of this process, we have embarked on our first ever employee engagement survey, and are already using the results to have frank and open conversations at the level of individual work units, as well as at the whole of organization level, about what can we do to improve as an organization. We also believe that diversity is a source of strength for us, and we will continue to work on building a diverse and dynamic work force.

\*\*\*

“On these foundations of dynamic management, strong governance and sound administration, we have built four pillars of work – reaching out to all, bringing people together, bringing value to people and creating impact on the ground. I’ll go through them one-by-one.

“First, reaching out to all.

“For far too many people, IP remains an intimidating and technical subject, best left to a small group of IP experts and technicians. This needs to change, and we as the global IP community must make IP relatable and understandable to laypersons, innovators and creators.

“In the course of the past year, WIPO’s has transformed the way we communicate about our work away from just focusing on technical IP issues to sharing stories that brings alive the impact of IP to people. One of our most viewed stories has been that of Zimbabwean comic artist Tino Makoni, who is creating a new breed of African superheroes and inspiring a whole new generation of African illustrators and artists.

“Our channels of communication have also broadened. We launched our Instagram account at the end of last year – where 60 percent of our followers are 35 and under, and we are due to launch our TikTok account next year. We now have over 350,000 followers across our social media platforms, a double-digit increase since the last Assemblies.

“We have also been leveraging on the power of digital to engage with our stakeholders in new ways. Our virtual exhibition on Geographical Indications has seen 70,000 online visitors since its launch last autumn and to connect youths in indigenous communities with climate change, we recently held a Photography Prize for Indigenous Peoples and Local Community Youth, drawing over 230 submissions from around the world.

“I am also happy to report that this year's World IP Day attracted record global engagement. Themed around ‘IP and Youth: Innovating for a Better Future’, we recorded over 15 million impressions across our digital platforms and there were nearly 600 World IP Day events across 189 Member States, our largest participation ever.

“We are seeing many IP offices communicate in fresh, new ways and develop bilingual capabilities – the ability to talk about IP in a technical way amongst ourselves, but to communicate about IP to others in a way that resonates and connects with them. We hope that more of you will join this movement to connect your community to our work.

“Second, WIPO continues to play a key role as the global forum that brings people together to share ideas, shape norms and partner in different ways.

“It has been heartening to see our Committees and Working Groups return to their normal hours of work and rhythms of engagement as the health situation stabilizes. While there has yet to be full consensus on all of our outstanding issues, the revival of these meetings gives me hope that we can make meaningful steps as an IP community to move these issues forward.

“And we do not need to look too far to see that while achieving consensus is challenging, it is not impossible. On July 1st this year, IP offices around the world implemented the new WIPO standard ST.26 for describing amino acids and nucleotides in patent documentation, the culmination of a process that took years of close cooperation, collaboration and consensus. Where there is a will, there is a way, and the Secretariat stands ready to help Member States find both.

“Beyond norm setting work, WIPO continues to be a place where cutting edge IP issues are discussed. We have started conversations on issues relating to trade secrets, a topic that is increasingly taking center stage in many industries. We continue to build momentum behind our Conversation on IP and Frontier Technologies. Since the last Assemblies, two sessions have been held reaching over 2,000 registrants from over 110 countries. Our sixth conversation, scheduled to begin on September 21, will take a deep dive into AI inventions and policy questions – issues very alive to many of you as DGs of IP offices.

“On 1 November this year, we will also launch WIPO’s first High-Level Conversation on IP-Backed financing. This is an issue of considerable interest to many Member States and we look forward to bringing together stakeholders from business, finance and public sectors to discuss how we can support startups and SMEs to use their IP and intangible assets for funding. To tee up these discussions, we are publishing a series of reports on what various countries have done in this area – starting with Singapore last year, but with Brazil, Canada, China, Japan, Jamaica, the Republic of Korea, Mexico, Switzerland and the UK in the pipeline.

“While we are happy to bring people together to talk, we also want to bring people together to act. Partnerships are increasingly important for us to be able to deliver impact at scale. Addressing complex global challenges like the pandemic and climate change requires partnerships across different stakeholders.

“To deepen our support for SMEs, we are working with the International Chamber of Commerce, the International Trade Centre and the International Renewable Energy Agency to deliver our expertise and programs to SMEs under their care or within their networks. Our collaboration with NGOs like the Association of University Technology Managers and the International Trademark Association allow us to draw on a broad range of IP expertise to support you in areas like tech transfer, traditional knowledge and supporting women in IP.

“Another area where we are working with partners to change lives is the work of our Accessible Books Consortium. The ABC now has over 750,000 titles available in 80 languages for cross-border exchange, helping to expand learning and leisure possibilities for millions of people around the world who are blind, visually impaired or otherwise print disabled.

“As a UN agency, it is our mission to use our expertise to address global challenges. That is why we are excited to have finally joined the UN Sustainable Development Group this year, and are fully committed to bringing our expertise in IP and innovation to help in the achievement of the SDGs.

“Within Geneva and beyond, we continue to build partnerships to help Member States overcome complex challenges like the pandemic. In April this year, we launched – in partnership with the World Health Organization and World Trade Organization – the 'Trilateral COVID-19 Technical Assistance Platform'. This is an online platform, hosted by WIPO, which allows Members to draw upon the expertise of all three organizations and is a direct result of our strengthened cooperation around the issues of IP, public health and trade. I would strongly encourage Member States to visit the platform and explore how it can be of assistance to you. We will also be holding a third trilateral workshop on diagnostics in the autumn, followed by a joint symposium on COVID-19 and Pandemic Preparedness on 15 December.

“Climate change is one of the global challenges where innovative solutions are critical in every aspect. I am happy to share that the revamped WIPO GREEN tech matching platform for climate change technologies has grown to cover nearly 130,000 needs, technologies and patents. In addition, a further nine partners have joined the platform since the last Assemblies, and we have supported six new matchmaking deals in Argentina, China, Indonesia and Japan. The next chapter for WIPO GREEN will be in focusing on certain industry verticals as well as supporting IP offices in designing policies to support climate change technologies in their own countries.

“Excellencies,

“One of the things that is unique about WIPO amongst UN agencies is that we are a provider of services not just to government stakeholders, but also to entrepreneurs and enterprises.

“We are grateful that demand continues to be robust, and we are fully committed to ensuring that they continue bringing value to our users. Sustained investments in the relevant IT platforms, for example, in the Resilient and Secure Platform project for PCT, and stepped-up customer and user engagement will be key to improving our efficiency, maintaining service standards and enhancing the customer experience. In this way, we hope to continue bringing value to your innovators as they use our services to move their IP across borders.

“We are also committed to providing you with the data you need to make informed policy choices, and we are pleased that two-thirds of the close to 80 countries that participated in our first survey of the usage of the Global Innovation Index reported that they use it as a valuable policy resource for improving the strength of their innovation ecosystems. Our team is also taking forward a project to help Member States capture and better measure the metrics of the creative economy.

“Our IP Office Suite continues to provide the IT architecture and software for IP offices to manage their back office, as well as to digitalize, with the most recent versions allowing IP offices to use Cloud-based solutions. Already, more than 90 WIPO Member States are users of the IP Office Suite and we expect demand to grow as more IP offices digitalize and engage with their applicants and users online.

“One of the most important and fulfilling areas of our work is to help, you, our Members, especially developing countries and Least Developed Countries, use IP for growth and development. Impact is critical for success here, because an intangible asset like IP needs to be made tangible in order for people to truly see its value.

“In our MTSP, we identified women, youth and SMEs as areas of focus for us. I will highlight some of our work in these areas.

“With Chile, Colombia, the Dominican Republic and Mexico, we are delivering a new project to support 32 women in STEM careers through a tailored-made training and mentorship program that develops practical IP skills in areas like biotechnology, engineering and chemistry.

“In Uganda we have mentored 70 women entrepreneurs in using IP for product development and commercialization. 13 trademark certificates have been issued to support these entrepreneurs with their brand strategy, with another 15 in the pipeline.

“We are now in the second phase of our mentoring and matchmaking program for women entrepreneurs from indigenous and local communities. And we recently launched our first project on IP and women entrepreneurship in the Arab region, which is helping 35 female entrepreneurs in Petra, Jordan, register, manage and commercialize their IP rights.

“Engaging with youth is another key priority for the Organization. Young people are not only our future innovators and creators, but they are a large part of the population in developing regions such as Africa, where 65 percent of the population is under 30.

“Accordingly, we are developing a regional youth entrepreneurship program which, through mentorship and IP skills development supports more young African entrepreneurs to use the IP system to boost their businesses. We are also working towards a new project with Cabo Verde to train 200 young entrepreneurs in unlocking the value of IP.

“In tandem, we have broadened the work of the WIPO Academy to go beyond transfers of technical IP knowledge to the building of practical IP skills. By introducing courses such as “IP4Youth&Teachers”, as well as programs on IP for startups and IP for apps and videogame producers, we aim to equip entrepreneurs, business owners and others with l IP skills for success.

“For those who want to pursue deeper expertise in IP, we are meeting demand by expanding our network of IP Training Institutions around the world. We currently have a dozen IPTIs in operation, which is set to rise to 30 in the coming years, with new institutions in development in Algeria, Türkiye, the United Arab Emirates and with international partners including ARIPO, ASEAN and the Gulf Cooperation Council.

“We are also gearing up to open the second round in applications to our Young Experts Program, which has brought eleven young experts from around the world to WIPO to broaden their IP knowledge and skills, so that they become the next generation of IP and innovation leaders in your country, in your region.

“Supporting start-ups as well as SMEs to use IP for business growth is another key feature of our work. SMEs play a critical role in the global economy, accounting for 90 per cent of all companies in the world, employing 70 per cent of the global labor force and generating up to half of global GDP.

“Since its launch in November last year, our IP Diagnostics tool has helped over 3,000 business owners understand their IP assets and how they are connected to business strategy, generating over 800 personalized reports. The tool has already been translated into the 6 UN languages, with two more languages soon to be added.

“As well as regular projects to train SMEs in Ethiopia, Saudi Arabia, Syria, Trinidad and Tobago, Ukraine and others, we are delivering a program on IP commercialization and Monetization for MSMEs in Colombia, the Dominican Republic and Peru and we are working with El Salvador and Georgia on training programs for small businesses in their technology and agricultural sectors. And the WIPO Academy in 2020/21 reached 15,000 participating SMEs, a 20 percent increase from the last biennium.

“For researchers, our network of Technology and Innovation Support Centers continues to expand, reaching 1300 last year in almost 90 countries, which in total handled 1.7 million enquires. We are now linking these Centers into national networks including in Eswatini, Sierra Leone and Cabo Verde, and we are beginning to join national networks into regional networks, with a pilot in the Baltic States. Last month, we also completed a project spanning 22 universities in Egypt and 11 universities in Jordan to build their capacity in managing IP rights.

“We are also committed to making IP work for communities, especially in the area of heritage and traditional knowledge – so that IP can help them to bring their crafts, heritage and wisdom to the world, creating jobs and uplifting communities in the process.

“I spoke earlier about our project in Mexico on “Seda de Cajonos”. We have also launched our first community focused initiative in Brazil, working with the government agency SEBRAE to support the development of collective Marks for the Tefé and Alvarães communities in the Amazon region. This has supported 420 producers to create value from products made of local flour, honey, and oils.

“Beyond these, we are delivering a range of national and regional GI projects, including those in support of Senegal’s "Madd de Casamance", Algeria’s "Miel de Chechar", Cambodia’s "Kampot Sea Salt" and "Kava" from the Pacific Islands.

“Following feedback from our LDC Members, we have also put together a graduation support package for them, which aims to provide targeted, substantive and impactful technical assistance to economies scheduled for graduation. We have already begun reaching out to LDCs to tap on this package and we welcome LDCs to reach out to us to find out more.

“Finally, we are pleased that the Covid-19 assistance package which we developed last year at the request of Member States is gaining traction, with 23 projects already completed or in development, and 8 more under discussion. Still, we urge more Member States to tap on the wide array of support and assistance available under the package.

“This is just a snapshot of the work that WIPO is doing to support you as our Member States, and to truly make WIPO your partner in using IP for growth and development.

\*\*\*

“Dear colleagues and friends,

“Whatever our challenges and difficulties, the global IP community can and should draw on the dynamism, energy and optimism of the innovators and creators that we support, and continue on the transformation journey that we have started together.

“It is the sincere hope of me and my colleagues that these Assemblies will not only give us an opportunity to reaffirm our relationship with you as our Members, but for you to reconnect with one another, reimagine the role of IP and IP institutions, and renew our efforts to transform IP from a bundle of legal rights into a powerful catalyst for jobs, investments, business growth and ultimately economic and social development.

“WIPO will continue to be with you on your journey of growth and development, and wishes all of you a successful, fruitful and impactful General Assemblies.

“Thank you very much.”

## ITEM 4 OF THE CONSOLIDATED AGENDA GENERAL STATEMENTS

1. The Delegations and Representatives of the following 125 States (including 9 on behalf of groups of States), one observer, four intergovernmental organizations and nine non‑governmental organizations provided oral or written statements under this agenda item: Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Bolivia (Plurinational State of), Botswana, Brazil, Burkina Faso, Cabo Verde, Cambodia, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Eswatini, Ethiopia, Fiji, Finland, France, Gambia (the), Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kyrgyzstan, Lao (People’s Democratic Republic of), Lesotho, Lithuania, Madagascar, Malawi, Malaysia, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Türkiye, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe, Palestine, African Intellectual Property Organization (OAPI), African Regional Intellectual Property Organization (ARIPO), Eurasian Patent Organization (EAPO), Patent Office of the Cooperation Council for the Arab States of the Gulf (GCC Patent Office), All-China Patent Agents Association (ACPAA), China Council for the Promotion of International Trade (CCPIT), Inter‑American Association of Industrial Property (ASIPI), Emirates Intellectual Property Association (EIPA), Health and Environment Program (HEP), Japan Intellectual Property Association (JIPA), Knowledge Ecology International (KEI), Latin American School of Intellectual Property (ELAPI) and Third World Network (TWN).
2. The Statements on this agenda item are included in the Annex.

## ITEM 5 OF THE CONSOLIDATED AGENDA ELECTION OF OFFICERS

1. Discussions were based on document A/63/INF/1 Rev.
2. Introducing the agenda item, the Deputy Legal Counsel recalled that at the current year's Assemblies, Member States were required to elect officers as follows: one Chair and two Vice‑Chairs for each of the WIPO Coordination Committee, the Paris Union Executive Committee, and the Berne Union Executive Committee. She also recalled that in the current year, with respect to officers of the WIPO Coordination Committee, the Chair and the second Vice‑Chair should be elected from among the delegates of the ordinary members of the Executive Committee of the Paris Union and the first Vice-Chair should be elected from among the delegates of the ordinary members of the Executive Committee of the Berne Union, in accordance with Rule 3(2)(a) of the Special Rules of Procedure of the WIPO Coordination Committee. The Deputy Legal Counsel reminded delegations that the officers of the WIPO Coordination Committee, the Paris Union Executive Committee and the Berne Union Executive Committee were all appointed to a one‑year term. She then announced that pending further nominations it was proposed to elect, for the moment, officers for the following positions: the Chair of the WIPO Coordination Committee, the second Vice-Chair of the WIPO Coordination Committee, the Chair of the Paris Union Executive Committee, the Chair of the Berne Union Executive Committee, and the Vice‑Chair of the Berne Union Executive Committee. As there were still vacant positions, the Deputy Legal Counsel invited additional nominations on the still vacant officer positions.
3. The Chair thanked the Deputy Legal Counsel and, with respect to the agenda item, she noted there was consensus among delegations on the nominations as read out by the Deputy Legal Counsel. The Chair observed that while more nominations and consultations were required for the remaining vacant positions for officers, she proposed that Member States endorse those nominations on which consensus had been reached. She asked delegations, in the meantime, to continue with the consultations on the remaining nominations and inform the Deputy Legal Counsel accordingly.
4. Seeing no objection, the Chair gaveled the elected officers and announced that the meeting would revert to the agenda item at a later stage. She thanked the delegations for their cooperation and said that before opening the floor for deliberation, she wished to congratulate the Chair of the Coordination Committee, as well as the Vice-Chairs and other officers of the other committees on their election.
5. Reverting to Agenda Item 5, the newly elected Chair of the Coordination Committee welcomed the delegations to the session of the Coordination Committee and announced that before opening the deliberations on the item, he wished to recall that it was the national day of his neighboring country, Colombia, and wanted to take the opportunity to wish them all the best in celebrating their national day. He thanked the Member States for the trust that they had placed in him by electing him to the present office. He also wished to thank his predecessor and to congratulate her for the work that she had done during her term with all the outgoing officers of the WIPO Coordination Committee and wished them all the best in their future work as representative of their countries at WIPO and hoped that he would be able to count on their support and that of their respective delegations. The Chair assured the Member States that he would do everything possible to show that the trust they had put in him was well-placed.
6. The Chair recalled that there were still some vacant positions for which the Secretariat had received new nominations. He therefore proposed to reopen the agenda item so delegations could be informed about the nominations and then move to electing the remaining officers for the different WIPO bodies.
7. Seeing no objection to his proposal to reopen item 5 of the agenda, the Chair invited the Deputy Legal Counsel to give an update on the nominations for the vacant posts.
8. The Deputy Legal Counsel announced that following informal consultation among Member States, consensus had been reached to elect the following officers for the remaining vacant positions: the first Vice‑Chair of the WIPO Coordination Committee, the Vice‑Chair of the Paris Union Executive Committee, as well as the Vice-Chair of the Berne Union Executive Committee. She informed delegations that the names of all the elected officers to the various bodies would be contained in document A/63/INF/2, which would be published on the WIPO website in due course.
9. The Chair thanked the Deputy Legal Counsel and called for support of the nominated officers as their nominations enjoyed consensus among Member States and, seeing no objections, gaveled the decision.
10. The following officers were elected:

WIPO Coordination Committee

Chair: Alfredo Suescum Alfaro (Mr.) (Panama)

Vice-Chair: Taeho Lee (Mr.) (Republic of Korea)

Vice-Chair: Vivienne Katjiuongua (Ms.) (Namibia)

Paris Union Executive Committee

Chair: Ainna Vilengi Kaundu (Ms.) (Namibia)

Vice-Chair: Fayssal Allek (Mr.) (Algeria)

Berne Union Executive Committee

Chair: Ahmed Al-Sulaiti (Mr.) (Qatar)

Vice-Chair: Anna Vuopala (Ms.) (Finland)

Vice-Chair: Laura Hammel (Ms.) (United States of America)

