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SECOND COMMITTEE OF GOVERNMENTAL EXPERTS ON ADMINISTRATION AND STRUCTURE

DEUXIÈME COMITÉ D'EXPERTS GOUVERNEMENTAUX CONCERNANT DES QUESTIONS D'ORDRE STRUCTUREL ET ADMINISTRATIF

Geneva, May 16 to 27, 1966 — Genève, 16 - 27 mai 1966

STATEMENT BY MR. A. KRIEGER
HEAD OF THE DELEGATION OF THE FEDERAL
REPUBLIC OF GERMANY

Mr. Chairman,

Before entering into substantial discussions, the German Delegation would like to point out its high respect and admiration for the excellent preparation of this conference. The very difficult subject of our meeting is pointed out and explained in the numerous and comprehensive documents in such a clear and understandable way that everyone has an excellent basis for the discussions and for his own decisions. Of course, there are some questions and problems for which it may be necessary to have long debates, and some problems may be handled only briefly in the documents. But I am sure that, on the basis of the preparatory work of the experts of the Swedish Government and BIRPI, we have a real chance of finishing our work within the schedule and the time proposed by Professor Bodenhausen, and to come to a result of our work satisfactory to all participants of this conference. So I think we have to thank the Swedish experts and the officials of BIRPI for their efforts in preparing our work, and now, in my opinion, it is, in the first place, the task of the Delegations of the Member States taking part in this meeting to come to a solution of all problems in the atmosphere of good international cooperation which has characterized all our former meetings in this special connection.

As far as the subject of our meetings is concerned, the German Delegation is in a position to point out once more its full agreement with the principles of the proposed structure of the new International Organization in the field of intellectual property. As I stated during the 1965 Committee--let me refer here to the statement of the German Delegation reproduced in document AA/II/11 of the last meeting--the German Delegation is convinced that a new structure for the International Intellectual Property Organization on the basis of the proposed amendments of the present status is the necessary and appropriate means in order to obtain a more efficient state of affairs of this Organization and

and to underline the claim of being the only international organization in this special field in the world. My colleagues and myself fully understand the considerations and objectives of some of the Delegations, especially of our French friends, and we fully agree with them concerning the necessity of safeguarding the autonomy and independence of the various Unions within the new Organization. On the other hand, we are of the opinion that the present draft contains all necessary provisions, especially with regard to the safeguarding of the autonomy and independence of the Unions, and, in our opinion, it is impossible to diminish the significance of the Organization as such and to limit the functions of the Conference of the new Organization more than has been done in the present draft. This is, in our view, not possible without endangering one of the most important aims of the whole project.

So, the German Delegation, in principle, is in favor of the idea of creating a new structure for the Intellectual Property Organization as is pointed out in the documents before you, and supports the efforts to come to a result in this direction. In our view, the present draft, in principle, is a reasonable and acceptable compromise between the effort to create an effective and appropriate world-wide Organization and the necessity of safeguarding the independence of the Unions. But the balance of these two points of view would be disturbed if the autonomy and independence of the Unions would be stressed in a way which is incompatible with the proposed and necessary character of the new Organization.

Therefore, I would like to propose that we do not continue our debate on principles for too long, but that we begin the discussions of the various questions of substance within the schedule proposed by the Director. This procedure, I think, will give us the best chance of coming to a satisfactory and successful result of our meeting.