1. The list of all the officers of the Assemblies and other bodies appears in document A/63/INF/2.

## ITEM 6 OF THE CONSOLIDATED AGENDA ADMISSION OF OBSERVERS

1. Discussions were based on document A/63/3 Rev.
2. Introducing the agenda item, the Deputy Legal Counsel drew the attention of delegations to document A/63/3 Rev., and recalled that the Assemblies of the Member States of WIPO were invited to consider applications by three international non-governmental organizations (NGOs) and 16 national NGOs, as listed in paragraph 4 of the document, for observer status in the meetings of the Member States of WIPO. The Deputy Legal Counsel recalled that in accordance with the rules applicable to national NGOs that were adopted by Member States, the Secretariat had held the requisite consultations with the Member States from which the national NGOs originated prior to the submission of the NGO requests to these Assemblies. She further noted that the necessary agreement had been received in respect of all 16 national NGO applications concerned.
3. The Delegation of China thanked the Chair and the Director General for the careful organization and successful conduct of the meeting. Commenting on the requests for observer status by NGO applicants, the Delegation shared that China had no objection to most NGO applicants for observer status and that it was willing to see these organizations playing a positive role. However, the Delegation added that China could not agree to the observer applications from the Asian Law Students’ Association (ALSA), Wikimedia Argentina, Wikimedia CH – Association for the Advancement of Free Knowledge, Wikimedia France – Association pour le libre partage de la connaissance, Wikimedia Germany – Society for the Promotion of Free Knowledge, Wikimedia Italy – Association for Open Knowledge Dissemination, Wikimedia South Africa, and Wikimedia Sweden. The Delegation objected to these requests for observer status. Further, the Delegation stated that ALSA’s references to Hong Kong, China, Macao, China, and Taiwan Province of China in their list of 17 national chapters was a serious violation of the one-China principle. The Delegation said that with regard to the Wikimedia chapters in Argentina, Switzerland, France, Germany, Italy, South Africa, and Sweden their main business was to support and promote Wikimedia projects in specific regions. In the Delegation’s view, some of the projects, including the Wikipedia website, contained a large amount of inaccurate information that violated the one-China principle. China recalled that in this regard it had repeatedly stated its position, including at the 2020 and 2021 Assemblies of the Member States of WIPO and during the meeting of the Standing Committee on Copyright and Related Rights (SCCR), which took place from May 9 to 13, 2022. As of this day, Wikimedia and its affiliates had not addressed the concerns raised by the Delegation. It observed that the aforementioned eight applicants for observer status are in serious violation of the one-China principle, which is contrary to the UN General Assembly (UNGA) Resolution 2758 and WIPO’s consistent position on the one-China principle. The Delegation highlighted that WIPO as a specialized agency of the UN, should implement UNGA Resolution 2758 and not accept ALSA or the Wikimedia chapters as observers. The Delegation stressed that past decisions to admit observers had been made with the consensus of the Member States.
4. The Delegation of Germany, speaking on behalf of Group B, thanked the Secretariat for the preparation of the working document A/63/3 Rev. and expressed its support for all requests for observer status contained therein. The Delegation observed that the document set out that all requests for observer status received by the Secretariat contained the requisite information and that, to the understanding of Group B, this would mean information necessary to enable the consideration, and subsequent granting of, observer status. The Delegation further pointed out that, in its understanding, all organizations in the working document had complied with the proper procedures and met the admission criteria for applying for observer status at WIPO, as indicated on the WIPO website. The Delegation shared that observer organizations brought technical expertise and insights to the deliberations of WIPO and that, if they were able to show the direct relationship between their objectives and the field of IP, Group B believed it was important that such organizations would be able to observe and contribute to proceedings. The Delegation highlighted that it had been a common practice at WIPO to welcome the involvement of a wide diversity of NGOs, intergovernmental organizations, industry groups, and other stakeholders in consultation processes and discussions regarding current IP issues. The Delegation pointed out that this had been part and parcel of the transparency and inclusiveness Member States cherished in WIPO. The Delegation noted that Group B was unware of any information that would lead its members to believe that any of the organizations listed in the working document would not be able to bring valuable contributions to the deliberations on current IP issues. The Group therefore urged the approval of the full list of applications as listed in document A/63/3 Rev.
5. The Delegation of Tajikistan took note of the concerns raised by the Delegation of China. It recalled that decisions on the admission of observers had always been made by consensus among the Member States and it expressed its hope that all parties would continue to respect and observe the principle of consensus prior to accepting the requests for observer status by NGO‑applicants.
6. The Delegation of Zimbabwe noted the request for observer status by Wikimedia Foundation and its affiliated organizations and the reservations raised by some Member States with regard to these organizations. Reaffirming the sanctity and importance of the principle of consensus when considering the approval of observer status, the Delegation stated that the concerns of the Delegation of China should be taken into account and expressed its support for deferral of consideration of the agenda item in the next Assemblies to allow for bilateral discussions by the concerned parties.
7. The Delegation of Bolivia (Plurinational State of) wished to thank the Secretariat for the preparation of document A/63/3 Rev., and stressed the importance of considering the concerns of Member States expressed in the matter. The Delegation stated that consensus had not been achieved and that the principle of consensus had to be respected.
8. The Delegation of Nicaragua called for implementation of a procedural approach for observers being admitted to WIPO meetings and noted that there should be open access for NGOs including all of the Wikimedia Chapters, and the ALSA. At the same time, the Delegation highlighted the importance of moving forward through mutual cooperation and with a consensus based approach.
9. The Delegation of Kyrgyzstan stated that the sovereignty of States, their territorial integrity and independence, was very important and constituted the basis of international law, as reflected in the UN. It stressed that it was therefore important to maintain the principle of consensus with respect to the admission of NGOs as observers to WIPO.
10. The Delegation of Switzerland thanked the Secretariat for the preparation of document A/63/3 Rev. and expressed its support for the statements made by the Delegation of Germany on behalf of Group B. The Delegation stated that it supported all the requests for admission of observers, particularly the request made by Wikimedia Switzerland. It further explained that the objective of Wikimedia Switzerland was the free distribution of knowledge in Switzerland and abroad and that Wikimedia Switzerland concentrated its activities, particularly on education and research. The Delegation stressed that as these objectives were linked directly to IP, Wikimedia Switzerland could significantly contribute to the work of WIPO. The Delegation wished to underline that Wikimedia Switzerland was a legal entity subject to Swiss law and was independent from the Wikimedia Foundation. The Delegation further stated that the Wikimedia Foundation was not a member of Wikimedia Switzerland nor did it provide any funding to Wikimedia Switzerland. Consequently, the Delegation supported Wikimedia Switzerland’s admission as an observer and invited other delegations to likewise support its admission.
11. The Delegation of the United States of America supported Group B’s statement and shared that its Delegation supported the approval of the full list of observer applications as contained in document A/63/3 Rev. The Delegation stated that observers were intended to enrich debates and bring diverse and informed views that link to, and support, the activities and objectives of WIPO. According to the Delegation’s understanding, all of the applicant‑organizations listed in A/63/3 Rev. met the requirements for admission, otherwise the Secretariat would not have published their applications. Regarding the applications of the Wikimedia country chapters, the Delegation noted that these applicants were similar to many other NGOs that had views on copyright related issues and had already been accepted as observers at WIPO. These applicants had already clearly demonstrated their interest in the field of copyright and their link to WIPO’s work. The Delegation reiterated its call to make the UN, and in particular, WIPO, more transparent and accessible for civil society organizations and to ensure that its processes remained focused on enriching the work of WIPO. The Delegation believed that the applications of the Wikimedia chapters should be decided on the merits of their application and their ability to contribute to WIPO discussions on IP issues which, in the Delegation’s view, they had proven. The Delegation noted that evaluating an international NGO credentials for observer status in WIPO was not a one‑China principle issue. Participation of Wikimedia affiliates and ALSA did not raise any question about the political status of other Member States. The Delegation noted that allowing these affiliates to participate as observers would be consistent with established precedent at WIPO of supporting other existing observers and Member States that might also have some affiliation with Taiwan. In the Delegation’s view, there was no information to suggest that any of the applicants would be unable to contribute to WIPO consultations and debates about current IP issues and thus urged the approval of all the organizations listed in document A/63/3 Rev.
12. The Delegation of Sweden expressed its support for the approval of all the applications listed in document A/63/3 Rev. It noted that observers were admitted to enrich debate and bring diverse and informed views that link to, and support, the activities of WIPO. According to the Delegation, all applicants listed in the documents had met the requirements requested by WIPO, otherwise their application would not have been included in the working document. The Delegation stated that observers brought technical expertise and insights to the deliberations of WIPO and if observers are able to show the direct relationship between their objectives and the field of IP, it was important that those organizations, such as Wikimedia Sweden, were able to observe and contribute to proceedings.
13. The Delegation of Belarus emphasized the importance of maintaining a consensus approach in the decisions on admissions of observers as with all other items on the agenda.
14. The Delegation of Pakistan acknowledged the contribution of NGOs in the work of WIPO. It noted that the granting of observer status to a large number of NGOs to participate in the Organization’s work was a recognition of their important contribution and was also evident by the number of observers taking the floor in the session. Underlining the importance of agreement among all WIPO Member States, the Delegation noted that the approval of observer status was only possible with the agreement of all Member States and echoed the views expressed by the Delegation of China.
15. The Delegation of Venezuela (Bolivarian Republic of) thanked the Secretariat for the preparation of the working document and aligned itself with the concerns raised by China, which, in its view, were legitimate. The Delegation supported the principle of consensus and the statement made by the Delegation of China.
16. The Delegation of France expressed its support for Group B’s statement and for the presence and participation of civil society in multilateral organizations. It stated that the Wikimedia chapters, including Wikimedia France were independent organizations founded to support and promote Wikimedia projects in a specific geographic region. The Delegation said that while the chapters could collaborate amongst themselves or with Wikimedia Foundation, they were distinct and independent legal entities. The Delegation pointed out that Wikimedia France did not have any member of the Wikimedia Foundation in its Council of Administration, which confirmed the independence of the French NGO. The Delegation underscored that Wikimedia France concerned itself with distribution of information and knowledge, and played an important and significant role in debates around IP, copyright, and all aspects, particularly with regard to new modes of communication. Adding that Wikimedia France was independent from public authorities and received no instructions from public authorities, the Delegation supported the admission of the full list of NGOs appearing in the working document.
17. The Delegation of the Russian Federation thanked the Secretariat for preparing the working document under consideration and stated that it believed that the admission of observers was a technical issue. The Delegation recalled the WIPO sessions in 2020 and 2021, during which similar issues related to the admission of observers had been discussed. The Delegation stated its conviction that the decision on the admission of observers should only be made by consensus and therefore the principle of consensus should be supported. The Delegation supported the comments made regarding the affiliated structures of the Wikimedia Foundation and the ALSA with regard to their request for observer status and noted that the requests for observer status by Wikimedia chapters were rejected by the SCCR in May 2022. There was a need to ensure independence and modalities of transparency, and inclusivity, so that all decisions of the Assemblies were taken by consensus. It observed that there was no consensus with regard to the eight organizations and therefore its Delegation supported the statements made by other delegations suggesting that the Assemblies should defer making a decision on these NGOs to a later date.
18. The Delegation of Canada expressed its support for the inclusion and participation of NGOs in relevant discussions in UN agencies, such as WIPO, and it believed that the eligibility of NGOs to participate in WIPO discussions should be judged principally on the merits of their request.
19. The Delegation of Iran (Islamic Republic of) thanked the Secretariat for the preparation of the working document A/63/3 Rev. and recalled the tradition of making a decision on the admission of observers by consensus. Emphasizing that the principle of consensus must be observed, the Delegation shared the concern raised by the Delegation of China and other Member States. It expressed support for the proposal to postpone the decision to grant observer status for those specific organizations to a later date due to the lack of consensus.
20. The Delegation of Algeria, speaking in its national capacity, welcomed the work and significant contribution of NGOs within UN organizations. The Delegation noted the reservations and concerns expressed by China and other delegations with regard to the granting of observer status to some of the observer applicants and called for respect for the principle of consensus which, to date, had framed the work of the Assemblies and urged delegations to continue in the same manner.
21. The Delegation of the Syrian Arab Republic said that it valued and appreciated the concerns of China with regard to the admission of observers according to the adopted procedures, which took into consideration the sovereignty of States. In that regard, the Delegation emphasized the importance of consensus when admitting observers.
22. The Delegation of Germany aligned itself with the statements delivered by Group B and the Delegations of France, United States of America, Sweden, and Switzerland. The Delegation stated that Wikimedia Germany had a legitimate interest in being accredited as an observer by the Sixty-Third Series of Meetings of the Assemblies of the Member States of WIPO and the Unions administered by WIPO. The Delegation expressed its knowledge of the Organization and its long-term constructive involvement in legislative procedures and consultation, notably in the field of copyright and related rights in Germany. It noted that Wikimedia Germany was an organization under German law that was legally independent of the Wikimedia Foundation and other national chapters. The Delegation emphasized the importance of WIPO remaining a transparent Organization open to civil society and other observers.
23. The Delegation of the Democratic People’s Republic of Korea noted the practice of making decisions on the admissions of observers to the meetings of WIPO by consensus and suggested that this practice be maintained.
24. The Delegation of Cuba asked the Member States to respect the principle of consensus.
25. Thanking the delegations for their statements and acknowledging the differing views, the Chair noted the delegations’ expressed desire for consensus. The Chair proposed to adopt the decision paragraph as contained in document A/63/3 Rev., with the exception of the requests by ALSA, and the Wikimedia chapters of Argentina, Switzerland, France, Germany, Italy, South Africa, and Sweden:
26. The Assemblies of WIPO, each as far as it is concerned, decided to grant observer status to the following organizations:

(a) International non-governmental organizations:

(i) Global Expert Network on Copyright User Rights (User Rights Network); and

(ii) Innovation Council.

(b) National non-governmental organizations:

(i) American Arab Intellectual Property Association (AAIPA);

(ii) Argentine Management Society of Actors and Performers (SAGAI);

(iii) Association pour le Devenir des Autochtones et de leur Connaissance Originelle (ADACO);

(iv) China Trademark Association (CTA);

(v) Digital Law Center (DLC);

(vi) Hiperderecho;

(vii) InternetLab Research Association in Law and Technology (InternetLab);

(viii) Italian Industrial Property Consultants Institute (OCPI); and

(ix) Patent Protection Association of China (PPAC).

## ITEM 7 OF THE CONSOLIDATED AGENDA Draft Agendas for 2023 Ordinary Sessions

1. See the report of the session of the WIPO Coordination Committee (document WO/CC/81/4).

## ITEM 8 OF THE CONSOLIDATED AGENDA

NEW ELECTORAL CYCLE OF THE OFFICERS OF WIPO ASSEMBLIES AND OTHER BODIES

1. Discussions were based on document A/63/5 Rev.
2. Introducing the agenda item, the Deputy Legal Counsel drew the delegations’ attention to document A/63/5 Rev. and recalled that, following the successful experience of the shift in the election cycle of the officers of the WIPO General Assembly, as adopted by Member States in 2016 (see document WO/GA/48/17, paragraphs 17 and 18), document A/63/5 Rev. contained a proposal to likewise align the electoral cycle for the officers of the Assemblies of the Member States of WIPO and other bodies of the Member States of WIPO, with that of the WIPO General Assembly by amending Rule 9(2) of the WIPO General Rules of Procedure. The Deputy Legal Counsel explained that in doing so, the officers’ terms of office would begin, as is currently the case, with the officers of the WIPO General Assembly, following the final meeting of the session during which they were elected. The Deputy Legal Counsel noted that in order to facilitate the new electoral cycle, a one-time extension of the terms of office of the incumbent officers at the 2022 WIPO Assemblies, elected under the current Rule 9(2) of WIPO General Rules of Procedure was also proposed. This would bridge the otherwise existing gap between the end of their terms of office with that of the start of the terms of office for new officers elected in 2023 under the proposed new rule. The Deputy Legal Counsel further explained that document A/63/5 Rev. also proposed to modernize the WIPO General Rules of Procedure as well as the Special Rules of Procedure of the Governing Bodies of WIPO and the Unions Administered by WIPO in selected points, which do not alter the substance of the rules themselves. In closing, the Deputy Legal Counsel explained that the modernization concerned gender-neutral language, an update of terminology, and the deletion of obsolete references.
3. The Delegation of Germany, speaking on behalf of Group B, noted that WIPO bodies, like standing committees and working groups, dealt with highly technical and complex issues and that the proposed changes would allow officers of those bodies to take office after the last meeting of the session in which they were elected. Thus, these officers would have more time to familiarize themselves with the subject matter and better prepare for the first meeting under their chairpersonship. The Group stated that the changes were intended to facilitate consensus building and ultimately lead to more effective and efficient meetings. It therefore expressed its support for the proposal, noting that the change in the election cycle for the officers of the WIPO General Assembly, six years ago, had proved beneficial. The Group was confident that the advantages would be evident for the officers of the other WIPO bodies. At the same time, the Group was pleased that the proposal would make WIPO’s governance structure more unified and it appreciated the fact that the Secretariat had seized the opportunity to modernize certain aspects of both the WIPO General Rules of Procedure and the Special Rules of Procedure, including gender-neutral language and updating general terminology.
4. The Delegation of the Russian Federation believed that the proposed changes with regard to the officers’ terms of office, so that they will begin following the final meeting of the session during which they were elected, would enable the officers to better prepare for the sessions and would improve the sessions’ results. Commenting on document A/63/5 Rev., the Delegation noted that the Russian language was one of those languages in which it was grammatically difficult to have neutral terminology and therefore it would be grateful to the Secretariat to provide clarifications with regard to the proposed gender-neutral formulations.
5. The Delegation of Slovakia, speaking on behalf of the Central European and the Baltic States (CEBS) Group, confirmed the merits of the proposed changes to the electoral cycle and welcomed the fact that a change would provide the officers of the relevant bodies with the necessary time to efficiently and effectively prepare for their respective meetings and allow them to consider the issues that were sometimes highly technical. The CEBS Group also recognized the necessity of a transition period to adapt the two legal frameworks into one consistent framework that reflected the electoral cycle of all officers. The CEBS Group therefore expressed support for the modifications of the electoral cycle and the adaptation of the WIPO General Rules of Procedure and the Special Rules of Procedure accordingly.
6. Responding to the query regarding gender-neutrality in the Russian language, raised by the Delegation of the Russian Federation, the Director of the Language Division informed the meeting that WIPO had recently published its guidelines on inclusive language in all six UN languages. The guidelines contained strategies and practical solutions to encourage the use of non-discriminatory language in WIPO documentation and publications in line with the fundamental values of the UN regarding equality and diversity. The Director said that WIPO also recognized that approaches to inclusive language varied across countries and cultures, and that certain terms and expressions were not universally accepted. So, the guidelines were based on the current broad practice in and beyond the UN system. The Director recognized the fact that the Russian Language had some difficulties and clarified that, with regard to the working document, all the six languages had been prepared separately. He expressed willingness to work with the Russian Federation regarding the document under consideration to ensure compliance with Russian language usage.
7. The Delegation of China welcomed the amendment to the WIPO General Rules of Procedure and the Special Rules of Procedure to bring them in line with the current WIPO policies and practices. The Delegation believed that the Secretariat should take into consideration all of the contents that required amendments comprehensively and deal with them together. The Delegation pointed out that Article 40 of the General Rules of Procedure entitled “Languages of Document,” and Article 41, “Languages of Oral Interventions, Interpretation” would also benefit from the deletion of outdated expressions to bring them in line with the current WIPO Language Policy. The Delegation suggested that the Secretariat amend Article 40(1) to become, “the documents to be sent to all different bodies should be drafted in the six official languages of the UN”, and the amended Article 41(1) to become “the oral statements delivered in the meetings of the different bodies should be in the six official languages of the UN, and interpretation shall be provided in the six official UN languages. However, the Director General, in the light of operational needs, can decide to add or reduce the use of non-UN languages as interpretation languages”. The Delegation further suggested the deletion of Article 4 of the Special Rules of Procedure of the WIPO General Assembly and Article 3 of the Special Rules of Procedure of the WIPO Conference.
8. The Deputy Legal Counsel thanked the Delegation of China for the points raised, with which the Secretariat agreed, as the General and Special Rules of Procedure would clearly benefit from some additional review to ensure that they were consistent in all of the language references. The Deputy Legal Counsel added that the Secretariat would be keen to continue the conversation, take note of the comments, and revert back to Member States with respect to the very specific changes as they would require the Secretariat to take another careful look at the General Rules of Procedure and the Special Rules of Procedure for any other language references, with the goal to make all the references consistent with the multilingual policies at WIPO.
9. The Delegation of China took note of the proposed decision paragraph as contained in document A/63/5 Rev. but remarked that the Delegation’s statements were not reflected in that paragraph and it could not, therefore, agree to the decision paragraph as it currently stood.
10. The Deputy Legal Counsel acknowledged the request made by the Delegation of China, and the Delegation of the Russian Federation, which captured similar sentiments, in response to which the Secretariat proposed to add a new subparagraph (iv) to the decision paragraph as contained in document A/63/5 Rev. The amended decision paragraph now additionally requested the Secretariat to continue the revision of the WIPO General Rules of Procedure and Special Rules of Procedure with a view to updating language references and other necessary revisions and to present the proposed changes to the Assemblies of WIPO at their 2023 sessions.
11. The Assemblies of WIPO, each as far as it is concerned,

(i) modified the electoral cycle of the officers (Chair and two Vice-Chairs) stipulated in Rule 9(2) of the General Rules of Procedure, such that their terms of office begin following the final meeting of the session during which they were elected;

(ii) facilitated the transition to the new electoral cycle, so that the incumbent officers at this 2022 WIPO Assemblies will preside over their respective meetings during the 2023 WIPO Assemblies;

(iii) adopted the amendments of the respective General Rules of Procedure and Special Rules of Procedure, as set forth in the Annexes to document A/63/5 Rev., implementing the decision listed in (i), and the proposed changes described in paragraphs 12 to 14;

(iv) requested the Secretariat to continue the revision of the General Rules of Procedure and Special Rules of Procedure with a view to updating language references and other necessary revisions and to present the proposed changes to the Assemblies of WIPO at their 2023 sessions.

## ITEM 9 OF THE CONSOLIDATED AGENDA Reports from WIPO Committees

(i) The Standing Committee on Copyright and Related Rights (SCCR)

1. See the report of the session of the WIPO General Assembly (document WO/GA/55/12).

(ii) The Standing Committee on the Law of Patents (SCP)

1. See the report of the session of the WIPO General Assembly (document WO/GA/55/12).

(iii) The Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)

1. See the report of the session of the WIPO General Assembly (document WO/GA/55/12).

(iv) Matters Concerning the Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty (DLT)

1. See the report of the session of the WIPO General Assembly (document WO/GA/55/12).

(v) The Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda

1. See the report of the session of the WIPO General Assembly (document WO/GA/55/12).

(vi) The Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)

1. See the report of the session of the WIPO General Assembly (document WO/GA/55/12).

(vii) The Committee on WIPO Standards (CWS)

1. See the report of the session of the WIPO General Assembly (document WO/GA/55/12)

## ITEM 10 OF THE CONSOLIDATED AGENDA REPORTS ON AUDIT AND OVERSIGHT

* + 1. Report by the Independent Advisory Oversight Committee (IAOC)

1. See the report of the session of the WIPO General Assembly (document WO/GA/55/12).
   * 1. Report by the External Auditor
2. Discussions were based on documents A/63/6 and A/63/7.
3. The External Auditor, made the following statement:

“Chair, distinguished delegates, on behalf of the Comptroller and Auditor General of the United Kingdom, I am particularly pleased to have this opportunity to present the findings from our audit in person.

“In my presentation I will cover the four main areas of our work, firstly the audit of the financial statements and financial management, and I will then cover the two substantive topics which are contained in our report, namely governance and internal control*,* and our review of the revenue forecasting models. We have also performed a more detailed follow‑up on our previous review of Human Resources Management.

“Turning first to the results of our audit of the financial statements, I am pleased to confirm that the External Auditor’s opinion was unqualified again this year, and that the audit revealed no errors or weaknesses which we considered material to the accuracy, completeness, and validity of the Financial Statements as a whole. Our audit also confirms that the transactions have occurred in line with the Financial Regulations set by Member States.

“WIPO’s financial statements and accompanying financial commentary remain of high quality, supported by sound systems of internal controls and reporting. Overall, our audit results were positive and identified no significant errors or control weaknesses, we reported the detail of this work to the IAOC with whom we have had a good productive engagement.

“On financial management, overall, WIPO has maintained a sound financial position, this is primarily due to WIPO’s cash generating business model. It has made substantial investments in its property estate and holds significant retained reserves, which are significantly backed by cash and investments, which are more than sufficient to meet its total liabilities. It remains important that as WIPO changes its operating arrangements post‑pandemic, that the utilisation of these significant assets is kept under review to seek opportunities to best utilise its estate. As highlighted previously, the differing financial performance and position for each Union demonstrates how reliant the Organization is on the PCT and Madrid Unions, which, especially the PCT, compensate for the deficits reported by the Hague and Lisbon Unions.

“We have again highlighted the continued growth of the employee benefits liabilities. These predominantly comprise the staff member's after-service health insurance, their repatriation entitlements and accumulated leave liabilities. During 2021, the overall liability for these staff benefits increased by a further 120 million Swiss francs to 616 million Swiss francs. Assuming current assumptions remain consistent, WIPO forecasts that the liability for the after-service health insurance is projected to increase further to 716 million Swiss francs by 2025. These benefits will consume a growing proportion of WIPO’s future revenues. Members may recall that we recommended last year that WIPO consider the options for mitigating the potential future growth of these liabilities. After the completion of the 2021 audit, the Secretariat released its Asset and Liability study which we will consider as part of next year’s audit.

“Moving now to the first topic area of our performance reporting, which speaks to the issues of governance and internal control*,* which help provide Member States with confidence and assurance over the management of resources.

“Our audit has continued to conclude that WIPO has sound systems of internal control and no significant weaknesses have come to our attention during the audit process. The Organization has always been proactive in its approach to internal control, and we have noted the proposals to amend the Financial Regulations, the evolving nature of compliance, the development of a revised risk appetite statement and pending changes within the Internal Oversight Division.

“As Member States will know, WIPO are proposing certain changes to Financial Regulations. The objective is to modernise and streamline them, reflecting current practices and the new organisational structures. The proposals also address important gaps within the existing Regulations, in areas such as partnership working and the management of liabilities. We provided early feedback on the Secretariat’s proposals and our overall conclusion is that the revised structure provides a more coherent framework. We have highlighted the benefits of a post implementation review to allow for the adaptation of any Regulations which need further refinement following their initial implementation.

“WIPO has a well-developed approach to reviewing compliance with its identified controls. We have reviewed the processes undertaken and made observations to help further mature the approach. We have highlighted the need to focus more on the key controls. Greater assurance over the significant key controls will create efficiencies, to inform management on the quality and effectiveness of the most important and material elements of the system of internal control. Mindful of our observations, we continue to see WIPO as having one of the better approaches to compliance within the UN system.

“Since the start of our mandate in 2018, we have supported WIPO’s ambition to adopt data analytics to provide a greater breadth of assurance over the operation of the control environment. Analytics provide cost effective and systematic tools to provide feedback on the operation of controls, to inform management on areas of risk and the scope for improvement. There have been delays in implementing the approach arising from how data is stored, but we strongly encourage management to move forward in the delivery of at least some analytics to inform the way in which the Organization may deploy these more widely. Several different areas within the Secretariat are developing their own analytics, it is important that WIPO’s investment in these tools is approached in a holistic manner, avoiding duplication of effort, and ensuring expertise can be developed and shared across a common platform.

“On risk management we have noted the positive development of a clear and concise Risk Appetite Statement in consultation with Member States, focused on the Expected Results of the Organization. In our view, the articulation of the risk tolerance and appetite provides a platform against which WIPO can focus its resources, assess the effectiveness of mitigating actions and demonstrate its management of risks. The Statement is amongst the clearest we have seen, and we will consider how WIPO is using this to inform and determine its approach in future audits.

“We have noted the work and operation of the Risk Management Group, the RMG, chaired by the Director General. It considers the most significant risks facing the Organization, and how these are being managed. There is scope to review how the RMG obtains assurance overSector level risks and on the level of challenge on these and their associated mitigations.

“Turning now to our review of the revenue forecasting models, last year we observed that WIPO regularly exceeded its fee revenue target and consistently underspent against its expenses budget, leading to surpluses higher than those originally anticipated. We therefore decided to review the basis for the modelling of revenues as a key element of the assumptions underpinning the budget.

“The models were designed in-house to provide information on expected future filing volumes and corresponding fees from the WIPO Global IP Systems. While filing activity is a key driver for certain variable cost elements of WIPO’s budget, many costs are fixed by their nature and influenced by inflationary factors and changes arising from the implementation of new initiatives and less dependent on the filing activity themselves.

“Our work confirmed that the model achieves its purpose of providing a reasonable basis for planning and budgeting. Over time, the model has demonstrated its reliability and our review highlights WIPO’s prudence in its financial planning which minimises the risk to Member States but does increase the potential for consistently exceeding forecast surplus. We continue to urge Member States to take a strategic approach to how these surplus funds are best utilised by the Organization.

“On our follow-up of Human Resources Management, **i**n 2018, we reviewed how WIPO reported its performance, with reference to the work of the Human Resources Management Department. In October 2021, WIPO adopted a new HR strategy which has refocused its approach and has led to strategic and structural changes to the Department.

“The restructure provides greater emphasis on priority areas and supports a better framework for the Department to progress from a transactional to a more strategic function in the way it supports the Organization and its staff. This will be underpinned by enhanced performance reporting and compliance activities, creating better information for decision making and efficiency.

“The new strategy has placed considerable focus on issues of diversity and talent management, addressing areas we identified as needing attention. The plans established should help deliver a better skilled workforce matching the needs of WIPO with the aspirations of staff. Specific attention is being given to strengthening training and skills in leadership and management and on the effectiveness of training and its contribution to staff and the Organization. These changes provide the opportunity to support improved workforce planning and delivery of a more agile workforce to meet future needs.

“The arrangements and approach to the management of staff absences have been strengthened. WIPO has enhanced its compliance monitoring and established parameters for actions and interventions when staff are absent. These arrangements should deliver benefits in reducing overall WIPO absence levels and providing enhanced support for a successful return for individuals. Over time, further refinement can be made to these processes by reviewing the timescales for intervention and by benchmarking levels of absence with other entities.

“We welcome the move to enhanced staff engagement, which is supporting a culture of change at WIPO. Underpinning this is the use of new tools and communications with staff, such as staff surveys. These will be used to frequently track employee experience and provide information to monitor the impact of changes and the effectiveness of the new strategy. It will be important for management to monitor the levels of response; experience shows that where actions are not taken this can impact on engagement participation and scores and may put the achievement of the new strategies at risk.

“While it is too early to assess the impact of the HR changes overall, sound frameworks have been established to position the Organization to address the key areas we identified in our 2018 report. Given these are new initiatives, time will tell what impact they will have on the Organization and its performance.

“To conclude,I can confirm that progress was made in closing and implementing six other recommendations from previous years, with nine recommendations remaining in progress. These mostly relate to ongoing actions arising from our report last year.

“Finally, I wish to express my thanks to the Director General and the staff of WIPO for their support and cooperation in facilitating our audit.

“Thank you for your kind attention and I would be happy to take any questions or to provide further background to our audit.”

1. The Delegation of Germany, speaking on behalf of Group B, thanked the External Auditor for its Report on the 2021 WIPO Financial Statements and thanked Mr. Damian Brewitt, United Kingdom National Audit Office for the presentation. Group B took this opportunity to express its gratitude, for the work and the efforts of the External Auditor. A well functioning oversight system is essential to maintain the effectiveness and efficiency of the Organization. Regarding substantive comments, Group B recalled its statement as delivered to the 34th PBC.
2. The Delegation of the Russian Federation thanked the External Auditor for preparing the Report and for his presentation. The Delegation noted with satisfaction the Auditor’s conclusion on the attainment of high financial indicators of the Organization and also the stable work in the context of global economic uncertainty. The Delegation called upon the External Auditor to pay attention to more detailed monitoring of future expenditure, including expenditure connected with the payment of medical insurance. Given that the payment of entitlement to staff is a major risk factor for the financial health of WIPO, the Delegation felt that more detailed data on the relevant future expenditure would be very useful to allow Member States to assess the situation appropriately. The Delegation also noted the need for the Secretariat to strictly implement the recommendations of the External Auditor, and to provide regular updates to Member States. The Delegation felt that all of the open recommendations should be fulfilled as soon as possible.
3. The Delegation of India, speaking on behalf of the Asia and the Pacific Group, thanked the National Audit Office of the United Kingdom for presenting the comprehensive results of the audit. The Group appreciated the excellent work carried out by the External Auditor despite the continued challenges posed by the COVID-19 pandemic. The Group noted the External Auditor’s observation of WIPO’s strong financial performance in 2021 and that the Organization remained well placed to respond to the continued global economic uncertainty. The Group was heartened to note WIPO's sound systems of internal control and that there were no significant gaps in WIPO’s processes that had come up during the audit process. The Group agreed with the recommendation of the External Auditor to take a strategic approach to how surplus funds would be best utilized by the Organization to ensure that the Organization continued to deliver on the expectations of the Member States. Lastly, the Group noted the positive acceptance of the recommendations of the External Auditor by WIPO's management and looked forward to their implementation.
4. The Delegation of Algeria, speaking on behalf of the African Group, took note of the Report by the External Auditor contained in document A/63/6, and thanked the External Auditor for their excellent work in spite of the constraints of the COVID-19 pandemic. The Group welcomed the fact that the WIPO Annual Financial Statements had been prepared in accordance with International Public Sector Accounting Standards (IPSAS) and contained no significant anomalies thanks to sound financial management. The Group also welcomed the fact that the solid financial situation of WIPO in 2021 allowed it to carry out its activities to a high performance standard. Nevertheless, numerous uncertainties continued to threaten global economic prospects, which required continued vigilance. The Group shared the view of the External Auditor of the importance of agreeing on a strategic approach for the use of surplus funds in order to pursue more effectively the strategic objectives contained in the Medium-Term Strategic Plan (MTSP) 2022-2026. The Group welcomed the solidity and soundness of internal control systems even though improvements are possible in order to ensure that internal control processes are more effective on the basis of any Risk Appetite Statement. This would enable avoiding overlapping responsibilities within internal audits and guarantee a better use of the available resources for audit for essential qualitative operations. On the human resource management issues, the Report did not address the chronic issues linked to diversity within WIPO staff, both in terms of gender and geographical balance, and the issue of geographical diversity must be a key part of control work, because that remained a priority for the majority of Member States. On the financial report, the Group believed that all of the initiatives taken by WIPO to implement the strategic Program of Work Budget objectives should be mentioned by giving particular attention to activities for the WIPO Development Agenda (DA) and Sustainable Development Goals (SDGs). The Group stressed the importance that the Annual Financial Report contain data on new recruitment within WIPO, posts occupied and the related financial implications. The Group encouraged the Secretariat to implement the recommendations contained in the Report effectively and to continue with the progress made in implementing previous recommendations.
5. The Delegation of Spain wished to endorse the statement made by the Delegation of Germany on behalf of Group B, and thanked the Chair for the work during the recent PBC. The Delegation welcomed the complete and detailed Report by the External Auditor, which underscored that in spite of the difficulties faced in 2021, the collaboration between the External Auditor and the Secretariat has been exemplary. The Delegation congratulated the Secretariat on the outcome of the External Auditor Report, which stressed for example that WIPO has one of the best internal control systems analyzed within the UN System. The Delegation recalled Group B’s statement at the 34th PBC session that the Report emphasized the sound financial management that had been shown based on a very prudent approach. The Delegation agreed with the External Auditor that an adequate discussion should take place on the use of surplus funds because of WIPO's surplus every year, and believed that surplus could be better invested to improve better services and offer better assistance to Member States, for instance through the programs under the different sectors. The Delegation recalled that the Young Experts Program (YEP) was discussed the previous day, but it was sure that there were other programs that could be mentioned. The Delegation wished to recall to the Secretariat, External Auditor and Member States that the fees for WIPO services and their modelling should take into account not only statistical, mathematical and technical issues, but also strategic and holistic ones, because international IP systems stood alongside regional and national systems. Though they may be independent, that influenced the perception that users had of the system overall. Therefore, the Delegation believed that in any future decision on potential changes, that should be taken into account and discussed with Member States. For those reasons, the Delegation wished to indicate its support for the WIPO General Assembly taking note of document WO/PBC/34/4.
6. The Delegation of Slovakia, speaking on behalf of the CEBS Group, commended the work of the External Auditor and thanked him for the comprehensive and detailed Report and presentation. The CEBS Group had reviewed the Report by the External Auditor and had noted with satisfaction that the Annual Financial Statements received a high assessment. At the same time, the CEBS Group was pleased to hear that WIPO had a sound system of internal controls and reporting, which showed that effective governance without any significant weaknesses, forms an integral part of the Organization. The CEBS Group also welcomed that WIPO continued to deliver a strong financial performance in 2021 and that despite the continued challenges of the COVID-19 pandemic, the Organization kept a healthy reserve position and was able to respond to the global economic uncertainty. The CEBS Group also recognized that recommendations of the External Auditor were well elaborated and encouraged the Secretariat to continue working on their sound implementation.
7. The Delegation of the United States of America thanked the External Auditor for his Report. The Delegation lent its support to the statement made by the Delegation of Germany on behalf of Group B. In the External Auditor Report, the Delegation took particular note of the observation that the Patent Cooperation Treaty (PCT) and Madrid Systems, especially the PCT System, had been covering for deficits in the Hague and Lisbon Systems. The Delegation continued to urge WIPO and Member States to take decisions that would drive all of the systems to financial sustainability and a day in which PCT applicants would no longer need to subsidize other registration systems. The Delegation continued to maintain that WIPO Member States could agree to adjustments that would bring more balance among WIPO's fee‑funded Unions in the long-term and compliance with the treaty obligations of all Union members.
8. The External Auditor thanked the Chair for the comments on the External Auditor Report. The External Auditor stated it had taken note of a number of issues that Member States had raised, and would take them into consideration as it planned its work for the next cycle, and would revert to the delegations on some of those issues that were raised in its future reporting. The External Auditor thanked the delegations for engaging with the External Auditor Report and providing those observations.
9. The Chair thanked the External Auditor for the work done, both on the information and the Report that had been presented. The Chair was delighted to hear that there were no significant weaknesses and there is a sound system in place. It was even more encouraging to see that WIPO has one of the most sound internal control systems in the UN, and for also giving the recommendation and opinion concerning some of the discussions that already had taken place during the week of the Assemblies on the Revision to the Financial Regulations and Rules (FRR).
10. The Assemblies of WIPO, each as far as it is concerned, took note of the “Report by the External Auditor” (document A/63/6).
    * 1. Report by the Director of the Internal Oversight Division (IOD)
11. See the report of the session of the WIPO General Assembly (document WO/GA/55/12).

## ITEM 11 OF THE CONSOLIDATED AGENDA REPORT ON THE PROGRAM AND BUDGET COMMITTEE (PBC)

1. Discussions were based on document A/63/7.
2. The Chair noted that the item covered all PBC matters. One document was considered under the Item, as stated in the List of Documents, namely document A/63/7, “List of Decisions Adopted by the Program and Budget Committee” which contained all decisions taken at the 34th PBC Session.
3. The Secretariat explained that as 2022 was a non-budget year, only one PBC session was held from June 27, to July 1, 2022. The PBC agenda covered a number of items, including Audit and Oversight matters, Performance and Financial Review, proposals and items following decisions of the 2021 Assemblies and the 33rd PBC Session. Under the leadership of the PBC Chair, Member States had engaged very constructively throughout the PBC Session with the Secretariat and had taken note or recommended for approval by the Assemblies of WIPO, a number of items, as listed in document A/63/7. Those items included the Report of the WIPO Independent Advisory Oversight Committee (IAOC) Selection Panel; Progress Report on the Implementation of the Joint Inspection Unit’s (JIU) Recommendations; WIPO Performance Report 2020/21 and the Internal Oversight Division (IOD) Validation of the WIPO Performance Report 2020/21; Supplementary Capital Master Plan Project; Revision of the Financial Regulations and Rules (FRR); WIPO Risk Appetite Statement; WIPO Funding Plan for After‑Service Health Insurance (ASHI) Liabilities; Preliminary Draft Terms of Reference of the 2021 Evaluation of WIPO External Offices; Methodology for Allocation of Income and Expenditure by Union; the Annual Financial Report and Financial Statements 2021 and the Status of the Payment of Contributions as at May 31, 2022. In that connection, document A/63/INF/4 provides an update to the Status of the Payment of Contributions as at June 30, 2022. Furthermore, since July 1, 2022, and as of July 15, 2022, the following contributions have been received in chronological order: Costa Rica, 5,407 CHF; Bahrain, 5,697 CHF; Côte d'Ivoire, 66 CHF; Gabon, 23 CHF; Mali, 45 CHF; Niger, 23 CHF, Burkina Faso, 4,894; and Uruguay, 5,697.00.
4. The Delegation of Algeria, speaking on behalf of the African Group, thanked the Secretariat for preparing document A/63/7. The Group thanked the Chair and Vice‑Chair of the PBC for their tireless efforts to take forward discussions in an effective and fruitful manner. The Group extended its gratitude to the Assistant Director General, Administration, Finance and Management Sector, and his team, for the support provided to Member States. The Group noted with satisfaction that WIPO had been in a position to maintain a positive performance in 2021, as shown by the many achievements in activities done in its Sectors and despite a very difficult situation created by the COVID-19 pandemic. The Group appreciated the quality of the reports submitted by the various oversight bodies because they showed WIPO’s commitment to improve its performance on transparency, accountability and good governance. The Group was of the opinion that audit and oversight activities should be focused around risk management systems, which are developed to guarantee that the audit resources available are focused on those areas that are relatively higher risk. The Group believed that the Annual Report on Human Resources however did not meet its expectations in terms of dealing with questions related to geographical balance in the WIPO Secretariat. The Group felt that the Annual Financial Report and Financial Statements 2021, contained inadequate information on WIPO’s recruitment policy and the relevant financial implications, including information on the number of posts created to meet the Organization’s needs. The Group positively welcomed the Financing Plan to Manage Risks Arising from Long-Term Employee Benefits at WIPO and urged the Secretariat to continue its efforts on what is a very important item of expenditure as part of a global management strategy over the medium and long-term. The Group was concerned by the delay in developing a WIPO strategy for the inclusion of persons with disability in accordance with the UN Strategy on the matter. The Group urged the Secretariat to build on the progress already made to put in place a global strategy to improve physical and digital access to people with disabilities and the systematic inclusion of disability in the projects and programs run by WIPO, including the concerned directives related to procurement. The Group welcomed the new modifications to the FRR and implementing regulations thereto and would wait with interest for the report on the impact of the implementation on the governance and operation of WIPO. The Group believed that the External Offices Network was an important asset of the Organization, enabling it to put its services and development coordination activities within the reach of its Member States, all other parties involved, its partners and to achieve the strategic goals of the Organization. The Group reiterated that the mandate for the evaluation of External Offices should be harmonized with good practices recognized throughout the UN System while making best use of the expertise and experience that WIPO had built up in terms of oversight and audit. The issue of the seniority of the External Offices should also be taken into account, particularly in respect of the new offices in Africa. Lastly, the Group appreciated the progress made on the matter of External Offices and encouraged Member States to continue with their efforts in order to finalize the mandate for the evaluation within the time scheduled.
5. The Delegation of the Russian Federation thanked the Secretariat for the preparation of the Report on the PBC. The Delegation noted with satisfaction the achievement of positive financial indicators and outcomes to the program activities of the Organization for the biennium 2020/21. As the Delegation had requested previously, the Delegation was grateful for the information on compliance with recommendations made by the JIU to the Secretariat. The Delegation believed it essential that attention be focused on compliance with JIU recommendations contained in document JIU/REP/2020/6 on Multilingualism in the UN. The Delegation welcomed compliance with recommendation one, on organizations preparing a strategic policy framework for multilingualism accompanied by administrative and operational guidelines addressed to the governing bodies and the administration of WIPO. The Delegation highlighted the need for the submission to Member States on a roadmap on the language policy of WIPO as agreed in 2021. The Delegation welcomed the efforts of the Secretariat on attracting new translators and interpreters and retaining qualified staff. In addition, the Delegation supported the recommendation of the PBC on the financing of the implementation of the PCT Resilient and Secure Platform (RSP) hybrid phase project. The Delegation believed that projects that were directed to users and to the improvement of the IT infrastructure of the international registration systems were very important. The Delegation stated that it saw a need to increase the level of security for systems which store and process confidential data in the Organization. The Delegation hoped that there would be regular monitoring of the state of information technology (IT) systems from the point of view of cybersecurity when confidential information and personal data were being processed and stored. The Delegation would be grateful if Member States could be provided with regular reports on this matter in accordance with the decision of the PBC. The Delegation concluded noting the need for more detailed monitoring of future expenditure including those relating to the payment of staff benefits and health insurance.
6. The Delegation of Germany, speaking on behalf of Group B, thanked the Secretariat for preparing the List of Decisions Adopted by the Program and Budget Committee (PBC). Group B thanked the PBC Chair for his efforts in chairing the 34th PBC Session. The Delegation was pleased that the PBC had reached agreement on important proposals and had made recommendations to the WIPO General Assembly, in particular, on the Revision of the FRR, the Supplementary Capital Master Plan Project and the Financing Plan to Manage Risks Arising from Long-Term Employee Benefits at WIPO. Group B appreciated the progress made on the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices and would continue to participate constructively in discussions at the 35th PBC Session.
7. The Delegation of Slovakia, speaking on behalf of the CEBS Group, thanked the Ambassador of India for his able Chairpersonship of the PBC and his Vice-Chairs at the 34th PBC Session. The CEBS Group thanked the Secretariat for its hard work and all the preparations. The CEBS Group noted with satisfaction the financial results for the biennium 2020/21 with record surplus, which was generated mainly thanks to the income from fees from international IP systems for patents, trademarks and industrial designs, especially with respect to the PCT System. Despite the COVID-19 pandemic, this clearly showed continued growing demand for IP services provided by WIPO. Therefore, the CEBS Group welcomed the sound performance of WIPO and appreciated the fact that the Organization enjoyed such positive financial results. The CEBS Group underlined the importance of continuing this trend in the future. The CEBS Group recalled that during the 34th PBC Session, some important decisions and recommendations were adopted. Besides endorsing the Secretariat to continue assessment and implementation of open recommendations of several WIPO bodies, the CEBS Group supported the approval of the Supplementary Capital Master Plan Project. The CEBS Group shared the view that such forward-looking projects would contribute to better use of resources while ensuring the efficiency in delivering high quality services and helping to address cybersecurity challenges. The CEBS Group was also pleased to recall the decision to approve the proposed amendments to the FRR, which had been adapted to the evolving Organization’s business models, processes and systems, as well as the MTSP and the revised WIPO strategic framework. The CEBS Group noted that the Methodology for the Allocation of Income and Expenditure by Union would remain open for discussion at the 35th PBC Session. The CEBS Group noted the two rounds of negotiations on the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices. The CEBS Group emphasized that the evaluation of WIPO External Offices must be done in a highly transparent, independent and objective manner, and should reflect relevant specific circumstances of all External Offices and their host countries. Based on the inputs and comments of delegations, the Member States were far from reaching consensus, but the CEBS Group believed that those discussions had helped to understand the different perspectives and views. The CEBS Group stood ready to further engage constructively on the Draft Terms of Reference in the 35th PBC Session.
8. The Delegation of India congratulated the PBC Chair on his election and the excellent work of the PBC. The Delegation was pleased to see the progress made on the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices and was certain that the PBC would expedite its work and finalize the Terms of Reference (ToR) in the 35th PBC Session. The ToR must be inclusive of fairness and transparency in the evaluation and in conformity with the Guiding Principles. The Evaluation should focus on analysis of the individual performance indicators of each External Office and must be mindful that it would not affect the already submitted application of opening new External Offices. The Delegation looked forward to productive discussions on that agenda item and would participate constructively in the deliberations.
9. The Delegation of China thanked the Secretariat for preparing the Report on the 34th PBC Session, which reached agreement on a number of issues including the Report on the IAOC Selection Panel, the Supplementary Capital Master Plan Project, Revision of the FRR and the WIPO Funding Plan for ASHI liabilities. Those decisions effectively promoted the Organization’s supervision, financial, IT, data security and other important work. The Delegation appreciated this. With regard to the Preliminary Terms of Reference of the 2021 Evaluation of the WIPO External Offices, the Delegation was expecting that all parties would demonstrate a spirit of cooperation and push the consultations forward on that topic at the 35th PBC Session.
10. The Delegation of Chile, speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC), thanked the Secretariat for the work done and the documents provided. GRULAC welcomed the efforts made by the Chair in order to make headway on the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices in document WO/PBC/34/15. GRULAC regretted the fact that no consensus was reached and that the topic would be discussed again at the following PBC session. The Group recalled that Member States took on a commitment in October 2015 to implement the Guiding Principles for WIPO External Offices and hoped that on the basis of agreed criteria to engage in the process of opening WIPO External Offices, an agreement could be reached. Countries of GRULAC were certain of the need to show maturity in the process for selecting new WIPO External Offices and had agreed to put forward a candidate by consensus, Colombia. That exercise of deciding on new External Offices was carried out with the conviction that in so doing, it would further the decision-making process instead of having to select a candidate from a list of the different candidates from the GRULAC region. GRULAC stated that technically the proposal of Colombia was solid, applied fully with the Guiding Principles and would strengthen the presence of WIPO in the Latin American and Caribbean region. Several years after putting forward a candidate, the Assemblies had failed to take a decision on that point. GRULAC was grateful for the efforts put forth by previous Assemblies’ Chairs to build support around the candidate from GRULAC and the specific nomination of Colombia. GRULAC believed the delay should not be an excuse not to build upon WIPO’s commitment to open future WIPO External Offices. Any delay in this process would affect the future of WIPO. GRULAC hoped that the Assemblies would take a decision that would end a deadlock, which had lasted since 2016. It is essential that Member States consider the value of having a consensus candidate that met the Guiding Principles. GRULAC urged Member States to demonstrate commitment and responsibility, and keep the promises previously made that complied with the decision of previous Assemblies, which would end the constant delay in approving the opening of a WIPO External Office in Colombia. GRULAC hoped that in accordance with the previously adopted decision, particularly the decision adopted the previous year, that the Assemblies would be able to reach agreement on the opening of four WIPO External Offices including one in Colombia.
11. The Delegation of Brazil supported the statement made by the Delegation of Chile on behalf of GRULAC. The Delegation congratulated the Organization’s management on another solid year of financial results and hoped that would continue after the COVID-19 pandemic and other global challenges. The Delegation hoped that there would be positive prospects and outcomes for the Organization in the future. The financial results showed that there had been good management of the financial situation and there had been an accumulation of reserves over the previous few years. The Delegation stated its commitment to work with WIPO and other Member States to guarantee the efficient and balanced use of the available resources. The Delegation supported WIPO’s commitment to the DA and the SDGs. The Delegation thanked the PBC Chair and the Secretariat for all of their efforts in the discussion on the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices. The Delegation reiterated its willingness to contribute to a successful outcome in the negotiations and discussions to have an independent and appropriate evaluation of the WIPO External Offices and ensure that the resources would be used effectively.
12. The Delegation of Indonesia conveyed its appreciation to the Secretariat and the Assistant Director General, Administration, Finance and Management Sector for their excellent work. The Delegation thanked the PBC Chair for his able leadership and guidance at the 34th PBC Session, which managed to reach important agreements and had made recommendations to the 63rd Assemblies of the Member States of WIPO. The Delegation commended the Secretariat for its positive financial and programmatic performance towards achieving the expected results in the 2020/21 biennium as reflected in the WIPO Performance Report 2020/21 and as validated in the IOD Validation of the WIPO Performance Report 2020/21. The Delegation welcomed the agreements reached at the 34th PBC Session on the funding of the PCT RSP Hybrid Phase Project and the Revision of the FRR and hoped that the Assemblies could approve those recommendations. The Delegation reiterated its commitment to support the work of the PBC. The Delegation looked forward to the continued discussions on the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices and the Methodology for Allocation of Income and Expenditure by Union at the 35th PBC Session and hoped for positive decisions on those matters.
13. The Delegation of Pakistan thanked the Secretariat, the IAOC, the External Auditor and the IOD. The COVID-19 pandemic had continued to cause socio-economic disruptions globally in 2021 as reflected in various reports presented to the Committee. It was heartening to note that WIPO had continued to display its financial and administrative resilience despite the COVID-19 pandemic fallout. As the global scientific and research community had continued to embark on new technological solutions to deal with the COVID-19 pandemic related challenges, the demand for fee-based services offered by WIPO had increased in 2021, which attested to the continued relevance and importance of WIPO *vis-à-vis* innovation. The Delegation continued to hold the view that IP should not be considered an end in itself. Innovation and growth of science and creativity drove IP filings globally. Therefore, innovation should be promoted in countries and regions of the world not only from a development angle, but also with a view to tap the IP filing potential in the developing world. The Delegation commended WIPO’s leadership and the Secretariat for providing technical assistance activities tailored to the needs and priorities of Member States. The Delegation had engaged constructively on further developments concerning the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices. It was heartening to note that some tangible progress was made on that important matter. The Delegation thanked the Secretariat for presenting the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices, which allowed substantial discussions at the 34th PBC Session. The future of the WIPO External Office network, including its expansion, should remain subject to the outcome of the planned evaluation in line with the decision taken at the 61st Assemblies held in 2019. The Delegation underlined the importance of conducting a serious review to determine the need for existing External Offices as well as the rationale of establishing new ones. Only an independent, transparent and external assessment would provide an objective and a political evaluation of the External Offices network. The Delegation looked forward to the continuation of an inclusive and transparent process to develop the Terms of Reference at the 35th PBC Session.
14. The Delegation of Saudi Arabia thanked the Secretariat for the document prepared under the agenda item. The Delegation was pleased with the efforts made by the Organization and with the positive financial outcome of the 2020/21 biennium. The Delegation hoped to reach an agreement on a method for the evaluation of External Offices on the basis of proposals made to that effect by Member States. The Delegation welcomed and was grateful for the efforts to revise the FRR and to ensure that IPSAS rules would be applied.
15. The Delegation of the Republic of Korea expressed its appreciation to the WIPO Secretariat for the hard work in preparing document A/63/7. Regarding the Annual Financial Statements 2021, the Delegation was very happy to announce that its annual contribution had increased in 2022. Further, since the establishment of the Republic of Korea’s Funds-in-Trust (FIT) in 2004, which was the second largest amount of voluntary contributions among Member States, the Delegation noted that it had implemented various activities that supported technical assistance and capacity building in the field of IP. The Delegation would continue to strengthen its efforts in the development of the IP community and ecosystem through the continuous increase of its contributions. Regarding the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices, the Delegation believed that more active engagement by the WIPO Secretariat would be vital to move forward on that issue. In that context, the Delegation appreciated the efforts made by the WIPO Secretariat in their unsparing efforts to prepare that draft. The Delegation hoped that the evaluation for existing WIPO External Offices would be expedited so that the new External Offices would be established promptly in a country with a strong need for WIPO global IP services. The Delegation believed that would enhance WIPO’s local customer service and lead to an increase in PCT and Madrid applications, which could also contribute to strengthening WIPO’s financial soundness.
16. The Delegation of Nigeria supported the statement made by the Delegation of Algeria on behalf of the African Group. The Delegation expressed its appreciation to the Secretariat for introducing Agenda Item 12 and thanked the 34th PBC Chair and Vice-Chairs for guiding the PBC work and making tangible progress on converging views regarding the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices. The Delegation reiterated its position that the ToR for the Evaluation of WIPO External Offices should be balanced, transparent, fair, and conducted in consultation with host countries. The Delegation expected that the evaluation should be conducted in due recognition of the unique characteristics of the External Offices, which were spread across different regions with distinct pace of development resources available at their disposal and their length of operation. The Delegation believed that it was important to give the existing External Offices a voice and opportunity to contribute and offer suggestions on how their functions and scope of activities could be improved and enhanced respectively. The Delegation believed the efficiency and effectiveness of the PBC would be positively impacted and would stimulate the coordination of activities of the Secretariat.
17. The Chair thanked the 34th PBC Chair and Vice-Chairs for their tremendous work and was impressed that despite the most complicated discussions on finance and other matters, it had been possible to reach agreement and present a List of Decisions Adopted by the PBC.
18. The Delegation of Algeria, speaking on behalf of the African Group, reiterated its concern about the delay in the adoption of WIPO’s disability inclusion strategy in line with the UN framework. The Group asked the Secretariat if it had an established timeline for the adoption of the strategy.
19. The Assistant Director General, Administration, Finance and Management Sector thanked the Delegation for the question and explained that the Secretariat had been prioritizing the implementation of the disability inclusion strategy. The Secretariat was in the final stages of preparing the strategy and would be happy to meet bilaterally to discuss the timetable and next steps.
20. The Assemblies of WIPO, each as far as it is concerned,

(i) took note of the “List of Decisions Adopted by the Program and Budget Committee” (document A/63/7), and

(ii) approved the recommendations made by the Program and Budget Committee as contained in the same document.

## ITEM 12 OF THE CONSOLIDATED AGENDA REPORTS ON STAFF MATTERS

1. See the report of the session of the WIPO Coordination Committee (document WO/CC/81/4).

## ITEM 13 OF THE CONSOLIDATED AGENDA Amendments to Staff Regulations and Rules

1. See the report of the session of the WIPO Coordination Committee (document WO/CC/81/4).

## ITEM 14 OF THE CONSOLIDATED AGENDA WIPO ARBITRATION AND MEDIATION CENTER, INCLUDING DOMAIN NAMES

1. See the report of the session of the WIPO General Assembly (document WO/GA/55/12).

## ITEM 15 OF THE CONSOLIDATED AGENDA MADRID SYSTEM

1. See the report of the session of the Madrid Union Assembly (document MM/A/56/2).

## ITEM 16 OF THE CONSOLIDATED AGENDA HAGUE SYSTEM

1. See the report of the session of the Hague Union Assembly (document H/A/42/2).

## ITEM 17 OF THE CONSOLIDATED AGENDA LISBON SYSTEM

1. See the report of the session of the Lisbon Union Assembly (document LI/A/39/2).

## ITEM 18 OF THE CONSOLIDATED AGENDA Budapest Union Assembly

1. See the report of the session of the Budapest Union Assembly (document BP/A/39/2).

## ITEM 19 OF THE CONSOLIDATED AGENDA

ASSISTANCE AND SUPPORT FOR UKRAINE’S INNOVATION AND CREATIVITY SECTOR AND INTELLECTUAL PROPERTY SYSTEM

1. Discussions were based on document A/63/8.
2. The Delegation of Ukraine, speaking on behalf of the 52 Member States that had submitted a proposal for Assistance and Support for Ukraine’s Innovation and Creativity Sector and Intellectual Property System (document A/63/8), stated that the proposal sought to address the destruction of Ukraine’s IP and creativity sector. The Delegation stated that the damage inflicted since the beginning of the invasion of Ukraine on February 24, 2022, had been significant. For example, the number of national applications submitted for registration of IP had been reduced by approximately 50 per cent. There had been an almost total cancellation of regular cultural events and activities, in addition to TV, audiovisual, musical productions, and broadcasting, which had crucially reduced royalty-based collections for artists, producers, and beneficiaries. The Delegation noted that Ukraine’s only gene bank, which stored more than 160,000 varieties of species and hybrids from around the world, had been destroyed. The Delegation shared that educational and scientific facilities were under continuous attack around the country and operations of most of the Technology and Innovation Support Centers (TISCs) had been suspended. Action was required because the effects of the invasion were wide‑reaching and if left unaddressed and underestimated, more devastating effects on Ukraine’s innovation and creativity sector and IP system were likely. The Delegation explained that the proposal recalled resolutions of the UNGA and called on the WIPO Secretariat to undertake research and further implement targeted technical assistance to key Ukrainian innovation and IP sectors, infrastructure, and capacity building on immediate and long‑term perspectives. The Delegation invited Member States to take measures in accordance with their domestic and international laws and regulations to assist Ukrainian IP applicants, and by adopting the document in its entirety, WIPO would be supporting the efforts of the UNGA, including its resolution of March 2, 2022, as well as the capacity of available resources to oversee the initiative, which had been proposed in a clear and transparent manner. The Delegation believed that the financial regulations of WIPO provided appropriate oversight to give Member States confidence that the initiative would be undertaken with the financial prudence and transparency that they expected out of all WIPO programs. The Delegation acknowledged that Ukraine was not the only Member State in need of assistance, but that the proposal did not, in any way, affect ongoing WIPO technical assistance and capacity‑building to others. The Delegation believed that the proposal was an urgent call under urgent circumstances, and that the scale of harm and destruction warranted the proposal. The Delegation added that Ukraine had added 51 other co‑sponsors, and that it looked forward to the support by the broader membership of WIPO in full compliance with Article 3 of the WIPO Convention to promote the protection of IP throughout the world through cooperation among States. Finally, the Delegation informed the Secretariat that Norway had joined the list of co‑sponsors of the proposal.
3. The Delegation of the Czech Republic, speaking on behalf of the European Union, stated that the European Union and its member states fully supported the statement delivered by the Delegation of Ukraine on behalf of the 53 co-sponsors of the proposal on Assistance and Support for Ukraine’s Innovation and Creativity Sector and Intellectual Property System. The Delegation stated that all Member States were aware of the context that had led to the high number of Member States submitting the proposal, and shared its deep appreciation for the vast majority of delegations that had demonstrated their wish to allow the Consolidated Agenda, together with the proposal, to proceed. The Delegation stated that the unjustified and illegal war against Ukraine had been condemned on countless occasions including through the resolution of the UNGA of March 2, 2022, which was supported by more than 140 delegations. The Delegation noted that, regrettably, despite calls for the Russian Federation to cease the use of force against the sovereign country, the war in Ukraine had continued for almost five months. The Delegation stated that the unbearable damage caused to the Ukrainian peoples’ economy and infrastructure could no longer be disregarded by anyone. The Delegation called for reflection by the top governing body of WIPO, just as many UN agencies had done, to determine how the early recovery of Ukraine could be supported. The Delegation stated that while the broader context was political, the specific problems addressed were technical. In the Intellectual Property System, which was heavily damaged by the war, WIPO was best placed to address the IP‑specific implications of war, and assess and provide the necessary assistance for the restoration and rebuilding of Ukraine’s creative industry and IP system. The Delegation stated that the request was urgent and justified, which was technical in nature and tailored to the specific mandate of WIPO. The proposal was an honest and constructive attempt to help Ukraine in the current difficult times. The Delegation shared that the proponents of the proposal had duly respected the procedural requirements before its submission and that the standpoints of different Member States from various regions and perspectives had been reflected in the final language, in order to address sensitivities and make it broadly acceptable to the WIPO membership. The Delegation shared that they foresaw a smooth adoption of the proposal by the Assemblies and that it would continue to stand in solidarity with Ukraine, which was a candidate country for membership in the European Union. The Delegation wished to reassure all delegations that it would remain open to consider the eventual request for WIPO assistance to any other Member State in urgent need, which any delegation remained free to submit, and could then be discussed in its own right.
4. The Delegation of the United States of America stated its support for the intervention delivered by Ukraine. The Delegation added that the time to assist Ukraine with rebuilding its innovation and creativity sector and intellectual property system was now, and that the United States was ready to adopt the decision proposed and encouraged all Member States to support its adoption.
5. The Delegation of Slovakia aligned itself with the statement delivered by the European Union. Speaking in its national capacity, the Delegation declared Slovakia’s full support for the statements made by Ukraine on behalf of the 53 sponsors of the proposal submitted under Agenda Item 19 on Assistance and Support for Ukraine’s Innovation and Creativity Sector and Intellectual Property System. The Delegation stated that Ukraine was a functioning economy with a vibrant IP system and that the unprovoked aggression against Ukraine significantly damaged its economy and IP infrastructure. The Delegation shared that the time for WIPO to act was at the current moment, and that WIPO was the only international, technical organization that could address the negative IP implications, and provide Ukraine with the necessary technical assistance. The issue required urgent action and could not be left alone, and the Delegation believed that the decision fell within WIPO’s mandate. Additionally, as WIPO was a member of the UN family, the Delegation stated that WIPO might want to take into consideration the outcomes of the UNGA, including the resolution of March 2, 2022, to reflect the efforts of other UN agencies. The Delegation believed that attempts to help Ukraine by providing technical assistance and capacity building in order to restore and rebuild Ukraine’s creative industry and IP system were more than timely. It was of the view that the Member States needed to act to prevent an even more devastating impact on Ukraine’s economy and stated that Slovakia was looking forward to the adoption of the proposal.
6. The Delegation of Poland aligned itself with the statement delivered by the Delegation of Ukraine on behalf of the 53 co-sponsors of the proposal on Assistance and Support for Ukraine’s Innovation and Creativity Sector and Intellectual Property System and expressed its support for the statement delivered by the Delegation of the Czech Republic on behalf of the European Union and its member states. The Delegation condemned, in the strongest possible terms, the unprovoked attack on the sovereignty and territorial integrity of its neighbor country, Ukraine, which constituted a gross violation of the UN Charter and international law as broadly recognized by the UNGA Resolution of March 2, 2022. Poland stood with the Ukrainian people and with colleagues from the Ukrainian Intellectual Property Institute (Ukrpatent) and supported them in their fight for a peaceful life. The Delegation called upon the Russian Federation to immediately stop the war in Ukraine and to withdraw its forces from the territory of Ukraine. The war was not only a tragedy, from a humanitarian point of view, but also because of the impact on IP. Important institutions symbolizing creativity or promoting innovation including museums, libraries, theatres, schools, universities, as well as SMEs and start-ups had been destroyed. All of these places relied on IP – be it copyrights, trademarks, or patents – to protect their work while promoting innovation and creativity. The Delegation added that it was vital to support Ukraine’s IP system and to start thinking about the post‑war recovery plan. In that spirit, its Delegation joined other countries in highlighting the need for technical assistance and capacity building for the restoration of Ukraine’s IP infrastructure and innovation ecosystem. The Delegation pointed out that the proposal was presented well in advance of the day’s deliberations so that all the delegations could have enough time to scrutinize and consult the text. The outcome of the consultations was duly reflected in the final language in order to address any possible sensitivities and to make it broadly acceptable to the WIPO membership at large. The Delegation hoped that the proposal would be adopted by the Assemblies that day, taking into account the urgency of the matter and the extraordinary situation.
7. The Delegation of Japan said that the Government of Japan wished to show solidarity with Ukraine and stated that the Russian Federation’s recent invasion of Ukraine was an attempt to change unilaterally the *status-quo* by force and had consequences for IP. The invasion had seriously affected Ukraine’s capacity to create IP by negatively affecting its relevant infrastructure, innovation, and creativity sectors. In addition, the invasion had prevented Ukrainian colleagues from fully participating in several WIPO meetings. The Delegation stated that Japan stood with the people of Ukraine and believed that the proposal proved that WIPO was capable of taking action to assist Ukraine.
8. The Delegation of Lithuania endorsed the arguments supporting Agenda Item 19 delivered by the Delegation of Ukraine on behalf of 53 WIPO Member States, and aligned itself with the statement delivered on behalf of the European Union and its member states. The Delegation stated that the decision on Assistance and Support for Ukraine’s Innovation and Creativity Sector and Intellectual Property System was of extreme importance as the ongoing war destroyed cultural heritage, IP infrastructures and the overall innovation eco‑system. As the inclusion of item 19 on the agenda had gained significant support of a majority of delegations, the Delegation believed in a joint commitment of Member States to address IP relevant implications of the war in Ukraine while the nation defended itself.
9. The Delegation of Georgia, speaking in its national capacity, aligned itself with the statement delivered by the Delegation of Ukraine. The Delegation stated its great concern over the ongoing situation in Ukraine and the resulting loss of human life, and the impact on the IP system of Ukraine as well as its educational, cultural institutions, small and medium-sized enterprises (SMEs), and start-ups. It stressed the importance of rebuilding the innovation and creativity sector of Ukraine, including the protection of IP, copyrights, trademarks, and patents, which could not be achieved without the immediate halt of military aggression. The Delegation reiterated Georgia’s unwavering support to Ukraine’s independence, sovereignty, and territorial integrity within its internationally recognized borders.
10. The Delegation of Canada said that it was pleased to co-sponsor the proposed decision in document A/63/8 and fully aligned itself with the statement made by Ukraine. The Delegation welcomed the proposal, which served an urgent need at an urgent time and would additionally align WIPO’s actions with UN agencies around the world. The Delegation was pleased that WIPO had the mandate, governance structure, infrastructure, and capacity to oversee the initiative in a clear and transparent manner. Canada looked forward to working with Member States towards achieving the objectives outlined in the proposed decision.
11. The Delegation of the Russian Federation recalled that the introduction of Agenda Item 19 did not receive universal support and that over half of the Member States were not in favor of discussing the agenda item. The Delegation drew attention to the procedural aspects of the text, stating that the proposal was presented on July 11, 2022, which, in its opinion, did not allow delegations the time to carefully study and develop the proposals at a national level. Additionally, the Delegation stated that the form of the document indicated that the proposal was a political declaration, which contained assessments and comments that went beyond the framework of WIPO. It observed that the practice of WIPO did not include the adoption of this kind of document as a matter of principle. The Delegation stated that it was in favor of the strict observance of WIPO’s mandate as an independent agency of the UN system, and in the work of the governing bodies and the Organization as a whole. The Delegation was forced to note that the proposal, under the guise of technical assistance, looked at a number of issues that went beyond the terms of reference of WIPO concerning, in particular, the topic of the sovereignty of States and internationally recognized borders, among other things. It believed that the initiative was not worked through properly in terms of substantive content and financial implications. The draft had not been submitted to the relevant bodies of WIPO for consideration for which the initiators of the proposal had time to do. Many other Member States, as demonstrated by the discussion on the first day of the Assemblies, had a clear lack of understanding of the implementation and justification of the discussion of the topic at the Assemblies. Its Delegation was not surprised by the subjective approaches used when the consultations were held, and believed that the consultations should have been comprehensive in nature and their results should have been communicated upfront. The Delegation stated that it was not clear why the Assemblies were asked to focus their efforts on one specific country at a time when the pandemic and economic upheaval were having an impact on many countries that required assistance from the Organization. This was demonstrated by the discussions in the past year during the PBC when COVID-19’s impact on the work of the PBC for the next biennium were discussed. The Delegation stated that while some delegations referred to the urgent nature of the need to take measures, Member States could not forget that the established formats for technical assistance of WIPO did not envision any urgent nature as they had to go through a number of procedural steps, which included national legislation to bring it in line with procedure. The Delegation recalled that the task ahead was important which was, namely, to achieve the Sustainable Development Goals (SDGs), as the pandemic had caused little progress in their attainment. All the resources of WIPO must be used to address the tasks that faced the Member States within WIPO’s mandate and in accordance with the established rules of its work to provide technical assistance. The Delegation felt that following the outcome of the discussion, Member States needed to listen to countries who spoke in favor of the need for WIPO to provide technical assistance – first and foremost to the least developed countries (LDCs) and developing countries, but also to States that had faced other crisis situations, such as natural disasters and consequences of climate change. The Delegation was of the view that it was critically important to support those who suggested expanding the list of beneficiaries of technical assistance in connection with the comments that the Delegation had proposed. Additionally, it pointed out that there was not yet a proposed text of the draft decision on the agenda item.
12. The Delegation of the United Kingdom echoed the comments made by the Delegation of the United States of America, and thanked the Chair for her handling of the issue, including the procedural issues mentioned by the Delegation of the Russian Federation during the first day’s session. The Delegation called on fellow Member States to commit to supporting IP and innovation systems in vulnerable countries and to deliver on that commitment through agreeing to the proposal at hand, which was focused on targeted, technical assistance that was urgently needed by the innovation and creative sectors in Ukraine. The Delegation of the United Kingdom expressed its full support for the statement delivered by the Delegation of Ukraine on behalf of the 53 co-sponsors, on the Assistance and Support for Ukraine’s Innovation and Creativity Sector and Intellectual Property System, as contained in document A/63/8. The intent of this proposal was to respond to an unfolding disaster and ensure that Ukraine’s innovation community receives the support that it so urgently needed as soon as possible. The Delegation stated that the proposal was specific to the needs of Ukraine, at a critical time. The Delegation recalled that WIPO was mandated to enable innovation and creativity for the benefit of all, including by supporting the effective protection of IP around the world. WIPO existed to develop a balanced and accessible international intellectual property system, which rewarded creativity, stimulated innovation and contributed to economic development. The Delegation noted that the invasion of Ukraine was having a profound impact on the ability of Ukrainian citizens and businesses to benefit from the global IP system. Attacks on the systems and infrastructure, which enabled creativity and economic development, were incompatible with the spirit of WIPO. It observed that before the invasion, Ukraine was a regional Science and Technology powerhouse. The technology sector accounted for 4 per cent of the country’s Gross Domestic Product (GDP) and Ukraine was home to around 5,000 information technology (IT) companies and 285,000 IT specialists. Science and Technology had already played a role in boosting Ukraine’s defensive effort from international crypto donations, to companies like Uber and AirBnB using their platforms to help those forced to flee violence. The sector would also be vital to Ukraine’s long-term resilience and recovery and would be a platform on which, Ukraine can rebound - providing jobs, attracting investment and developing next‑generation technology. The Delegation recognized the importance of the science and technology sector, supported by the international IP ecosystem, and the role WIPO and individual Member States could play. Since March, for Ukrainian customers and rights holders, the UK IP Office had used the maximum flexibility available in law to consider requests for extensions of time, reinstatements and restorations. The United Kingdom had also recognized that communications were difficult, and in some cases impossible, at present in Ukraine. The United Kingdom continued to send all of its communications electronically when possible, and for customers where they only held a postal address they were arranging an alternative method of communication when those customers would be able and ready to contact them. The Government of the United Kingdom had also announced a further package of measures in late June. For example, more than 130 Ukrainian academics were supported under the ‘Researchers at Risk’ program, which was launched in March. A total of GBP 12.8 million would allow the program to expand significantly to meet demand. The Researchers at Risk scheme enabled Ukrainian academics to continue their research, helping Ukraine to preserve its research and innovation ecosystem. Its Delegation believed that this would enable the country to rebuild and prosper. The Delegation further stated that its Government also provided funding to support Ukrainian academic institutions. The project aimed to establish more than 100 long-term, sustainable partnerships to support Ukrainian institutions, students and researchers during the current conflict and beyond and 79 UK universities had already signed up to the scheme. The United Kingdom Government’s support for the ‘Re.Build’ conference, organized by the Founders Forum, was enabling the UK’s most innovative tech companies to contribute to Ukraine’s recovery in the most effective way. While the United Kingdom had made these and other efforts on a bilateral basis, it also believed that in the multilateral space, there were positive actions that WIPO could undertake to support the innovation landscape in Ukraine. Examples of such actions were clearly set out in the statement by the Delegation of Ukraine and in the proposal in document A/63/8, which it supported and co‑sponsored. The Delegation recalled that the UNGA Resolution of March 2, 2022, urged the immediate peaceful resolution of the conflict in Ukraine and called on Member States and international organizations to play their part. Accordingly, a majority of international organizations, including specialized agencies, convened discussions on the impacts of the war, and taken decisions in support of the de‑escalation of the conflict and rebuilding of key sectors of Ukraine’s economy. It therefore encouraged WIPO to also make its unique contribution to this global effort. The Delegation regretted that procedural attempts, including calling a vote, were deployed earlier in the session to prevent a discussion on the matter, and its Delegation welcomed that these attempts had been overcome. It called on all Member States to commit to supporting IP and innovation systems in vulnerable countries and deliver that commitment through agreeing to the proposal in document A/63/8 focusing on targeted technical assistance that was urgently needed in, and required by, Ukraine.
13. The Delegation of Monaco expressed its full support for the statement delivered by Ukraine on behalf of the co-sponsors of document A/63/8 and stated that Member States were facing an exceptional situation and a conflict that had destroyed most of the essential infrastructure of Ukraine, including the innovation and creativity sector, among others. The Delegation stated that at WIPO, they were responding to the March 2, 2022, UNGA request and believed that it was important to act and that it was fully within the Organization’s remit. The Delegation hoped the decision would be adopted and did not believe that it would cause any harm to WIPO’s technical assistance program, including post COVID-19 activities and requests that might be received from other States facing equally dramatic and exceptional circumstances.
14. The Delegation of France aligned itself with the statement delivered by the Delegations of Ukraine and the Czech Republic, and supported the comments from the Delegations of the United Kingdom and Monaco. The Delegation stated that Member States were facing an ongoing invasion and that the Minister of Foreign Affairs of the Russian Federation had said that day that its military objectives in Ukraine would no longer be restricted to the east of the country but to a series of other parts of the country, so it was not just talking about the People’s Republic of Donetsk and Luhansk, but other areas of the country, which was an ongoing and determined process. The Delegation stated that WIPO was not in isolation from the rest of the international system, and as one of the UN agencies, like so many other UN agencies, it was expected to follow the UNGA resolutions when they applied to all international organizations – which were requested to try to deal with the consequences of this damaging invasion. The Delegation stated that the internationally recognized borders and sovereignty of Ukraine had been violated by the Russian Federation and that it was important for the protection of the IP system to take that into account. It stated that apart from all the damage that was being inflicted on Ukraine, the co‑sponsors had fully respected the procedures of WIPO for submitting draft proposals, and that the proposal was submitted within the timeframe established. Therefore, the Russian Federation’s procedural arguments did not seem credible as the co‑sponsors had a fully appropriate decision that would not prevent other countries that might also require WIPO’s assistance from requesting it and adapting WIPO’s policies to the required situation.
15. The Delegation of Nicaragua believed that any assistance provided by WIPO should not be politically motivated and should be in the normal cooperation between States. It stated that the global health crisis and climate crisis were currently being faced by and were affecting certain countries and therefore, many countries needed legal, financial, and technical assistance to develop their IP systems. The Delegation believed that technical assistance should be requested by countries that required it and it underscored that this body should promote a genuine spirit of cooperation in order to protect creativity and invention all over the world on a level playing field.
16. The Delegation of Belarus stated that it was against the artificial politicization in bad faith of the work of WIPO. The Delegation stated the Assemblies must remain equal and take into account all of the needs of Member States of the Organization, otherwise, it believed, WIPO could turn into a politicized platform. The Delegation reiterated that in addition to Ukraine, there were many countries affected by humanitarian disasters, war, conflicts, and economic crises, which also required support. It believed that the proposal created unequal conditions and discriminated among States that required assistance and gave preference to one country. The proposal was an abuse of the international platform of WIPO and it needed to be fine-tuned and re-worked entirely – especially regarding the removal of the political declarations. The Delegation believed that the text needed to take into account the needs of other Member States and interested countries that required assistance, and it was convinced that there was no need to take such an artificial decision to provide support to Ukraine. The Delegation had no basis to believe that WIPO would not provide Ukraine or any other State assistance if there was a request to do so and called upon Member States not to get stuck in a stalemate and to refrain from extreme measures. The Delegation noted that, in view of the previous interventions, it would be sufficient and reasonable for the decision of the Assemblies to be “to implement technical assistance, legal assistance, capacity building and other assistance for Ukraine and other Member States as appropriate and as required”.
17. The Delegation of the Republic of Korea stated that as a co-sponsor, it supported the adoption of the proposal contained in document A/63/8 co-sponsored by 53 Member States. The Delegation stated that innovation was the driving force for economic crisis recovery and that IP was a motivator for innovation, and was increasingly important. The Delegation emphasized the need to enable innovation and creativity for the benefit of all. The Delegation recalled that in the general statements on the first two days of the Assemblies, a number of Member States had recognized the necessity of technical assistance of WIPO in favor of a Member State in need in general and, Ukraine in particular. In this context, and given the urgency of the matter, the Delegation stated that the proposed WIPO technical assistance to Ukraine was fully in line with WIPO’s mandate, as stipulated in the WIPO Convention, and would meet the needs of Member States in dire need – maintaining the relevance of WIPO. The Delegation reiterated that the decision was of great urgency and necessity considering the current situation in Ukraine and reiterated its support for the adoption of the proposed decision and looked forward to other Member States doing the same.
18. The Delegation of Venezuela (Bolivarian Republic of) expressed support for assistance and support of innovation and creativity sectors and IP systems in all WIPO Member States, particularly in those IP systems facing conflict, emerging economies or other crises of various kinds including those suffered by Venezuela (Bolivarian Republic of) due to unilateral coercive measures. The Delegation noted that the UN System had made resolutions on that as well. It stated that the proposal was received two days prior to the opening of the Assemblies and, in its view, was an attempt to politicize the work of WIPO and went beyond the technical remit of WIPO. The Delegation said that it was not sure whether any consultations were carried out to ensure that the text was balanced or inclusive.
19. The Delegation of Iran (Islamic Republic of) stated that it was encouraged and moved to see that delegations were thinking of ways and methods to instruct WIPO to provide help and assistance to countries’ innovation and creative sectors that had suffered from extraordinary situations like war, natural disasters, pandemics, and unilateral coercive measures. The Delegation observed that this was a good start and it supported such initiatives, but it was against the politicization of specialized UN agencies. Member States should build upon the proposal and discuss it to transform it into a comprehensive and constructive document to benefit all countries in need. The Delegation did not believe that there was the time to do so at the current moment, and noted that all it had received was a short document in a short period of time; its Delegation therefore could not support the proposal contained in the document at the present time. The Delegation believed in working together to expand the content of the document to provide assistance and help to the creativity and innovation sector of all countries who were suffering from extraordinary situations, in which it wanted to include a clear reference to unilateral coercive measures that had hindered the innovation of certain Member States including Iran (Islamic Republic of).
20. The Delegation of the Syrian Arab Republic stated that its Delegation had always shown its interest in promoting IP for development – especially in developing countries and LDCs. The Delegation stated that the pandemic’s consequences, which had hindered development, and unilateral coercive measures, which had impacted millions of people, had not allowed for any promotion of economic activity. The Delegation called for balanced and comprehensive help for those countries that had been affected by the unilateral measures by providing them with expertise, and helping them in capacity building and developing of their IP systems. Assistance should not be limited to one country, because doing so was contrary to the practices that WIPO was accustomed to and would lead to unacceptable politicization of the Organization.
21. The Delegation of Bolivia (Plurinational State of) believed that the nature of the meeting and WIPO was technical, and it disagreed with any attempt to politicize the issues being discussed in the Assemblies, which had led to unnecessary confrontation. The Delegation agreed with the delegations that said that technical assistance should be provided to all Member States according to the procedures established in the Organization, and noted that many countries were facing situations of war, conflict, and crisis linked to the pandemic, climate change, and others. It noted that those issues had never been mentioned before, specifically in WIPO, and added that there is a need to consolidate a balanced intellectual property system for the inclusive and constructive development of all nations.
22. The Delegation of New Zealand aligned itself with the statement made by the Delegation of Ukraine, stating that the Russian Federation's unprovoked attack on Ukraine had negatively impacted the innovation, creativity, and cultural environment in Ukraine and that its actions had undermined the principles that brought the Assemblies together. New Zealand stood with the international community in condemning the war against Ukraine, which had already had very real implications for global peace, security, and economic stability. There had been credible reports of targeted Russian bombardment of Ukrainian cultural infrastructure as well as reports of the suppression of Ukrainian cultural identity in areas of Ukraine occupied by Russian military. In that context, and as co-sponsor of the proposal, the Delegation called on the other Member States to join it in supporting the request to support Ukraine's innovation and creativity sector and the IP system.
23. The Delegation of Zimbabwe thanked the proponents of the proposal at a critical moment of global setbacks in health, climate change, military tensions, food shortages, and other challenges that had disproportionately and negatively impacted developing countries. The Delegation said that, as it had stated under Agenda Item 2, it was of the view that any special technical assistance for countries in emergency situations should be considered for all countries that were in dire need of such technical assistance to create resilience in IP systems. It pointed out that for over two decades, Zimbabwe had suffered inordinate economic, social and humanitarian ordeals as a result of unilateral coercive measures caused by some proponents of the proposal. The Delegation stated that the imposition of unilateral coercive measures were a flagrant violation of human rights according to Human Rights Council Resolution 27/21. It explained that according to the resolution, unilateral coercive measures were contrary to international law and international humanitarian law, the UN Charter, and the norms and principles governing peaceful relations amongst States and it highlighted that in the long-term, these measures resulted in socio-economic problems and raised humanitarian challenges in targeted States. The Delegation expressed its view that the illegal economic sanctions must be lifted as they undermine the IP ecosystem of Zimbabwe. It was important to respect the efforts, purpose, and objectives of WIPO, and to avoid any attempts to politicize issues within this technical Organization. The Delegation urged constructive discussion on creating harmonious, depoliticized, non-discriminatory interventions for countries in dire need of IP resilience, mechanisms and interventions.
24. The Delegation of China noted that some delegations had mentioned that it was desirable to expand the list of beneficiaries so that more developing countries, especially LDCs, would benefit, and added that resolving the concerns of countries suffering from unilateral sanctions measures and other problems was of great significance. It stated that these questions deserved Member States’ in-depth reflection and hoped that all parties would demonstrate the most sincerity and good faith, avoid politicization, and work hard to bridge divisions and reach consensus. The Delegation emphasized that Member States should do their utmost to deal with this question on the basis of consensus.
25. The Delegation of the Democratic People’s Republic of Korea said that the proposal submitted by Ukraine and its co-sponsors under Agenda Item 19 was seeking biased and unilateral treatment while constituting double standards. The Delegation stated that WIPO should support all Member States in crisis rather than just one country to ensure the proposal was reasonable and unbiased.
26. The Delegation of Estonia aligned itself with the statement made by the Delegation of the Czech Republic on behalf of the European Union. The Delegation stated that the proposal had been presented well in advance of the deliberations and the proponents had duly respected all procedural requirements and enough time had been allowed for each delegation to read it in full. The Delegation found it very important for WIPO, as an international organization, to support all its members with solidarity such as by providing the urgently needed assistance to Ukraine. The Delegation believed in and supported Agenda Item 19’s adoption in its entirety, and looked forward to a constructive approach by Member States.
27. The Delegation of Switzerland stated that, together with 52 Member States, it had decided to co-sponsor the decision proposed to the Assemblies to provide technical assistance and support to the creative sector and IP system of Ukraine. The support was vital in order to address the damage caused to the innovation and creative sector of Ukraine, in particular universities and research institutions, cultural institutions, and both public bodies in charge of protecting and ensuring compliance with IP. The Delegation noted that technical assistance was required not only in keeping with WIPO's mandate, but it was also vital because it sought to promote the protection of IP throughout the world. The Delegation stated that as Switzerland was the host country of WIPO, it attached great importance to multilateral collaboration and added that assistance was needed in the current time, and was supported by many countries, which demonstrated the essentialness of multilateral collaboration and solidarity. Consequently, Switzerland supported the decision proposed, and was ready to work with other Member States and the Secretariat to allow for adoption of the document. Following the comments made by the Russian Delegation, its Delegation desired to focus on the fact that the nature of the proposal was in no way political, but technical. The proposal asked the Secretariat to provide technical assistance to assess the damage caused to the creativity and innovation sector and the IP ecosystem, which was related to the technical management of WIPO. The Delegation explained that the proposal was not asking to reduce financial means already available to provide technical assistance to the LDCs or developing countries and countries in transition. Recalling Switzerland’s support for projects within the CDIP, the Delegation emphasized its bilateral engagements in technical cooperation projects in the field of IP with developing countries and countries in transition in Africa, Asia, Latin America, and in Southern Europe. With the proposal to support Ukraine, the Delegation stated that it was adding another partner to the long list of operations. Every cooperation project must address the challenges facing a country, and it was therefore important to bear in mind that challenges differed from one country to the next, thus requiring a nuanced approach. The Delegation stated that Switzerland remained ready to discuss, at a bilateral or multilateral level, opportunities with any interested stakeholder to explore cooperation.
28. The Delegation of Sweden expressed its full support for the statements delivered by the Delegations of Ukraine, and by the Czech Republic on behalf of the European Union and its member states. The Delegation stated that the war in Ukraine had destroyed most of the creative sectors in the country and added that its Delegation was responding to the call of the UN and of Ukraine. It noted that delivering targeted and technical assistance was fully within the mandate of WIPO. In the Delegation’s opinion the decision would make WIPO more relevant, not less, for countries in urgent need, and that Ukraine was in urgent need of assistance for its creative sectors and IP structures. The Delegation declared its aim for a responsive and quick reaction to the urgent situation and hoped for prompt adoption of this important decision.
29. The Delegation of Australia stated that as a co-sponsor, it supported the adoption of the proposal, which would provide urgent technical and financial assistance to support Ukraine’s IP system. The Delegation urged all members to adopt the resolution as submitted given the significant damage inflicted to Ukraine’s innovation, creativity, and IP sector directly caused by the unprovoked, unjust, and illegal invasion of Ukraine.
30. The Delegation of Latvia expressed its support for the statement delivered by Ukraine and the European Union, on the proposal for assistance and support for Ukraine’s innovative and creative sector and IP system. The Delegation stated that it was very clear that that the Russian Federation was waging an unjustified and illegal war against Ukraine, which had resulted in unimaginable destruction and had a negative impact on the whole of Europe and potentially the world, adding that many IP offices could see the impact in their daily work. The Delegation stated that as the war was heavily influencing the IP systems in Ukraine, it was its strong belief that concrete technical actions had to be taken by the top governing bodies of WIPO. The Delegation urged Member States not to hide behind the idea that the proposal was purely political, but to note that it addressed consequences of the war, and therefore the response the proposal was expecting of WIPO was technical. The Delegation stated that the proposal had been presented well in advance of the deliberations and delegations had enough time to scrutinize it. Additionally, the Delegation said that all the procedural requirements were followed and asked all delegations to support the proposal.
31. The Delegation of Albania expressed its support for the statements made by the Delegation of Ukraine and the co-sponsors of the proposal. The Delegation stated that the Russian Federation's invasion of Ukraine had caused the destruction of institutional capacities and infrastructure in the country and had largely affected the IP sector and the access to knowledge, research and development as a country. The Delegation stated that WIPO, as a technical multilateral organization, was best placed to provide the timely technical assistance that was urgently needed. The Delegation declared Albania’s support for the proposal tabled according to the procedure, as well as its conviction that the approval of the text was of utmost importance - not only to assist the Ukrainian IP sector but as a strong signal of WIPO's relevance and responsibility.
32. The Delegation of Cuba stated its commitment to WIPO’s work and noted that WIPO was a technical agency. The Delegation said that it defended the right to fulfill countries’ requests for technical assistance in a balanced and inclusive way. Technical assistance was needed for all countries suffering from challenging situations restricting development, including Cuba, which had been suffering from the impact of unilateral coercive measures for over 60 years. The Delegation stated that it could not agree with the politicization of the work of the Assemblies which, it believed, was the current case, as the proposal had been introduced just two days before the beginning of the Assemblies. The Delegation reiterated the need to respect the principles of consensus‑based decision-making, which in its view, was not being attempted to be achieved in this case.
33. The Delegation of Israel expressed its support for the proposal introduced by Ukraine, noting that the severe damage to the infrastructure in Ukraine would take many years to repair. The Delegation observed that universities, schools, and hospitals needed to be rebuilt, and livelihoods and Ukraine's innovation and creativity sectors needed to be restored. In in its view, it was WIPO's role, along with Member States, to ensure that resources were made available and assessments were made to determine Ukraine's needs in the IP field. Stating that it was imperative for Ukraine's economy that Member States support the country's creativity and innovation infrastructure, the Delegation reiterated Israel’s support for the technical resolution, and called on other Member States to do the same.
34. The Delegation of Ecuador expressed its support for the proposal for assistance and support for Ukraine’s innovation and creativity sector and IP system.
35. The Delegation of Algeria speaking in its national capacity, stated that it strongly believed in multilateralism which, in its view, was an opportunity for people and nations. The Delegation also believed that the law should apply everywhere, for everyone, and that there should be no selectivity for reasons linked to geography, race, color, or other grounds. Noting that there were many needs for technical assistance in many different situations around the world relating to crises or conflicts, the Delegation called upon WIPO to step up its technical assistance to all States in line with its conviction that the mandate should apply to everyone.
36. The Delegation of Iceland expressed its support for the statement delivered by the Delegation of Ukraine and those who had taken the floor in its support. The Delegation stated that the proposal entailed the provision of urgent support and assistance to Ukraine's innovation and IP system as a whole, and was in line with actions taken in recent months by other international organizations and Geneva-based specialized agencies. The proposal did not prevent the support to other Member States in need but it was put forth under exceptional circumstances that required urgent attention.
37. The Delegation of Ukraine thanked Member States for their support of the draft decision and the needs of Ukraine. Emphasizing that the proposal was an urgent call under urgent and dramatic circumstances, the Delegation proposed the adoption of the draft decision in its entirety and urged the Assemblies to do so.
38. The Delegation of the Russian Federation underscored that the discussion had demonstrated that many countries felt it was vital to abide by the principle of inclusivity and not give preferential treatment to just one specific country. Based on the comments made by over a dozen countries, the Delegation suggested to work on a textual proposal that removed the politically motivated provisions. The Delegation pointed out that the delegations that had spoken referred to the technical mandate of WIPO, to which Member States needed to adhere. The Delegation deemed it important to focus efforts on technical assistance, legal assistance, capacity building, and other forms of assistance, to those countries facing crisis‑situations and requiring WIPO’s support. The Delegation, noting that the co-sponsors had talked about providing technical assistance to all countries in need, was of the view that the list of crisis‑situations was important. Many delegations had responded and mentioned illegitimate unilateral measures and along with several delegations, this Delegation had therefore worked on a textual proposal, and asked that it be displayed on the screen for consideration by the WIPO Assemblies.
39. The Chair said that in her understanding, the proposal of the Russian Federation was a motion to amend the proposed draft text. Noting that the initial proposal was available for consideration in all six languages she requested those delegations that needed the text in a language other than English to request that from the Secretariat. The Chair then asked the Delegation of the Russian Federation to clarify if it was making a motion to amend the initial proposal.
40. The Delegation of the Russian Federation affirmed that the Chair’s understanding was correct and that it was putting forward a request for the interested countries to discuss the proposals by consultation, as was standard practice in WIPO, in order to achieve consensus. The Delegation stated it had removed all provisions that were of a political nature, and had focused exclusively on the substantive matter of the document with regard to technical assistance, and an expanded scope of beneficiaries. It said that it had included countries that required support, based upon their request, and that priority would be given to LDCs and developing countries, including Ukraine. The Delegation felt that the list of situations requiring a swift response could be expanded upon the request of that States that suggested looking at other criteria.
41. The Delegation of the United Kingdom stated that from a cursory reading and looking at a mass of red-lined text, what the Delegation of the Russian Federation was proposing was not an amendment, in any genuine sense of the word, but rather a new proposal. The Delegation stated the text proposed would leave the text completely unrelated to the agenda item, which was all about Ukraine and which was the agenda item that had been agreed upon. It stated if the Delegation of the Russian Federation wanted to put forth a new proposal under a wholly new agenda item, it would be free to do so but at present, there was an agenda item and a proposed text, and the Delegation asked Member States to move to adopt it.
42. The Delegation of Monaco noted that what it could see on the screen, without even seeing the translated version, was a totally new proposal on a totally different subject than that which was covered by the agenda item. It stated that if the Delegation of the Russian Federation wished to hold consultations on the new text then it would have to add a new agenda item in order to discuss technical assistance following the COVID-19 pandemic. The Delegation was of the view that the amendments were not relevant to the agenda item under discussion.
43. The Delegation of the United States of America stated that it opposed the proposal by the Delegation of the Russian Federation, which went far beyond simply amending the text but took the entire proposal out of context and fundamentally changed its purpose. The Delegation said that technical assistance to other Member States should be introduced in a subsequent meeting as a different agenda item. It recalled that paragraph 15 of UNGA Resolution A/Res/ES-11/1, passed on March 2, 2022, with 141 Member States voting in favor, welcomed and urged the continued efforts by the Secretary-General, Member States, the Organization for Security and Cooperation in Europe and other international and regional organizations to support the de‑escalation of the current situation, as well as the efforts of the UN, including of the UN Crisis Coordinator for Ukraine, to respond to the humanitarian and refugee crisis that the aggression by the Russian Federation had created. The Delegation pointed out that the proposal circulated under document A/63/8, was drafted in response to the call for action in the UNGA Resolution, and specifically addressed the urgent need for the Assemblies to address the impact of the Russian aggression in Ukraine and its effect on Ukraine's innovation and creativity sector and IP system. The Delegation noted that the entire proposal constituted the decision, as the preambular language provided critical context for the operative paragraphs by explaining the urgency and necessity. In its view, the text proposed by the Delegation of the Russian Federation was neither constructive nor made in good faith, but simply a tactic to delay consideration of the proposal contained in document A/63/8, and to further bog down the Assemblies. It was a blatant attempt to remove any association of the Russian Federation’s aggression with the need for this proposal, and to hinder the urgent delivery of needed assistance to Ukraine's creativity and innovation sector affected by the aggression. For these reasons, the Delegation declared that it did not support the proposal by the Delegation of the Russian Federation, and saw no reason to further delay adoption of the initial proposal. The Delegation said that the time was limited and there were many other agenda items to cover before the end of the week. The Delegation of the Russian Federation, in making its proposal, was not only holding up this agenda item but also others that were still open and required decisions. The Delegation encouraged moving forward with the item in order to address other matters on the Assemblies’ agenda.
44. The Delegation of Denmark stated that it rejected entirely the suggested amendments, as they were clearly a new text. It wished to stress that not one among the co‑sponsors had said that they would not want to discuss the broader issue brought up by the Delegation of the Russian Federation and other delegations, but that it was a separate issue. The Delegation requested that the proposal should not be hijacked by other issues, and suggested that a proposal or other text from the Delegation of the Russian Federation or any others could be looked at another time.
45. The Delegation of Austria said that as all the other delegations that had spoken before it, it was opposed to the amendments presented by the Delegation of the Russian Federation. The Delegation was of the view that the agenda item clearly stated that the item under discussion was on the assistance and support for Ukraine’s innovation and creativity sector, IP system, and the text proposed by the Russian Delegation constituted an entirely new proposal, as pointed out by other delegations. The Delegation was further of the view, that there was plenty of practice of international organizations regarding what was considered a proposal or an amendment, and that this constitutes part of customary international law, which needed to be taken into account in the interpretation of the amendment with the rules of procedure of this body. The Delegation therefore reaffirmed its opposition to the amendment. It noted that it had seen on the field that the Russian Federation did not consider itself obliged to comply with the principles, purpose and objectives enshrined in the UN charter and that the population of Ukraine was thus suffering every day. The Delegation remarked that the proposal by the Delegation of the Russian Federation to even strike out that very line from that draft resolution showed how far this discussion had come. The Delegation stated that the discussion was unprecedented to it, and probably to many other experienced diplomats in the room as well.
46. The Delegation of Venezuela (Bolivarian Republic of) thanked the Delegation of the Russian Federation for trying to respond to the concerns expressed by delegations, including its Delegation. The Delegation stated that in its understanding the discussion that had taken place on the first day of the Assemblies, when Member States discussed the inclusion of Agenda Item 19 on the Draft Consolidated Agenda, underscored that the initial proposal was political. According to the Delegation’s understanding, the Delegation of the Russian Federation had attempted to take out all political text and leave the technical substance of the text. The Delegation said that the proposal explicitly referred to Ukraine, which was in the title of the text, and that it would be wise to listen to the request for consultations, in which it would be interested in participating.
47. The Delegation of Japan echoed the statements by the Delegations of the United Kingdom, Monaco, and the United States of America and stated that the amendment presented by the Delegation of the Russian Federation was a new proposal, beyond the scope of the agenda item that was adopted last week, and was thus irrelevant.
48. The Delegation of Nicaragua stated its agreement with the Delegation of the Russian Federation’s proposal, which it believed avoided the politicization of document A/63/8, that the Delegation believed was made in bad faith and went beyond the mandate of WIPO. The Delegation stated that technical assistance provided by WIPO should be inclusive for all Member States facing emergencies, and added that it would be open to informal consultations to discuss the amendments to the text that were proposed.
49. The Chair stated that a number of delegations had stated their willingness to engage in a broader topic but that there was clear opposition to the amendments proposed by the Delegation of the Russian Federation. The Chair then asked the delegations whether they were requesting to proceed with a vote on the amendments proposed by the Delegation of the Russian Federation.
50. The Delegation of Monaco requested a clarification from the Deputy Legal Counsel as the agenda item at hand was very specific and the proposal received from the Delegation of the Russian Federation did not correspond to the agenda item. In the Delegation’s view, there was no point in discussing the amendments, if the Delegation of the Russian Federation wished to propose the addition of an agenda item on technical assistance in a broader sense following the COVID-19 pandemic, that could be discussed at another time. The Delegation was not of the view that the amendment should be considered, and that consideration should be turned directly to the text that had already been proposed by the co-sponsors.
51. The Chair asked the Deputy Legal Counsel to respond to the question posed by the Delegation of Monaco and added that she had heard very clear opposition to the amendments proposed by the Russian Federation. The Chair reiterated her request to the Delegation of the Russian Federation to make clear its decision on whether it was withdrawing its proposal to amend the proposed decision contained in document A/63/8, or making a specific request to put the amendments to a vote.
52. The Deputy Legal Counsel, responding to the question raised by the Delegation of Monaco as to whether the scope of agenda item 19 allowed for the discussion of the amended proposal, noted that the agenda had been established and adopted by the Assemblies to guide their discussions and to present items for deliberation and eventual action, as appropriate. Therefore, the Deputy Legal Counsel stated that it was a matter for Member States to arrange their discussions, under the general powers of the Chair, as prescribed by Rule 13 of the WIPO General Rules of Procedure, to the subject matter under debate.
53. The Delegation of Germany, stating its opposition to the new proposal, doubted that one could speak of amendments, as this was a completely new item introduced by the Delegation of the Russian Federation. The Delegation wondered whether delegations would be able to vote on the new proposal as there was actually no agenda item under which the proposal could be dealt with at this time. The Delegation further stated that the body was still discussing under agenda item 19, and that it did not recognize the totally new proposal as amendments.
54. The Delegation of the Russian Federation, recalling the principles of inclusivity and the need to take an interest in all Member States of the Organization, stated that in addition to the co‑sponsors of the proposal, a number of other delegations had spoken out as well. Additionally, the Delegation pointed out that it was not trying to push anything through but was looking for a solution that would suit all. It recalled its right to a response with regard to the comments made by several delegations, and added that humanitarian assistance was something that WIPO did not do and it was therefore irrelevant here. The Delegation stated that among the countries insisting that technical assistance be provided, one should note that the amended text contained those provisions. The Delegation mentioned that many delegations had stated the need to include a broader list of beneficiaries and that Ukraine was specifically named in the document. Some countries had made comments to refrain from the consideration of the amendments, which it believed was proof of the aims to artificially politicize the work of WIPO, which those delegations had done by putting forward the proposal. The Delegation drew attention to the Rules of Procedure, which stated that, any delegation in a written or oral form, could present a proposal to make amendments to a draft or any other proposal to the Assembly, and therefore its proposal was submitted orally and in writing. The Delegation recalled that there had been statements by several delegations explaining in detail why they were talking about amendments specifically. Stating its desire to achieve consensus, the Delegation said that it wanted to prevent the politicization of the work of WIPO and suggested that focus should be on technical assistance.
55. The Delegation of Zimbabwe welcomed the proposals by the Russian Federation based on the concern that it had mentioned earlier regarding unfair and unequal application of the original proposal. In its view, the amendments provided a constructive approach that could be a basis on which to begin the informal discussions that had been mentioned earlier by the Delegation of the Russian Federation. The Delegation stated that Rule 21(1) of the WIPO General Rules of Procedure specifically allowed a delegation to propose amendments orally and in writing, and observed that the Delegation of the Russian Federation had done so in accordance with the rules. The Delegation therefore believed that the new proposal had to be discussed based on the initial proposal made by the proponents. The argument that this was a new proposal had no standing. The Delegation argued that there was no threshold in the General Rules of Procedure about the extent of amendments that would or would not qualify as a new proposal – regardless of whether it was a 90 per cent amendment or 99 per cent amendment – and advised that the delegations needed to proceed to consider the new proposal.
56. The Delegation of Lithuania echoed the countries that said that the amendments constituted completely new content, which had nothing to do with Ukraine, and its Delegation was not against discussing it in a separate agenda item.
57. The Delegation of the Syrian Arab Republic expressed its support for the statement made by the Delegation of the Russian Federation and supported that any assistance be provided to all members in cases of emergency. It therefore stated its Delegation’s willingness to go into informal discussions.
58. The Delegation of Luxembourg stated that it was puzzled, as what was projected on the screen was a completely different and new proposal with new content that had nothing to do with the scope of Agenda Item 19. Instead, delegations should discuss the proposal of the co‑sponsors, which was a response to an unprecedented crisis of an unjustified and illegal war of aggression against a Member State of WIPO. The Delegation explained that the intent of the proposal was to ensure that Ukraine and its innovation community received technical assistance as soon as possible. The Delegation stated that the new proposal should not be discussed as that would cause the loss of precious time. The Delegation added that all members were welcome, in cases of urgent need and in line with the WIPO Rules of Procedure, to put forward proposals for WIPO’s technical assistance, which its Delegation was open to consider.
59. The Delegation of China stated that China had always believed that WIPO’s work should benefit all countries, especially despairing countries, to resolve the concerns of countries suffering from unilateral sanctions measures. The Delegation believed the amendments by the Delegation of the Russian Federation had demonstrated positive efforts and should be considered. China had always opposed the politicization of technical issues. As a technical and specialized agency, WIPO should focus on its key mandate. The Delegation hoped that all parties could avoid political confrontation.
60. The Delegation of Iran (Islamic Republic of) believed the modifications provided by the Delegation of the Russian Federation provided a good basis for possible agreement. Its Delegation was ready to engage in informal discussions to discuss the new modifications, which to them were basically the same thing and served the same purpose: to focus on providing support to countries in need, including Ukraine. The Delegation observed that this was flexibility on the part of the Delegation of the Russian Federation and a good basis. The Delegation had listened to different interventions from various delegations and wished to remind all that this was not the Security Council or the General Assembly of the UN but the Assemblies of WIPO, where delegations were dealing with technical and specialized issues and were not discussing the causes of wars or other aspects of international political issues. If the text were simply to deal with the provision of technical assistance to one country, it should be done through the normal procedures of WIPO, that is, it should go through the PBC or CDIP and could be materialized without all the farce, difficulties, and complications. The Delegation believed that the amendments proposed by the Delegation of the Russian Federation could be discussed in informal consultations and could be a basis for an emerging agreement.
61. The Delegation of Bolivia (Plurinational State of) believed that it was constructive to discuss any proposal that attempted to avoid politicization of technical issues within the Organization and tried to respond to the needs of Member States.
62. The Chair requested a break in order to consult with delegations to determine a way forward.
63. Returning after the break, the Chair reopened the floor for further debate on Agenda Item 19. She announced that, having consulted with colleagues from the Secretariat and the Office of the Legal Counsel, and after having listened to the statements made by delegations in the past two-and-a-half hours, it was clear that there was no consensus as to whether the amendments proposed by the Delegation of the Russian Federation were indeed amendments, or a new proposal, or a request to add a new item on the agenda . The Chair regretted that there was disagreement, and asked the Delegation of the Russian Federation to clarify whether in presenting its amendments to the initial proposal it was asking for a motion to amend the initial proposal and therefore a call for a vote on the amendments or whether the Delegation of the Russian Federation disassociated itself from consensus regarding the initial proposal as contained in the Annex to document A/63/8. The Chair observed that if there was no explicit objection, she wished to propose the adoption of the initial proposal by consensus and asked for a reaction from the Russian Federation.
64. The Delegation of the Russian Federation stated that the meeting had been going on for over two hours because the proposal itself was made of a spurious nature with a number of politically motivated provisions. The Delegation stated that there was no consensus on the initial proposal and there could not be consensus, and as many delegations had said, the proposal should not be addressed. The issue was not just relevant to its Delegation, but recalled that 10 other delegations had also made comments on the initial proposal that was supported by 53 countries. The Delegation recalled that WIPO had 193 Member States and therefore speaking about consensus on text was not possible. With regard to the amendments put forward by its Delegation, it clarified that they were amendments to the text and the Rules of Procedure did not limit in any way the volume or minimum length of amendments made. The Delegation observed that there had been calls by countries for inclusivity and to take into account the interests of all countries and the need to provide technical assistance to countries that truly needed such assistance. The proposal provided such a category of countries, and that Ukraine was specifically mentioned. Its amendments had a specific purpose, which was to find consensus and take into account the interests of all groups. The Delegation said that it was not possible to call its amendments a different proposal because it was talking about the same goal and substance, which was the aim of providing technical assistance, and so in its opinion, it had put forward amendments.
65. Reacting to the statement by the Delegation of the Russian Federation, the Chair stated that her question was more specific and not related to content or process. She pointed out that her earlier question was not whether this body was debating a proposal or a separate item or amendments tabled by the Delegation of the Russian Federation. The question was whether the Delegation of the Russian Federation, acknowledging that there was no consensus on the amendments among delegations, was intending to promote the amendments by way of a vote, or whether the Delegation was not moving ahead with a vote on its own amendments.
66. The Delegation of the Russian Federation said it was vital to try to find consensus, and it, along with other countries, had proposed to convene informal consultations, which was a standard practice in the Organization. Its Delegation needed to find a mutually acceptable approach and that additional consultations would help with the quest for compromise for which there was still time.
67. The Delegation of Zimbabwe sought clarity on the procedures being used. The Delegation’s understanding was that a proposed amendment had been presented by the Delegation of the Russian Federation in accordance with the practice that was normally adopted in WIPO, that the Delegation sought to find consensus, and one method to do so was through informal consultations. The Delegation stated that the Delegation of the Russian Federation had specifically requested informal consultations, but that the request did not seem to be taken into consideration, and its Delegation requested clarification on whether it was a new practice that when there was no consensus, Member States would proceed directly to a vote. The Delegation also wondered why this same approach had not been applied to other discussions such as the Design Law Treaty (DLT) and the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), during which there had been informal consultations on that same day.
68. The Delegation of Belarus recalled that decisions were adopted by consensus in WIPO and that the first proposal contained many politicized and confrontational points. In the Delegation’s view, the amendment of the Delegation of the Russian Federation, in consultation with other countries, seemed to “have legs”, so to speak. Its Delegation expressed support for the proposal from the Delegation of the Russian Federation and other delegations to continue consultations on the agenda item and, in its view, it was not justified to go to a vote unless every single opportunity to seek consensus had been exhausted.
69. The Delegation of Venezuela (Bolivarian Republic of) apologized for taking the floor on the issue and observed that the main function of diplomacy was negotiation. The Delegation said that there was a text on which amendments were proposed, which may not be acceptable to many delegations, and logically required consultation among Member States. The Delegation agreed with what the Delegation of Zimbabwe had said and, in its view, Member States were setting a bad precedent. It pointed out that this was not the only item on the agenda, and it would not be the only time in the Organization when they would not have a consensus immediately. In its view, that was why consultations had a role and it understood that on both sides people were uncomfortable with just proceeding to a vote in that respect. Where there is a text and proposed amendments, the Delegation was of the view that both sides would appreciate further time to consider them.
70. The Delegation of Monaco reiterated its view that the Delegation of the Russian Federation had proposed a new proposal that could be considered under a new agenda item. The Delegation stated it was completely open to considering the possibility of consultations on that text and on the possibility of adding an agenda item but that it would like to complete the discussion of Agenda Item 19 and focus on the text proposed in document A/63/8 that was submitted by the Delegation of Ukraine and other co-sponsors. The Delegation wished to take a decision, if possible, by consensus on that text.
71. Responding to the request for clarification by the Delegation of Zimbabwe, the Chair explained that there had been consultations on this issue during the opening of the session when the agenda was adopted, and that debates exceeded discussions on the practical decision of including, or not, an item on the agenda. At that stage, the Chair asked for, and there were, consultations. The Chair presumed that there had also been consultations on the proposals for amendments before being presented, adding that in her understanding they were presented by a group of countries.
72. The Delegation of Nicaragua expressed its openness to informal consultations as it believed that it was a practice that helped reach consensus and would constructively enrich the discussion and benefit all members of the Organization.
73. The Delegation of Zimbabwe was of the view that, as a Member State, it had to be clear as to the procedures being adopted, and had to be satisfied that the procedures were the correct ones. The Delegation stated that it heard the Chair’s response that consultations had taken place on the opening day but its Delegation had not been a part of those consultations. The Delegation stated that its understanding was that the proposal that had just been presented by the Delegation of the Russian Federation was, in fact, a new proposal for an amendment. The amendments were not there during the opening of the Assemblies, which was why the Delegation sought clarification as to whether consultations had taken place, and if so, what had been consulted.
74. The Delegation of Slovakia stated that it could not support the holding of consultations on the proposed text by the Delegation of the Russian Federation. It hoped that in the previous discussions before the break, it had been clear that no consultations would lead to consensus on the text proposed by the Delegation of the Russian Federation.
75. The Delegation of Ukraine stated that the current discussion demonstrated that the proposal for consultations did not have the intention of achieving consensus, but had the purpose of delaying consultations and bringing the membership into confusion as to what technical assistance, and for whom, when, and why, would be provided. The Delegation said that its proposal, like many other delegations before it and co-sponsors of the resolution, was to take action on the text presented, or to take action on the amendments proposed by one delegation.
76. The Delegation of Austria aligned itself with other speakers and added that it could not support the conduct of consultations on the amendments presented by the Delegation of the Russian Federation. The Delegation was of the view that they proceed as the Chair had suggested.
77. The Delegation of the United Kingdom said it was clear that the amendments were a wholly different proposal, not intended to fulfil the mandate that was set out in the agenda item. The Delegation said that if the Delegation of the Russian Federation wished to come forward with a new proposal under a new agenda item, they could do so, but that delegations should decide whether they were going to adopt the resolution that was before the delegations by consensus, or whether the Delegation of the Russian Federation wished to call a vote on it.
78. The Delegation of Canada expressed support for the statements delivered by the Delegations of Slovakia, Monaco, Ukraine, and the United Kingdom. The Delegation said that it rejected, as many other delegations had, what was being proposed as an amendment. The Delegation noticed that what was being proposed was not relevant to the current agenda item and therefore saw no scope for consensus through any consultations.
79. The Delegation of Poland supported the statements delivered by the Delegations of Slovakia, Ukraine, Austria, Canada, and the United Kingdom, stating that it did not see the scope or room for consultations either, and that it expressed support for the idea the Chair proposed in her capacity as the Chair of the WIPO General Assembly.
80. The Delegation of France endorsed what had been said by others considering that the amendments from the Delegation of the Russian Federation were an entirely different text from the text that the co-sponsors had presented to the Assemblies. The Delegation was of the view that the amendments did not fall under the agenda item. If the Delegation of the Russia Federation wished to continue with the text that was its responsibility, but that the Delegation did not see any need to reach consensus on the basis of its amendments. The Delegation wished to move forward with the resolution as submitted by Ukraine and 52 other co-sponsors, including the European Union and France.
81. The Delegation of China recalled, as it had already stressed, that the principle of consensus was a fundamental principle of the Rules of Procedure for WIPO, which also guaranteed a healthy development of the Organization. The Delegation called for respect for that principle, and said that if during the current session consensus could not be reached, informal discussions may be engaged in for the purpose of carrying out further dialogue to narrow differences, which it believed was better than confrontation.
82. The Delegation of the Democratic People’s Republic of Korea stated that according to its understanding the proposed amendments were intended to eliminate the political factors inherent in the original proposal. Secondly, it was of the view that WIPO’s technical assistance should be inclusive and equitable to all Member States, and noted that the proposed amendment had suggested Ukraine as a beneficiary. The Delegation expressed its support for the previous speakers who had insisted on having consultations on the proposed amendments of the Delegation of the Russian Federation to achieve consensus among the Member States.
83. Regretting that she had to reiterate the same statements, the Chair stated that there was no consensus – neither on the question of whether the discussions concerned a separate item, a separate proposal, or amendments to the initial proposal, nor on the substance of the initial proposal or the proposed amendments as such. The Chair explained that she had asked several delegations for action to take a decision on both the initial proposal and the proposed amendments. Therefore, she wished to proceed as indicated in the WIPO General Rules of Procedure, which stated that when amendments to a proposal were moved, the amendments should be voted on first. The Chair stated that it was her understanding that several delegations were calling for a vote and therefore the Assemblies would proceed according to the order as indicated by the rules. The Chair announced that they would begin with a vote on the amendments and asked the Legal Counsel to present the procedure to follow for the vote.
84. The Delegation of the Russian Federation had a question, which in its view, was a relevant one, which was also being discussed quite actively as could be heard in the room. The Delegation said that it needed to know who had put which proposal to a vote, and what kind of vote would be taken. The Delegation stated that, in its view, the vote should be by secret ballot.
85. The Chair, responding to the question from the Delegation of the Russian Federation, stated that there had been several delegations who had asked for action on both the proposal and on the amendments. The Chair noted that to strictly follow the WIPO General Rules of Procedure, she asked the delegations who supported action on either the initial proposal or the proposed amendments, or who asked for action on the agenda item in general, to make statements to clarify the wish for a vote and the exact proposal on which there was to be a vote.
86. The Delegation of France stated that things were clear, 53 countries had presented a proposal and the question was whether there was consensus on the proposal. The Delegation stated that the Delegation of the Russian Federation had put forward an amendment on which there would be no consensus. The question was whether the Delegation of the Russian Federation would maintain that amendment, and if so, the consequences were known.
87. The Chair stated that, after discussion with the Deputy Legal Counsel, she wanted everyone to be clear on the fact that at the current stage, she had not heard a call for a vote. The Chair stated that if she did not hear clear calls for a vote, either from those who had proposed the initial proposal in document A/63/8, or regarding the amendments that had been presented by the Delegation of the Russian Federation, she would propose a break. She reiterated that either there were clear proposals from delegations on the action to be taken under Agenda Item 19 or she would have to adjourn discussions on the item and revert to it the following day.
88. The Delegation of Monaco stated that all of the co-sponsors who had spoken had been very clear and they had rejected the proposal, which had been presented under Agenda Item 19 by the Delegation of the Russian Federation. As the Delegation of France had said, either the Delegation of the Russian Federation maintained its amendments, and if it so decided, then there would have to be a vote. Should the Delegation of the Russian Federation withdraw the amendments and make another proposal later under another agenda item, there would then be a decision on document A/63/8.
89. The Delegation of France stated that the burden of proof, so to speak, lays with the country that made the proposal, which could clearly see that the proposal was not the subject of consensus. The Delegation stated that the Assemblies had no reason to be left hanging pointlessly because there would be no consensus on the amendment proposed by the Delegation of the Russian Federation. The Delegation suggested that either the Delegation of the Russian Federation requested a vote, which would then be held, or if it did not, there would be no consensus, which would set aside the amendment so that they could move forward with the initial proposal. According to the Delegation, the issue was very clear as that was how consensus operated. The Delegation observed that there was no reason to waste any further time of the Assemblies on the point. The Delegation stated that if there was a question about the rules of procedure, they could be consulted since they were set forth in written form.
90. The Chair adjourned the meeting and asked the delegations to reconvene at 6:30 p.m.
91. Reconvening the meeting, the Chair thanked the delegations for their patience and stated that it was quite clear that there were different understandings and interpretations as to some aspects of the procedure. She wondered if, under the circumstances, there were any delegations who wished to take the floor to make any additional comments or suggestions. Not seeing any delegations wishing to take the floor, the Chair stated that they could not proceed with a lack of understanding of all the steps that were involved, so she announced that this body would begin the next day with discussions on the Agenda Item 19 but not before discussing item 10, the Report by the External Auditor. She then asked if there were any proposals from delegations.
92. The Delegation of Algeria, speaking on behalf of the African Group, stated that at the beginning of the afternoon, there had been a call to delay item 9 concerning normative issues in order to look at the additional points on the agenda. The African Group regretted that no progress had been made, and stated that it would like to go back to the order of the agenda, so that item 9 could be examined in the morning.
93. The Chair explained that, as she had indicated to the Group Coordinators, item 9 was opened in order to allow for the proposal to be presented with the understanding that the proposal would be discussed on Thursday morning.
94. The Delegation of Monaco stated that it did not think that consensus could be reached when they came back to the point the next day. Noting that there was a very busy agenda that needed to be completed during the Assemblies, the Delegation asked for the Chair’s indulgence in order to conclude the item that night. The Delegation believed that things were quite clear and that it would therefore wish to continue the discussion and conclude agenda item 19 in order to deal with the remainder of the agenda according to schedule.
95. The Chair asked delegations who wanted to continue the agenda item that day to state their proposals regarding a way forward concretely, including the possible call for a vote, as indicated by the Rules of Procedure. The Chair added that this body would either proceed by consensus, or with a vote, and that a vote cannot be called for by the Chair.
96. The Delegation of the United States of America requested a short break, which the Chair granted.
97. Reconvening the session, the Chair stated that there had been a request by the African Group to ensure that enough time was left for other discussions the next day, which were not less important than the current discussion at hand.
98. The Delegation of Ukraine stated that there was a draft proposal presented that day by 53 Member States that had not been rejected by any delegations. The Delegation stated that there was additionally a proposal by the Delegation of the Russian Federation that aimed to distort, destruct, and destroy the very essence of the draft supported by 53 Member States. The Delegation pointed out that support for Ukraine was within WIPO’s mandate, in an unprecedented and emergency situation, and that the amendment proposed by the Delegation of the Russian Federation could not proceed for the sake of WIPO’s credibility and relevance. The Delegation shared its gratitude to the delegations who decided to stay in the room and take a decision, which would strengthen the mandate, role, and standing of WIPO. Noting the emergency and urgency of the matter, the Delegation requested a vote on the proposal by the Delegation of the Russian Federation.
99. The Delegation of the United States of America seconded the Delegation of Ukraine’s request for a vote.
100. The Chair, based on the request for a vote, asked the Deputy Legal Counsel to explain the procedures for the vote.
101. The Deputy Legal Counsel stated that, as just announced by the Chair, and as requested by the Delegation of Ukraine, in accordance with Rule 25 of the WIPO General Rules of Procedure, the adoption of the amendments to the proposal as contained in document A/63/8 had been requested to be put to a vote. In accordance with Rule 25, the proposal had been seconded by the Delegation of the United States of America. The Deputy Legal Counsel drew the attention of the delegations to document A/63/INF/1 Rev. paragraph 2, which contained the list of the Member States of the WIPO Conference. Delegations representing the Member States of the WIPO Conference were invited to vote. The Deputy Legal Counsel recalled that according to Article 7(3)(c) and (e), and subject to the provisions of Article 17 of the WIPO Convention, the required majority for the amendments to pass was two-thirds of the votes cast, and abstentions would not be considered as votes. The Deputy Legal Counsel stated that with regard to the necessary quorum, which was constituted by one-third of the Member States of the WIPO Conference, pursuant to Article 7(3)(b) of the WIPO Convention, she had been informed that the necessary number of Member States were present. She additionally recalled that in accordance with Rule 29 of the WIPO General Rules of Procedure, once the Chair had announced the beginning of voting, no one should interrupt the voting, except on a point of order in connection with the actual conduct of voting.
102. The Chair asked the Secretariat and the Deputy Legal Counsel to proceed with the preparations for the vote and to put the text of the amendments proposed by the Delegation of the Russian Federation on the screen.
103. The Deputy Legal Counsel stated that in accordance with Rule 27 of the WIPO General Rules of Procedure, the vote would be conducted by roll-call. She stated that in order to proceed with the roll-call, she wanted to remind delegations that they would be called in the alphabetical order of the names in French of the Member States of the WIPO Conference. The Deputy Legal Counsel requested the Chair to draw by lot the delegation to be called first. The Deputy Legal Counsel explained that the vote was being conducted as follows: When the Deputy Legal Counsel called the delegations in alphabetical order, she would ask it to state its vote. For those Member States supporting the amendments presented on the screen, she asked the States to respond with “yes”; for those not supporting the amendments as presented on the screen, she asked the States to respond with “no”; for those wishing to abstain, she asked the States to reply with “abstain”. The Deputy Legal Counsel recalled that pursuant to Rule 27(3) of the WIPO General Procedure, the WIPO vote of each delegation would be recorded in the report of the meeting. She then requested the Chair to draw the name of the country to be called first.
104. The Chair drew Afghanistan.
105. The Delegation of the Russian Federation requested a point of order. First, the Delegation wished to know whether the text had been distributed to every Member State to make sure that every Member State had the opportunity to become acquainted fully with it. Second, the Delegation requested that a clean version be put on the screen, as the document on the screen was in track-changes, which would make it difficult to know exactly what people were voting for.
106. The Chair, responding to the first question posed by the Delegation of the Russian Federation, confirmed that the text had been presented during the session and it had been duly circulated to all Group Coordinators in all six languages. Responding to the second question, the Chair stated that since the text was being discussed as an amendment, and not as a new proposal, upon the insistence of the Delegation of the Russian Federation, the text would stay in track-changes format so that all delegations would be quite clear of the content.
107. The Deputy Legal Counsel repeated a portion of the voting instructions for the sake of all. She stated that she would proceed by calling delegations in the alphabetical order, beginning with Afghanistan, in French, and would ask delegations to state their votes as follows: for those Member States supporting the amendments reflected on the screen and as distributed to the delegations, she asked the States to respond with “yes”; for the Member States not supporting the amendments as reflected on the screen and as distributed to the delegations, she asked the States to respond with “no”; for the Member States wishing to abstain from the vote, she asked the States to respond with “abstain”.
108. The result of the vote was as follows:

The Delegations – in the order of the voting, which followed the French alphabet and the names of the countries in French – of Algeria, Belarus, China, Cuba, Russian Federation, Iran (Islamic Republic of), Nicaragua, Nigeria, Syrian Arab Republic, Democratic People’s Republic of Korea, Venezuela (Bolivarian Republic of) and Zimbabwe voted “yes” (12). The Delegations – in the order of the voting, which followed the French alphabet and the names of the countries in French – of Albania, Germany, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Cyprus, Colombia, Costa Rica, Côte d’Ivoire, Croatia, Denmark, Ecuador, Spain, Estonia, United States of America, Finland, France, Georgia, Greece, Guatemala, Hungary, Ireland, Iceland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, North Macedonia, Malta, Mexico, Monaco, Montenegro, Norway, New Zealand, Netherlands, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Dominican Republic, Czech Republic, Romania, United Kingdom, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, Sweden, Switzerland, Türkiye, Ukraine, Uruguay and Vanuatu voted “no” (63). The Delegations – in the order of the voting, which followed the French alphabet and the names of the countries in French – of South Africa, Saudi Arabia, Argentina, Bahrain, Bangladesh, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Cambodia, Egypt, El Salvador, United Arab Emirates, Eswatini, Ethiopia, Gambia, Ghana, Honduras, India, Indonesia, Iraq, Jordan, Kenya, Malaysia, Malawi, Mongolia, Mozambique, Namibia, Nepal, Uganda, Pakistan, Panama, Paraguay, Philippines, Qatar, Senegal, Serbia, Sudan, Thailand, Togo, Trinidad and Tobago and Viet Nam abstained from voting (43). The Delegations – in the order of the voting, which followed the French alphabet and the names of the countries in French – of Afghanistan, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Barbados, Belize, Benin, Burkina Faso, Burundi, Cabo Verde, Cameroon, Comoros, Congo, Djibouti, Dominica, Eritrea, Fiji, Gabon, Grenada, Guinea, Guinea-Bissau, Equatorial Guinea, Guyana, Haiti, Cook Islands, Marshall Islands, Solomon Islands, Jamaica, Kazakhstan, Kyrgyzstan, Kiribati, Kuwait, Lesotho, Lebanon, Liberia, Libya, Madagascar, Maldives, Mali, Morocco, Mauritius, Mauritania, Myanmar, Nauru, Niger, Niue, Oman, Uzbekistan, Papua New Guinea, Central African Republic, Democratic Republic of the Congo, Lao People’s Democratic Republic, United Republic of Tanzania, Rwanda, Saint Lucia, Saint Kitts and Nevis, Holy See, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Seychelles, Somalia, Sri Lanka, Suriname, Tajikistan, Chad, Timor-Leste, Tonga, Tunisia, Turkmenistan, Tuvalu, Yemen and Zambia were absent (75).

1. The Assemblies of the Member States of WIPO, each as far as it was concerned, decided by a vote of 12 “in favor”, 63 “against”, and 43 “abstentions”, that the amendments to the proposed decision, as contained in the annex to document A/63/8, were not adopted.
2. The Chair proposed to move ahead with the adoption of the proposed decision paragraph, as contained in the Annex to document A/63/8, and reminded delegates that consensus was different from unanimity and delegations were free to disassociate with any of the decisions taken.
3. The Delegation of the Russian Federation stated that the original proposal was a political statement, which it believed was outside the purview of the work of WIPO. The Delegation said that it had tried to take a constructive approach, which had been clear in everything that it had done. It made amendments to the text in accordance with the mandate of the Organization, and which tried to take into account the concerns expressed by many countries who were also in need of technical assistance from WIPO, and that it had engaged in informal consultations. The fact that its attempts to achieve consensus were blocked by a group of countries and that the amendments were put to a vote, demonstrated that the original proposal was political in nature and its Delegation regretted that WIPO had taken such approach. The Delegation stated that the outcome of the vote demonstrated that there was no consensus on the issue. In the Delegation’s view, the countries that did not vote were not ready to accept the politicization of WIPO’s activity, and that many of them were in need of support from the Organization, but that their needs were not taken into account by the document as it was proposed. It drew attention to the fact that very few countries voted against the amendments and that the original proposal did not get universal support. The Delegation pointed out that there was no consensus on the original text, and that it was not prepared to disassociate as had been suggested.
4. The Chair confirmed that there was no consensus, which was why a vote was called, and wished to move forward with the adoption of the proposed document.
5. The Delegation of Iran (Islamic Republic of) sought clarification because, in its opinion, it was manifest that there was no consensus on the original text before the modifications proposed by the Delegation of the Russian Federation, and the lack of consensus continued to be the case.
6. The Delegation of Zimbabwe stated there was no consensus on the original document.
7. The Delegation of Venezuela (Bolivarian Republic of) wished to echo the statement made by the Delegation of Zimbabwe, that there was no consensus on the original text. The Delegation stated that the amendments proposed by the Delegation of the Russian Federation were rejected by 63 members, which was not one-third of the overall membership of the Organization and was something that should give delegations food for thought.
8. The Delegation of Belarus expressed its support for statements made by delegations that there was no consensus on the text as originally proposed. It stated there had not been consensus earlier and there was not currently.
9. The Delegation of the Syrian Arab Republic stated that it was obvious that there was no consensus.
10. The Delegation of Cuba drew attention to two statements it made previously and wished to confirm that its vote was a vote not to politicize the work of the Organization. The Delegation repeated that WIPO was a technical organization that should not be politicized.
11. The Chair repeated that this indeed was not a decision taken by consensus.
12. The Delegation of the Russian Federation asked the Chair if it understood correctly that the intent was to gavel in the proposal and move on with a decision. The Delegation observed that several delegations had spoken and stated that they were not ready to accept the original proposal, and asked if the comments were going to be noted and the discussion was going to be closed. The Delegation wished to draw attention to Rule 32 of the WIPO General Rules of Procedure on voting on amendments reminding the delegates that there was a need to observe strictly the Rules of Procedure.
13. The Chair stated they had taken note of all the statements and that the body had proceeded in accordance with the rules of procedure with regard to the adoption of the decision. She explained that the amendments to the proposal contained in the Annex to document A/63/8 were not adopted by the body, as shown in the results of the vote. She further explained that the right to take a decision based on a vote was an option foreseen by the Rules of Procedure.
14. The Delegation of the Russian Federation asked the Chair to elaborate on Rule 32 of the WIPO General Rules of Procedure. It believed that the initial proposal did not have consensus, and that those who voted against its amendment was not even one-third of the total membership of the Organization. It believed that the original proposal needed to be put to a vote. The Delegation stated that the amendments had to be voted on first, which was done, and now, as the Delegation understood it, there should be a vote on the original proposal.
15. The Delegation of Iran (Islamic Republic of) stated that it was absolutely clear that the Chair was saying that the amendments were not adopted. According to the Delegation, it was also clear that the original proposal did not enjoy consensus. The decision could not be adopted by consensus, and if the delegations insisted on adoption of the proposal they would need to ask for a vote, otherwise, it could not be adopted.
16. The Chair recalled that this was reminiscent of the discussion they had previously, and the reason why a vote was called. She emphasized that consensus did not mean unanimity and for those who were contesting and breaking the consensus, they should call for a vote.
17. The Delegation of the Russian Federation pointed out that two delegations at minimum had expressed the need for a vote on the first proposal. The Delegation stated that the proposal did not have consensus or universal support, and therefore it needed to be put to a vote.
18. The Chair stated that a request was made for a vote on the proposal contained in the Annex to document A/63/8 and asked if the request was supported by a second delegation.
19. The Delegation of the Russian Federation added that it was requesting a vote, and that the vote needed to be conducted by secret ballot.
20. The Delegation of Iran (Islamic Republic of) seconded the request for a vote by the Delegation of the Russian Federation.
21. The Chair invited the Deputy Legal Counsel to comment on the procedures. The Chair stated that the same rules would be applied as in the earlier vote and that the vote would be by roll-call. The Chair explained that the hybrid format would prevent the use of a vote by secret ballot, so the vote would be carried by roll-call. She asked the Delegation of the Russian Federation to clearly state its request.
22. The Delegation of the Russian Federation believed that Rule 28(1) of the WIPO General Rules of Procedure, which dealt with voting by secret ballot, should be applied. It stated that two delegations had requested that in line with the Rules of Procedure, that is, the Delegation of the Russian Federation and the Delegation of Iran (Islamic Republic of). The Delegation requested the Deputy Legal Counsel to clarify the rules that had were previously applied to the voting that had taken placed and wished to remind delegations that the proposal concerned a country.
23. The Deputy Legal Counsel, referring to the request for clarification by the Delegation of the Russian Federation, noted that it was a question regarding the applicability of Rule 28(1) of the WIPO General Rules of Procedure to the proposal under consideration. She recalled that the primary rule of statutory construction, that is, the plain meaning rule, stipulated that the terms of a provision should be given their plain and ordinary meaning. Rule 28(1) first provided that it applied to elections and decisions concerning States or individuals. The question therefore arose as to whether the matter to be decided upon, that is, the adoption of the annex to document A/63/8, concerned States. The Legal Counsel further stated that while indeed the proposal identified a country, the essence and operative element of the decision was not about a State as such, but rather, “a request to the International Bureau” to conduct a series of actions, including for example, an “assessment of an innovation ecosystem”, the “maintenance of consultations”, the “implementation of technical assistance, capacity building, and other appropriate measures” to ensure the full range of IP services by the Organization, in which the beneficiary, or recipient of these activities, happens to be identified. The Deputy Legal Counsel stated that, in short, it could be inferred that the intention behind Rule 28(1) was to provide for a vote by secret ballot when the subject of the decision concerned a State, not when the object of the decision concerned a State. The Deputy Legal Counsel stated that in this case, the subject – that was to say the “doer” – was the International Bureau or Organization, or even other Member States, whereas the object or the country acted upon, was the recipient of the assistance and support. She further noted, for Member States’ consideration, that if one were to posit that every decision regarding assistance and support concerned a State, then arguably the vast majority of WIPO’s program and budget, or the opening of a TISC in a given country, or the provision of legislative advice, or hosting of a workshop, could all be construed as concerning a State. Finally, the Deputy Legal Counsel noted that a restrictive and judicious interpretation of the Rule was supported by the context in which the invocation of the Rule was further subject to its own set of elaborate procedures, governed by a separate annex. The Deputy Legal Counsel suggested that the clear intention of the drafters was for a secret ballot to be reserved for the most formal and relatively infrequent of uses, such as the election of the Director General of WIPO. The Deputy Legal Counsel added that it had been the practice of the Organization that secret ballots were exclusively reserved for the election of the Director General, and that there had not been a vote concerning States, as such, in the history of the Organization. She also noted that the hybrid setting in which the meeting was taking place raised a logistical issue regarding voting by secret ballot, which by its nature had to be conducted in person and in the meeting hall to preserve the confidentiality of the vote.
24. The Chair observed that the Deputy Legal Counsel had clarified the type of vote that was applicable. She called for consistency throughout the sessions, and reiterated that a vote by secret ballot could not be ensured in a hybrid format, and announced that she would proceed with the vote by roll-call. For the sake of time, since the rules for voting by roll-call had already been explained by the Deputy Legal Counsel, and to avoid repetition, only the proposal that was being voted on would be stated.
25. The Deputy Legal Counsel recalled that the Delegation of the Russian Federation requested a vote, which was supported by the Delegation of Iran (Islamic Republic of), and therefore in accordance with Rule 25, the proposal contained in the annex to document A/63/8 would be put to a vote. She stated she would not repeat the detailed instructions, but would proceed as was just the case by calling delegations, in the order of the French alphabet, in which the Chair would draw the first Member State. The Deputy Legal Counsel requested the delegations to state their votes as follows: for those Member States supporting the proposal as contained in the Annex to document A/63/8, please respond, “yes”; for those Member States not supporting the proposal, please respond, “no”; for those Member States wishing to abstain from the vote on the proposal, please respond, “abstain” and recalled that all votes would be recorded in the report of the session.
26. The Chair drew Switzerland as the first Member State to be called.
27. The Deputy Legal Counsel proceeded with calling Member States by name, in the order of the French alphabet.
28. The Result of the vote was as follows:

The Delegations – in the order of the voting, which followed the French alphabet and the names of the countries in French – of Switzerland, Türkiye, Ukraine, Uruguay, Vanuatu, Albania, Germany, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Cyprus, Colombia, Costa Rica, Côte d’Ivoire, Croatia, Denmark, Ecuador, Spain, Estonia, United States of America, Finland, France, Gambia, Georgia, Ghana, Greece, Guatemala, Hungary, Ireland, Iceland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, North Macedonia, Malta, Mexico, Monaco, Montenegro, Nepal, Norway, New Zealand, Panama, Paraguay, Netherlands, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Dominican Republic, Czech Republic, Romania, United Kingdom, Rwanda, San Marino, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Sweden voted “yes” (71). The Delegations -in the order of the voting, which followed the French alphabet and the names of the countries in French – of Venezuela (Bolivarian Republic of), Zimbabwe, Belarus, China, Cuba, Russian Federation, Iran (Islamic Republic of), Nicaragua, Syrian Arab Republic, Democratic People’s Republic of Korea voted “no” (10). The Delegations – in the order of the voting, which followed the French alphabet and the names of the countries in French – of Togo, Trinidad and Tobago, South Africa, Algeria, Saudi Arabia, Argentina, Armenia, Bahrain, Bangladesh, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Cambodia, Egypt, El Salvador, United Arab Emirates, Eswatini, Ethiopia, Honduras, India, Indonesia, Iraq, Jordan, Kenya, Malaysia, Malawi, Mongolia, Mozambique, Namibia, Nigeria, Uganda, Pakistan, Qatar, Senegal, Sudan abstained from voting (37). The Delegations – in the order of the voting, which followed the French alphabet and the names of the countries in French – of Suriname, Tajikistan, Chad, Thailand, Timor-Leste, Tonga, Tunisia, Turkmenistan, Tuvalu, Viet Nam, Yemen, Zambia, Afghanistan, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Barbados, Belize, Benin, Burkina Faso, Burundi, Cabo Verde, Cameroon, Comoros, Congo, Djibouti, Dominica, Eritrea, Fiji, Gabon, Grenada, Guinea, Guinea-Bissau, Equatorial Guinea, Guyana, Haiti, Cook Islands, Marshall Islands, Solomon Islands, Jamaica, Kazakhstan, Kyrgyzstan, Kiribati, Kuwait, Lesotho, Lebanon, Liberia, Libya, Madagascar, Maldives, Mali, Morocco, Mauritius, Mauritania, Myanmar, Nauru, Niger, Niue, Oman, Uzbekistan, Papua New Guinea, Central African Republic, Democratic Republic of the Congo, Lao People’s Democratic Republic, United Republic of Tanzania, Saint Lucia, Saint Kitts and Nevis, Holy See, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Seychelles, Somalia, Sri Lanka, were absent (75).

1. The Assemblies of WIPO, each as far as it was concerned:

*recalling*

a) The principles, purpose, and objectives enshrined in the Charter of the United Nations;

b) The desire expressed by the Contracting Parties to the Convention Establishing the World Intellectual Property Organization (WIPO) “to contribute to better understanding and cooperation among States for their mutual benefit on the basis of respect for their sovereignty and equality;” and

c) The objective of WIPO, as enshrined in Article 3 of the above-mentioned Convention, “to promote the protection of intellectual property throughout the world through cooperation among States and, where appropriate, in collaboration with any other international organization;”

*recalling further*

a) The United Nations General Assembly Resolution A/RES/ES-11/1 of March 2, 2022, on Aggression Against Ukraine, that deplores in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2 (4) of the Charter and urges the continued efforts by international organizations to support the de-escalation of the current situation; and

b) The United Nations General Assembly Resolution A/RES/ES-11/2 of March 24, 2022, on Humanitarian Consequences of the Aggression Against Ukraine;

*reaffirming*

The sovereignty, independence, unity, and territorial integrity of Ukraine within its internationally recognized borders, extending to its territorial waters;

*deploring in this regard*

The tragic loss of human life, as well as the impacts on Ukraine’s infrastructure, its innovation and creativity sector and ecosystem, including innovative and creative businesses; universities, hospitals, laboratories and other research institutions and educational establishments; museums, libraries, archives and other cultural institutions; government institutions including intellectual property offices and support centers, that have occurred across Ukraine since the beginning of the war.

*Requested the International Bureau*

1. To assess the immediate, medium- and long-term impacts of the war on Ukraine’s innovation and creativity sector and ecosystem, including innovative and creative businesses; educational, research, and cultural institutions; government institutions responsible for protection and enforcement of intellectual property and Technology and Innovation Support Centers (TISCs); as well as intellectual property filings in Ukraine by persons outside of Ukraine and filings worldwide by residents of Ukraine;

2. To initiate and maintain consultations with Ukraine on its particular needs with respect to its innovation and creativity sector and ecosystem, including intellectual property offices and TISCs;

3. Based on the aforementioned assessments and consultations, to implement technical assistance, legal assistance, capacity building, and other assistance for Ukraine as appropriate and as required for the restoration and rebuilding of Ukraine’s intellectual property sector and ecosystem;

4. To allocate adequate financial and human resources, including through reallocation within the generally approved budget, for the implementation of the activities under item 3 above;

5. To take appropriate measures to ensure that intellectual property applicants from Ukraine, as well as the Ukrainian Intellectual Property Institute, have access to the full range of WIPO’s intellectual property services, including WIPO’s Arbitration and Mediation Centre services, and are granted appropriate extensions, exemptions and other remedies as provided for in relevant WIPO treaties, rules and regulations, in connection with the current circumstances;

6. To report on the assessment, consultations, implementation and other activities under items 1-5 above at the next General Assembly.

*Invited Member States*

To take measures in accordance with applicable national and international laws and regulations, to assist intellectual property applicants from Ukraine in order to allow effective protection of their intellectual property, including intellectual property applicants that have been forced to relocate.

1. The Delegation of the Russian Federation stated that it did not agree with the interpretation of Rule 28 of the WIPO General Rules of Procedure as its Delegation and another delegation did not request a roll-call vote, so the procedure was, in the Delegation’s opinion, incorrect. The Delegation observed that it was told there was consensus, but only 71 Member States out of 193 voted “yes” for the proposal, so it was not adopted by consensus.
2. The Delegation of the United States of America thanked the Chair for her leadership during the difficult session and thanked the Secretariat for its work. The Delegation welcomed the decision that would provide the technical and capacity building assistance that Ukraine urgently needed to rebuild its innovation and creativity sector and IP system destroyed by the Russian Federation’s unprovoked and unjustified war. It noted that no sector had gone unharmed during the continued aggression and stated that the Russian Federation’s attacks had destroyed health facilities, schools, universities, businesses, and critical infrastructure. Transportation had been severely limited as roads were bombed, seaports were shelled and Ukraine’s telecommunication towers had been destroyed by the Russian Federation cutting off vital communications. The Delegation recalled that, as had been seen throughout the past spring, international organizations and specialized agencies responded to these barbaric acts and adopted resolutions or decision points consistent with their mandates, and which will help Ukraine rebuild. Decisions were taken at the UNGA, the Human Rights Council, the International Telecommunications Union (ITU), the International Labour Organization (ILO), and the World Health Organization (WHO). It noted that the Russian Federation had unsuccessfully tried to avoid having the issue discussed at WIPO, even when the proposed decision was within WIPO’s mandate. The Russian Federation Delegation had at the outset of the meetings called for a vote to remove the item from the Assemblies’ agenda, even though its brutal attacks had severely damaged Ukraine’s innovation and creativity sector, and IP system. At the personnel level, the Delegation stated that the staff of Ukrpatent, had been forced to operate from underground shelters, often risking their lives and health. At the physical infrastructure level, Ukraine’s national plant gene bank in Kharkiv was destroyed by shelling earlier in the year. The plant bank housed over 160,000 seed varieties and served as a research and educational center to assist with food, economic, and environmental security. Moreover, the Russian Federation’s strikes damaged and destroyed important institutions symbolizing creativity or promoting innovation including museums, libraries, theaters, schools, and universities, as well as small and medium sized enterprises (SMEs) and startups. All of them relied on IP, including copyrights, trademarks, or patents, to protect their works while promoting innovation and creativity. The Delegation observed that the critical discussion and decision on assisting Ukraine’s innovation and creativity sector, and IP system were, therefore, absolutely necessary. This was even more apparent after the result of the vote at the beginning of the Assemblies on July 14, where only 12 Member States voted to exclude the item from the agenda. The Delegation looked forward to the implementation of the decision and to the next Assemblies when the International Bureau would report on its assessment, consultations, implementation of items 1 to 5 of document A/63/8, and other activities. At that time, its Delegation would also be prepared to consider and, as appropriate, propose any additional necessary steps to address the impacts of the Russian Federation’s aggression on Ukraine’s innovation and creativity sector and IP system, to include the relocation of WIPO’s external office in Moscow.
3. The Delegation of Poland welcomed the decision, which served as a basis for providing Ukraine with the support and assistance in direct reconstruction of the IP system that was needed because of the ongoing war on the territory of Ukraine. The Delegation stated that the decision of the WIPO Assemblies was part of a number of decisions that had already taken place in many international fora, both in and out of the UN System. The Delegation noted that despite the attempts of some States, the majority of the WIPO Member States had noted and admitted that Ukraine urgently needed technical assistance and needed reconstruction of its innovation and creativity sectors, and IP systems that had been destroyed by the Russian Federation’s unprovoked and unjustified war. The Delegation believed that the decision to assist Ukraine’s innovation and creativity sector and IP systems was absolutely necessary. Its Delegation was in favor of having a closer look at the operation of the WIPO external office in Moscow, to take into account some worrying developments in the IP field in the host country and called on WIPO to review its registries and modify them to reflect internationally recognized borders.
4. The Delegation of the Netherlands, speaking on behalf of the 53 co-sponsors of document A/63/8, welcomed the decision, which would provide the technical and capacity building assistance that Ukraine urgently needed to rebuild its innovation and creativity sector and intellectual system destroyed by the Russian Federation’s unprovoked and unjustified war. The Delegation acknowledged the courage and compassion of the WIPO Member States in supporting the decision in urgent circumstances, and thanked Member States for the support. The Delegation underlined a strong dedication to continue to work in a WIPO‑based on decisions by consensus, and stated that it trusted WIPO’s IP registries would reflect addresses of the parties according to internationally recognized boarders and would correct any erroneous indications. The Delegation looked forward to the implementation of the decision and to the next WIPO Assemblies when the International Bureau of WIPO will report on its assessment, consultations, and implementation of items 1 to 5 of document A/63/8 and other activities. The Delegation stated that at that time, it would be prepared to consider, and as appropriate, to propose any additional necessary steps to continue supporting Ukraine’s innovation and creativity sector and IP system.
5. The Delegation of Lithuania expressed its appreciation for the decision taken by the Assemblies on technical and capacity building for Ukraine aimed at rebuilding its innovation and creative sector and IP systems, which were severely damaged and destroyed by the Russian Federation’s unprovoked and unjustified war. The Delegation looked forward to the implementation of the decision and respective report of the International Bureau, to be presented during the next Assemblies. The Delegation stated that at that time, as the aggression continued, further steps should be taken to address the detrimental effect of the unilateral actions taken by the Russian Federation, which undermined the rule of law by consciously challenging core principles of protection of IP rights enshrined in international agreements. The Delegation observed that well‑known basic rules stated that no one could benefit from its wrongdoing, and taking into account the extraordinary circumstances, it was of the view that decisive actions should be taken regarding the further operation of WIPO’s external office in Moscow. Finally, the Delegation called on WIPO to consistently adhere to UNGA Resolution 68/262 of 2014 on the territorial integrity of Ukraine, and follow the policy of non‑recognition of the illegal annexation of Crimea and Sevastopol. The Delegation requested that all data regarding party addresses in the WIPO registries, notably in the Madrid Registry, should reflect Ukraine’s internationally recognizable boarders.
6. The Chair thanked all delegations, and extended her appreciation to the Deputy Legal Counsel and the Secretariat for their assistance. The Chair noted that it had not been an easy process and that all steps were taken in accordance with the Rules of Procedure. She extended her thanks to the interpreters who had stayed until the late hour supporting the work of the plenary, and declared Agenda Item 19 closed.

## ITEM 20 OF THE CONSOLIDATED AGENDA ADOPTION OF THE REPORT

1. Discussions were based on document A/63/9.
2. The Assemblies of WIPO, each as far as it is concerned,

(i) adopted the Summary Report (document A/63/9); and

(ii) requested the Secretariat to finalize the Extensive Reports, post them on the WIPO website and communicate them to Member States by August 19, 2022. Comments should be submitted to the Secretariat by September 16, 2022, after which the final reports will be deemed adopted by September 30, 2022.

## ITEM 21 OF THE CONSOLIDATED AGENDA CLOSING OF THE SESSIONS

1. The Delegation of Algeria, speaking on behalf of the African Group, thanked the Chair for her enabled and enlightened direction, ideas and wisdom during the work of the Assemblies, and expressed its gratitude to the Director General, Mr. Daren Tang, and his team for their unwavering support to Member States throughout the past 10 days and ahead of the Assemblies. The African Group reaffirmed its faith in multilateralism as the best way of serving the common goals of humanity for a fairer, more inclusive and more sustainable world and stated that the collected commitment throughout the Assemblies in favor of the implementation effectively of the normative mandate of WIPO, constitutes the best gauge of success for the Organization in the face of the various challenges that Member States were facing and indeed the relevant stakeholders. In that regard, the African Group welcomed the major breakthrough achieved in terms of advancing the normative agenda of WIPO, following the historic agreement achieved through consensus to convene diplomatic conferences to conclude international agreements on the protection of GRs and TK associated with GRs, as well as the protection of designs and models. The African Group stated that this important agreement demonstrated the goodwill of Member States to see WIPO playing a more prominent role within the multilateral system on issues of socio‑economic development and the promotion of innovation through a fairer and more balanced IT system. The Group called upon all Member States to pursue their constructive engagement with a view to implementing the decision of the WIPO General Assembly and to show the necessary flexibility to achieve tangible results within the established timeframe. The African Group regretted however, that on one agenda item only, the WIPO General Assembly had to resort to a vote, thus breaking the long-standing rule of consensus within the Organization. The African Group was of the view that consensus must remain the only way to take decisions in keeping with established practice at WIPO, far from any selective approach. The Group noted with satisfaction, the decision taken by the WIPO Coordination Committee on the issue of human resources. The African Group hoped to see tangible progress in terms of geographic diversity within WIPO staff in the future, and, in particular, with regard to the fairer representation of Member States within the decision-making processes across all sectors of activity of the Organization. Finally, the African Group thanked the interpreters, the conference services team, and all of the other stakeholders that have contributed to the good conduct of the Assemblies.
2. The Delegation of Germany, speaking on behalf of Group B, thanked the Chair, for her commitment and dedicated guidance throughout the WIPO General Assembly, and extended its appreciation to the Secretariat for its support ahead and during the Assemblies and to the conference staff, the skilled interpreters, and the technicians without whom these sessions would not have been possible. Group B also thanked all of the Member States and regional coordinators for their tireless efforts during the week. As it stated in its opening statement, Group B was pleased to see that WIPO would continue to modernize its PCT infrastructure and was continuing its engagement in the work of the UN System, especially through the trilateral cooperation. In addition, Group B highlighted again the importance for WIPO being a global platform and catalyst for shaping the discussions in the field of artificial intelligence (AI), and IP. Group B expressed its gratitude that the Assemblies under exceptional circumstances, adopted the decision on assistance and support for Ukraine's innovation and creativity sector and IP system, and stated that this important decision would provide the technical and capacity building assistance Ukraine urgently needed to rebuild its innovation and creativity sector and IP system. Group B reiterated its firm belief that consensus-based decisions are of utmost importance in the Organization, and Group B members have shown the strong will to do so, which allowed delegations to move ahead with the normative agenda of WIPO.
3. The Delegation of Slovakia, speaking on behalf of the CEBS Group expressed gratitude to the Chair, for her tireless efforts in guiding the work during the WIPO General Assembly, and equally commended the Director General, the senior management, and the Secretariat for their efforts invested in the preparation and advancement of the WIPO General Assembly, as well as for the highest efficiency demonstrated throughout the year, ahead of and during the 63rd Series of Meetings of the Member States of WIPO. Likewise, the CEBS Group extended its thanks and appreciation to the conference services, IT team, and the interpreters who ensured excellent working conditions for all. The CEBS Group also thanked the regional coordinators, the Member States and all other stakeholders and stated that the dedication and skillful guidance of the Chair during the seven days of the Assemblies enabled all to achieve tangible progress and great results, and even the major breakthrough in some issues. This historic series proved that the Organization was able to respond to the current challenges. Last year, the work of WIPO was still affected by the pandemic, this year, the war in Ukraine affected the work of the Organization. The severe damage of Ukraine's innovation and creativity sector and negative impact of war on Ukraine's IP infrastructure was reflected also in the agenda of the WIPO General Assembly. The CEBS Group noted with satisfaction that WIPO as a member of the UN family was not standing aside, and that the outcome desired by many Member States was successfully achieved. The CEBS Group believed that the adopted decision under Agenda Item 19, and such timely reaction, would help to restore and rebuild Ukraine's creative industry and IP system by providing Ukraine with the necessary technical assistance from WIPO. On the normative issues, in particular on the DLT and on the topic of GRs and the IGC, the WIPO General Assembly reached historic outcomes, which should expedite the work on those topics and lead to diplomatic conferences in 2024. All this happened thanks to demonstration of the great amount of flexibility from all regional groups and delegations, and the CEBS Group was pleased to see that the spirit of consensus was kept in the Organization on such important technical and expert agenda items. The CEBS Group remained committed to continuing negotiations on draft international instruments with a view of achieving diplomatic conferences, a meaningful result that will be highly relevant in the field of IP for the outside world and acceptable to all. The CEBS Group used all the means available to contribute to the positive spirit and efficient work of the WIPO General Assembly. The Group conveyed its full commitment in order to help WIPO to develop an efficient and effective IP ecosystem for the benefit of everyone. In conclusion, the CEBS Group reiterated its thanks to all the delegations for their constructive engagement, and wished all capital‑based delegates a safe journey home.
4. The Delegation of the Dominican Republic, speaking on behalf of GRULAC, congratulated the Chair on her leadership and tireless efforts in achieving the historic outcomes that were reached, and commended and thanked the Secretariat for its tireless work. GRULAC also thanked the interpreters and translators who facilitated the work, and the other groups, coordinators, colleagues, and delegations whose tireless work had been vital for the success of these Assemblies. GRULAC underscored the words of the Director General “it had been a triumph for multilateralism”. Noting, the Organization had shown that it was capable of rising to current challenges. GRULAC expressed its commitment to the future work in the Organization, by demonstrating its willingness to achieve consensus, through showing flexibility, and helping to advance the WIPO agenda.
5. The Delegation of China expressed its appreciation to the Chair of the Assemblies for her hard work, and thanked all the chairpersons of the different bodies, the Director General, the Secretariat, the interpreters and the technical support team for their diligent work. The Delegation also thanked all the Member States and stakeholders for their constructive participation. The Delegation stated that the active participation of all parties had allowed the Assemblies to complete all agenda items very efficiently, on such items as audit and oversight, IP service systems, fruitful results have been achieved. In particular, after numerous rounds of consultations the previous day, the Assemblies approved the convening of a diplomatic conference on the DLT and the diplomatic conference on GRs and related TK. The Delegation stressed that this was an important achievement, not only for the advancement of rule setting activities at WIPO, but also very meaningful for WIPO to continue to play the important role of leadership in the multilateral IP system, and more importantly, it was a meaningful step taken forward, towards an innovative ecosystem that accommodates the interest of all parties. Looking back at the ups and downs that these Assemblies went through, the Delegation believed that consensus was a long‑standing fundamental principle that all WIPO platforms had adhered to. It was also a cornerstone for the Organization to operate smoothly and effectively ever since its foundation several decades ago, and was conducive to its long-term and sound development. The Delegation commended all parties on their active participation in the consultations the previous day and on their cooperative spirit in seeking consensus. The decision on the diplomatic conferences was finally reached on a consensus basis, which was a victory for all. It has also showcased the joint commitment to move forward in the next steps of work. The approval on the diplomatic conferences had indeed opened a new stage of consultation. However, the Delegation underscored that, to conclude the DLT and the international legal instrument on the protection of GRs and related TK, there was still a considerable amount of work to complete and many challenges to overcome. There was the need to maintain the current momentum in the future consultations and demonstrate the spirit of solidarity and cooperation, to remain constructive and inclusive. In addition, the Delegation expressed the need to persevere in overcoming difficulties and divergence until the final victory. In face of the future work and challenges, the Delegation reiterated and called upon all parties to be steadfast in multilateralism in the basic principle of consensus to advance the work of the Organization in a smooth and orderly way ensuring its long‑term and sound development. Finally, the Delegation wished all colleagues to stay safe and healthy and a smooth trip back.
6. The Delegation of India, speaking on behalf of the Asia and the Pacific Group, thanked and congratulated the Chair for her leadership and able guidance ahead of and throughout the successful sessions of the Assemblies. The Group also extended its appreciation to the Director General for his guidance and dedicated efforts and the Secretariat for its excellent work, which contributed to the success of the Assemblies. Likewise, the Group expressed gratitude to the interpreters, the conference services, the technical team, and all who contributed to facilitating the work during these Assemblies. The Group thanked all Member States, regional groups, and the regional coordinators for their contributions in achieving tangible progress on normative issues in these Assemblies. The Group applauded the constructive spirit and flexibility displayed by all, and believed the positive approach had now given a clear roadmap for moving ahead on issues of critical importance, namely the IGC and the DLT. The Group hoped that this cooperative spirit will prevail in future discussions and was confident that successful outcomes would be achieved, both on the IGC and the DLT. The Asia and the Pacific Group had always participated constructively in the Assemblies with the view of advancing the work and making progress on all issues. The Group reiterated its continued commitment to WIPO's roles and work, extended its full support to the WIPO management and stood ready to constructively engage with all Member States on all outstanding issues.
7. The Delegation of the Russian Federation thanked the Chair for her enlightened leadership throughout the session, and thanked the regional coordinators and Member States. The Delegation expressed gratitude to the Director General, Mr. Daren Tang, and all of the senior management of the Organization for their active participation in the work of the Assemblies, and in particular, the Secretariat of WIPO for their tireless efforts to organize this session. The Delegation thanked Mr. Andrew Staines, Assistant Director General, and the leader of the department for diplomatic interaction for the support and for their interaction with delegations, as well as the conference services and the interpreters for their tireless work that had allowed to effectively conduct this meeting. The Delegation deemed the principle of taking decisions on the basis of consensus to be the best way and most effective way to do things in WIPO. The Delegation expressed the hope to be committed to this principle going forward, including all Member States. Sadly, the Delegation noted that following the outcome of the session, a politicized declaration was made on Agenda Item 19, following the lack of consensus, and that the decision adopted did not take into account the concerns voiced by the Russian Federation and indeed many other delegations of the Organization. The Delegation stated that the Russian Federation was committed to multilateral cooperation taking into account the interests of all parties, and the quest for consensus-based decisions and solutions, and hoped that the experience of the current session and agreement on holding diplomatic conferences had demonstrated to everyone that the quest for balanced solutions was the only way forward. The Delegation expressed gratitude to the African Group for their initiative and all the participants of the process whose efforts enabled to bring this issue out of a deadlock.
8. The Delegation of the Czech Republic, speaking on behalf of the European Union and its member states, thanked the Chair for her extraordinary efforts and skilled guidance throughout these Assemblies that enabled excellent results. The Delegation was happy to meet the Member States delegations in person again, which represented a return to normal, and highlighted some exceptional moments of these Assemblies. The Delegation expressed gratitude especially for the large amount of solidarity and support for Ukraine, that was demonstrated by the membership within the dedicated agenda item. The Delegation was of the view that the adopted decision was a meaningful and relevant response of the Organization, and was convinced that its implementation would make a substantial contribution to Ukraine's recovery. The Delegation emphasized that consensus was crucial for the Organization, and thus welcomed the consensus achieved regarding the decision taken by the WIPO General Assembly on advancing the normative agenda, resulting in convening diplomatic conferences in 2024. The Delegation thanked all delegations showing flexibility to make this possible, and remained committed to work further constructively together with all Member States. The Delegation was hopeful that the decision taken by the WIPO General Assembly would result in the adoption of meaningful and new international instruments under the aegis of WIPO. Finally, the Delegation expressed appreciation for witnessing the first ever WIPO global awards ceremony, these awards celebrate innovative commercial solutions based on IP rights which promote economic, social and cultural progress. The Delegation thanked the Secretariat and interpreters whose excellent performance during these sessions was indispensable for the effective running of these Assemblies. In conclusion, the Delegation reiterated its continued commitment to WIPO's work, and stated that WIPO could count on the active support of the European Union and its member states.
9. The Delegation of Indonesia thanked and commended the Director General, the Secretariat, the Secretary of the Assemblies, the Director of the Diplomatic Engagement and Assembly Affairs Division and his team, as well as the Legal Counsel, for their dedicated efforts and excellent work in facilitating the success of the Assemblies. The Delegation also thanked and commended the Chair for her guidance and able leadership throughout these Assemblies, and all Member States for their flexibility, constructive spirit as well as commitment shown within these Assemblies which led to a successful conclusion on all agenda items. The Delegation welcomed all decisions relating to governance, including program and budget, audit and oversight of the Organization and was committed to work closely with all Member States and the Secretariat in achieving the vision and mission of the Organization. The Delegation applauded the decisions made regarding the conveying of diplomatic conferences for GRs and TK associated with GRs, as well as for the DLT, which shows all Member States’ commitment to advance the normative work of WIPO and made sure that delegations would deliver meaningful international instruments that would be beneficial for all. The Delegation also thanked the interpreters, conference services and everyone else that worked behind-the-scenes, their dedicated efforts were crucial to the success of the Assemblies. Finally, the Delegation reiterated its commitment to continue contributing actively and constructively to support the work of the Organization. The Delegation wished delegations a nice weekend and a happy summer.
10. The Delegation of Spain supported the statements made on behalf of Group B and the European Union. The Delegation recognized and paid tribute to the work of the Chair during these Assemblies. The Chair’s guidance, great skill and patience had enabled delegations to reach important outcomes, which was very much appreciated by Member States. The Delegation commended the Secretariat for all of its work that enabled all Member States to engage in the discussions and make progress on a number of issues. The Delegation noted the challenging times during the Assemblies, but delegations had shown that consensus could be reached, and delegations could move forward with important issues for normative or other work in the IP world for the benefit of IP ecosystems in all countries. The Delegation believed that global, regional, and national IP systems should be balanced between the benefits and responsibility of all stakeholders so that delegations could push forward, progress and socio‑economic development in their countries. The Delegation welcomed the fact that a number of Member States supported the initiative to the innovation and creative sector in Ukraine, and was fully prepared to support Ukraine and to support the trust fund in WIPO that was supported by the Director General. The 63rd Series of Meetings of the Assemblies of WIPO had seen a number of important texts adopted for the smooth functioning of the Organization. Although it was a non-budgetary year, in particular, in the context of the Madrid and Budapest Unions, the Delegation believed that work and those decisions had made it much more easy-to-use for the users. The international registration systems were vital for the smooth functioning of these Unions and for the smooth functioning of the Organization as a whole. The Delegation noted the progress made in the various committees, and hoped that these committees could continue to meet and allow for fruitful discussions on the various issues connected with IP currently and in the future. It would continue to play a constructive role supporting the various activities in the Oganization which are a real example of effective multilateralism and multilingualism which, has been possible because of the excellent interpretation services. Finally, the Delegation congratulated the Director General on the progress made during the 63rdSeries of Meetings of the Assemblies.
11. The Delegation of Jamaica, thanked the Chair for her able leadership and perseverance in guiding the work preparatory to and during the sessions, which undoubtedly cumulated very positive results. The Delegation also aligned itself with the statement made by the Delegation of the Dominican Republic on behalf of GRULAC. The Delegation commended the Director General, Daren Tang, his management team and other members of staff for their excellent arrangements and support to delegations during the sessions. Undoubtedly the results of the session will fuel the desire and vision of Director General Tang to further bring IP to the man in the street and raising public awareness about the critical role that IP could play in developing solutions for some of the world's most pressing economic and social challenges. The Delegation was buoyed by the consensus that was achieved on the normative agenda, including the GRs aspect of the IGC and commended the African Group for its role in that regard, and trust that the spirit of consensus and multilateralism will not only be maintained in general terms but that it will extend to the work of TK and traditional cultural expressions (TCES) and folklore. The Delegation wished to place on record once more it's commendation to WIPO, for its collaboration on hosting Jamaica’s national reception on July 14, as well as showcasing “The Role of IP in Supporting Innovation Ecosystems” through its exhibition, and assured both Daren Tang and the Chair, Jamaica's support as delegations continue to make IP more than law but relevant to the development for all countries.
12. The Delegation of France supported the statements made by Group B and the European Union, and aligned itself with the comments of previous speakers who welcomed the Chair’s chairing of the Assemblies. The Delegation stated that under the Chairs guidance, significant progress was made and decisive outcomes reached for the smooth functioning of WIPO, such as the adoption of technical assistance and support for the IP ecosystem in Ukraine and the planning of diplomatic conferences on GRs and associated TK and on the DLT. The Delegation underscored the importance it attaches to making further progress on other texts that have been under discussion for many years, on the basis of consensus, which must remain the decision‑making mode in the Organization. Finally, the Delegation thanked the Secretariat, the conference services, interpreters, for their important work, as well as other delegations, and wished them happy holidays and a safe trip back home.
13. The Delegation of Saudi Arabia congratulated the Chair on her role in ensuring the success of these Assemblies, for her commitment and able guidance that had enabled delegations to take some very important decisions including the decision on two diplomatic conferences. The Delegation also thanked the delegations for their flexibility in allowing to take this historic decision. The Delegation thanked the Secretariat for its coordination role and wished to thank Daren Tang, Director General, the Legal Counsel and all staff. In addition, the Delegation thanked the Director of the Diplomatic Engagement and Assemblies Affairs Division for his leadership. The Delegation was keen to see the role that IP plays in development and the role that the Organization has to play in development at global level. The Delegation stood ready to provide any necessary support required by the Organization to help delegations move forward on IP issues. The Delegation stated that it would be honored to welcome delegations to Saudi Arabia for a diplomatic conference on a DLT. The Delegation wished everyone a safe trip back home. The Delegation thanked the Chair for her efforts.
14. The Delegation of Sudan congratulated and thanked all those who had contributed to the success of the 63rd Series of Meetings of the Assemblies of the Member States of WIPO. The Delegation noted that delegations had achieved some excellent and important results, in particular, on the convening of diplomatic conferences on the DLT, GRs and TK.
15. The Delegation of Eswatini aligned itself with the statement made by the Delegation of Algeria, on behalf of the African Group. The Delegation took the opportunity to express its gratitude to the Chair for her leadership and for skillfully handling the Assemblies during a period in the history of the time where the world was faced with so many challenges, spanning from geopolitical challenges, climate change, and the COVID-19 pandemic. The Delegation thanked the DG and his team for the smooth running of the different sessions of the Assemblies. The Delegation equally thanked all the delegations of Member States for the collaboration and interventions had during the entire conference. In addition, the Delegation expressed its gratitude to the regional coordinators for the marvelous work carried out throughout the various sessions held during the two weeks. The Delegation reiterated and encouraged the consensus-based approach in decision-making in this august body. The Delegation noted with much appreciation the historic decision on GRs and the DLT, which was achieved through a consensus seeking approach. The Delegation stated that it would be amiss not to thank the great team of interpreters for their good work. The Delegation concluded by wishing all delegations especially, the capital-based colleagues a safe journey back home.
16. The Delegation of Botswana associated itself with the statement made by the Delegation of Algeria, on behalf of the African Group. The Delegation congratulated the Chair for her sterling leadership in the work of the Assemblies of the WIPO Member States. The Delegation also thanked the Director General and the Secretariat for their tireless dedication in facilitating and supporting the work of the WIPO General Assembly. In addition, the Delegation thanked and congratulated other delegations for the constructive engagement that led towards effective guidance of the Secretariat on the expectations of the Member States of the administrative matters, including but not limited to ensuring geographical balance in WIPO. The Delegation applauded the WIPO General Assembly for the decisions reached on various matters, particularly concluding to convening diplomatic conferences to adopt international instruments on the DLT, and GRs associated with TK, TCEs and folklore. This indeed was a step forward following the many years of negotiation on those topics. The Delegation committed to work constructively with other Member States to implement the decision of the WIPO General Assembly.
17. The closing remarks of the Director General is recorded as follows:

“Excellencies, Distinguished Delegates,

“Dear Colleagues and Friends,

“We come to the end of what will be remembered as a historic week for WIPO.

“Thanks to the leadership of these Assemblies, to all of you, this was a week in which longstanding deadlocks were broken.

“A week where we believed we could shape the lives of millions out there, and acted on it.

“And a week where multilateralism was victorious.

“Just as the road to this point has had its challenges, the work ahead will be complex. There will be differences and divergences. But the decisions taken yesterday put us on track to enter into the final lap of what has been a long marathon, and if we keep the spirit of conviction, creativity, collaboration and community that we have seen at these Assemblies, I am certain that we will cross the finishing line together.

“The Secretariat stands ready to support and work with all WIPO Members on this phase of our future journey.

\*\*\*

“Dear Delegates, Dear Friends,

“Last year, I shared with you that WIPO was not in a ‘business-as-usual’ mode. I think you’ve seen that at this year’s Assemblies, which were also not in a ‘business-as-usual’ mode. We were very happy that we were able to innovate the General Assemblies and to build-in new programs like the WIPO Global Awards and side events where IP offices could share best practices with each other.

“But most of all what we tried to do during these Assemblies was to build a sense of community and I want to thank all the Member States that worked with us to arrange these events, which added pizazz and a sense of community to our work.

“The Assemblies are not only the culmination of a year’s work, as an agency we also provides services and support your growth and development. So our work takes place literally every day of the year. This is why I am also very grateful for the positive, encouraging and supportive statements that many Members made regarding the implementation of the Medium Term Strategic Plan and Program and Budget that you approved last year.

“In the months and years ahead, WIPO will remain laser-focused on delivering the impact that you expect and to leveraging our expertise to support your innovators and creators on the ground.

“I am also grateful for the practical and ideas-focused approach that delegations brought to the many bilateral meetings with me and my colleagues. I have learnt much from all of you and we come away energized by your commitment to transforming your offices from registries to innovation catalysts in support of your country’s ambitions to use innovation, creativity and IP for growth and development.

“Other decisions reached over the last week have also had an important role to play in taking the work of the Organization forward.

“You have endorsed reports on audit and oversight, staff matters and our program and budget, and we will work with all Members to build a diverse and dynamic WIPO staff.

“You have approved a range of provisions that will strengthen the operation of our global services, in various technical areas. These decisions will help us strengthen as an Organization.

“And you agreed to modify the electoral cycle of officers and adopt gender-neutral language into our General and Special Rules of Procedure.

“The Secretariat also stands ready to take the requested action in support of Ukraine’s IP system and innovation and creativity sectors.

“In a nutshell, count on us to work with you to deliver on all fronts.

\*\*\*

“Excellencies, Distinguished Delegates,

“As we come to the end of what has been a busy week, I would like to express my deep gratitude to all those who have contributed so much to this year’s Assemblies.

“To our Chair, Ambassador Molcean, thank you for skillful leadership, drive and focus. It has not been easy but your wisdom, guidance and dedication have been critical and the ground-breaking results we have achieved under your chairpersonship speak for themselves.

“Thank you also to Group Coordinators for your valuable support. This was an intense Assemblies but your constant engagement, flexibility, diplomacy and stamina were critical to making these Assemblies a great success.

“I also want to thank Member States for your active engagement in our work. Your support for our transformation and your friendship are highly valued and as the first Director General from an IP office background, you always have a very special place in my heart, even though we continue loving the diplomats and Ambassadors equally!

“I would also like to pay tribute to my colleagues here at WIPO who have worked tirelessly to ensure the smooth running of the Assemblies.

“I am very grateful to our colleagues in the WIPO Secretariat for your skillful stewardship over the last nine days, as well as in the weeks and months leading up to this moment. And although it is difficult to single out specific colleagues I greatly appreciate the work of Assistant Director General Andrew Staines, Deputy Legal Counsel, Anna Morawiec Mansfield and Director of Diplomatic Engagement and Assemblies Affairs, Omar Katbi.

“Beyond these three, the work of the Assemblies involves so many colleagues from across the Organization. I want to thank our interpreters, translators, audiovisual and IT teams for their professionalism and support. And I want to express my gratitude to our catering, cleaning and security colleagues for everything that you do behind the scenes. A heartfelt thank you to all of you.

\*\*\*

“Excellencies, Distinguished Delegates,

“One of the great pleasures over the last week or so, has been to see this hall, our lobby – indeed, the whole of our premises – brimming with colleagues and friends, old and new.

“While technology has served us well over the last two years, there is no substitute for a largely in-person WIPO Assemblies and for bringing our community together again.

“There is no technology that I know of that can substitute for a handshake and renewing our ties and friendships. And it is these ties that will help us work as a WIPO family and to continue leading the global IP community as we have done at these Assemblies.

“My colleagues and I look forward to working with everyone to build a world where IP supports innovators and creators from anywhere and where IP truly becomes a powerful catalyst for jobs, investments, business growth and economic and social development for all WIPO Members.

“Thank you very much.”

1. The Chair expressed her deepest gratitude for all the support shown throughout the week and these hard-working days. Firstly, she expressed her gratitude to delegations, both Member States and observers, for the hard work, dedication and wise approach, and to Group Coordinators who truly carried most of the burden of the work done. She also expressed special thanks to the CEBS coordinator and to her delegation, the Republic of Moldova, which encouraged and supported her in taking the mandate, which turned to be even more engaging, and which she had enjoyed more than she had expected. In addition, the Chair thanked all the delegates who had approached her and commended her for being an inspiration for women empowerment. The Chair thanked the organizers of the side events and stated that everyone benefited and immensely enjoyed the activities. The Chair thanked the Director General, congratulated him for his great team and commended him for doing a great job. The Chair also thanked the Deputy Directors General, the Secretariat, the amazing team on both rows of the podium, the Secretary of the Assemblies, the Deputy Legal Counsel, the Director of the Diplomatic Engagement and Assemblies Affairs Division and the backup team, the energizing Director of the News and Media Division, the interpreters and all those providing support to these Assemblies. The Chair stated that during this week, which felt like a lifetime, delegations had witnessed important discussions and decisions taken in all fields, covered by the items on the agenda of that day and the other days, some decisions not even hoped or dreamed of, thanks to all delegations. The Chair’s biggest gratitude was that the Secretariat kept all delegations safe, and admitted that her greatest fear was not being able to stay until the end, COVID free, as well as not being able to open or close the meeting. Therefore, she extended her greatest gratitude to all. The Chair informed delegations that the Secretariat had prepared a video that summarized in a few minutes the entire activities of the Assemblies and requested the Secretariat to present it.
2. The Sixty-Third Series of Meetings of the Assemblies of WIPO was closed by the Chair of the WIPO General Assembly on July 22, 2022.

[Annex follows]