

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
UNITED INTERNATIONAL BUREAUX FOR THE PROTECTION OF INTELLECTUAL PROPERTY

GENEVA

BIRPI

WORLD INTELLECTUAL PROPERTY ORGANIZATION COORDINATION COMMITTEE

First Ordinary Session
Geneva, September 21 to 29, 1970

DRAFT REPORT

Prepared by the Secretariat

Opening of the Session

1. The Coordination Committee of WIPO (hereinafter called "the Coordination Committee") held its first ordinary session at Geneva from September 21 to 28, 1970.
2. The following 23 States members of the Coordination Committee were represented: Ordinary Members: Brazil, Canada, France, Germany (Federal Republic), Hungary, Italy, Japan, Romania, Soviet Union, Sweden, Switzerland, Tunisia, United Kingdom, United States of America (14); Associate Members: Argentina, Australia, Cameroon, Congo (Democratic Republic), India, Kenya, Mexico, Philippines, Poland (9).
3. The States and organizations which were represented by observers are shown in the list of participants (document AB/I/INF/2.Rev.).
4. The session was opened by Mr. Edward Armitage (United Kingdom), Chairman of the Ad Hoc Committee of the Whole (see document AB/I/32, paragraph 5), acting as provisional Chairman of the Committee.

Agenda

5. The agenda was adopted as proposed in document WO/CC/I/1.Rev.

Adoption of the Rules of Procedure

6. See document AB/I/32, paragraph 16.

Election of Officers

7. The Coordination Committee unanimously endorsed the proposals made by the Nominations Committee (see document AB/I/INF/3) and elected the following officers:

Chairman	:	Mr. G.R. Borggård	(Sweden)
Vice-Chairmen	:	Mr. Rafik Said	(Tunisia)
		Mr. Karl Barry Petersson	(Australia)

8. Mr. Claude Masouyé, Senior Counsellor, Head of the External and Public Relations Division of WIPO, acted as Secretary of the Committee.

Nomination of a Candidate for the Post of Director General

9. See document AB/I/32, paragraph 27.

Establishment of the 1971 Program and Budget

10. See document AB/I/32, paragraph 92.

Approval of Appointment of Deputy Directors General

11. Discussions were based on documents WO/CC/I/2 and 10.

12. Referring to Article 9(7) of the WIPO Convention, the Director General of WIPO requested the Committee's approval of the appointment of Dr. Arpad Bogsch and Mr. Joseph Voyame

to the posts of First Deputy Director General of WIPO and Second Deputy Director General of WIPO, respectively.

13. The Delegations of Germany (Federal Republic), the Soviet Union, the United Kingdom and the United States of America gave their full support to the proposed appointment of Dr. Arpad Bogsch, recalling his past activities, in particular as Secretary General of the Stockholm and Washington Diplomatic Conferences, and emphasizing his organizational talent and remarkable working capacity, as well as his great competence, his intellectual qualities and his untiring devotion to duty.

14. The same delegations stressed the qualities of Mr. Joseph Voyame as an administrator and negotiator and also supported the proposal to appoint him Second Deputy Director General, at the same time registering their appreciation of his activities and his work.

15. The Delegations of Brazil, Cameroon, Canada, Italy, the Netherlands, Portugal and Spain endorsed this praise and expressed the sincere wish that the highly appreciated merits of these two senior officials be recognized by their appointment to the posts of First and Second Deputy Directors General of WIPO.

16. The Chairman of the Committee noted that the Committee gave its unanimous consent to the appointment of Dr. Arpad Bogsch to the post of First Deputy Director General of WIPO, and of Mr. Joseph Voyame to the post of Second Deputy Director General of WIPO.

17. Dr. Arpad Bogsch and Mr. Joseph Voyame expressed, in turn, their thanks for the honor bestowed on them, and

assured the Committee that they would devote themselves to the best of their ability to the discharge of their duties.

18. The Committee then examined the proposal of the Soviet Union to create the post of a third Deputy Director General of WIPO (see document WO/CC/I/10).

19. The Delegation of the Soviet Union expressed the view that the establishment of the new Organization and the increase in the number of tasks to be accomplished by it justified such an innovation. It pointed out that the Soviet Union was fully qualified for the allocation of a senior post in the administration of WIPO and presented the candidature of Mr. Igor V. Cherviakov, extolling his great merits.

20. The Director General of WIPO remarked that the proposal of the Soviet Union raised two questions: that of deciding whether an additional post of Deputy Director General was necessary to the Organization and, if so, that of selecting the persons to discharge his duties. As for the second question, the Director General of WIPO observed that it was essential to abide by the provisions of the Staff Regulations, and that any new post should therefore be advertised. He said that, in such an event, other candidatures would probably be presented, either by other countries such as developing countries, or by officials at present on the staff, and in this respect he mentioned the name of Mr. Claude Masouyé. With regard to the first question, the Director General of WIPO was of the opinion that it called for thorough examination, especially from the point of view of the financial consequences and the need to enlarge the administrative staff of the Organization, in view of the fact that the proposal of the Soviet Union had been made only a few days before the opening of the current session and that therefore there was insufficient time to form an opinion.

21. The Delegation of Argentina recalled the wish expressed by the delegations of developing countries attending the Stockholm Conference, and emphasized the need to take account of the aspirations of those countries, 38 of which were currently members of the Organization. It expressed the view that any examination of the problem raised by the proposal of the Soviet Union should take into consideration the question of the respect for an equitable geographical distribution within the Organization.

22. The Delegation of Brazil stated that if, in the present state of the finances, it was difficult to decide on the creation of an additional post of Deputy Director General, it nevertheless seemed probable that the future tasks of the Organization would justify it. It proposed, therefore, that the question be examined before the next ordinary session of the WIPO General Assembly. As for the conditions in which the new post was to be filled, the Delegation of Brazil expressed its preference for allocating it to a national of a member country of both the Paris and Berne Unions. Approving the remarks of the Delegation of Argentina, it expressed the opinion that developing countries should have a place within the administration of the Organization which was proportionate to their importance both in the world and in relation to the countries at present members of the Paris and Berne Unions.

23. The Delegation of Cameroon noted with satisfaction the efforts which were being made to achieve a better geographical distribution in the recruitment of staff. It suggested, however, that not too much technical experience be required in addition to university training, as this could be a handicap to candidates from developing countries. It seconded the proposal to create an additional post of Deputy Director General, or at least to redistribute responsibilities within the administration.

24. The Delegation of Czechoslovakia endorsed the proposal of the Soviet Union.

25. The Delegation of Yugoslavia proposed that any study undertaken on this subject should take the aspirations of developing countries into account, and should also be submitted in advance to the Governments of all member States.

26. At the close of this discussion, the Committee asked the Director General of WIPO to submit to the next ordinary session of the General Assembly the results of his study of the various aspects of this question, including a comparison with situations existing in the other intergovernmental organizations, especially with respect to the number of officials and their nationality and relevant financial considerations.

Consideration of Staff Matters including Approval of the Staff Regulations and Staff Rules

27. Discussions were based on documents WO/CC/I/3, 9, and 10.

28. As to the question of the geographical distribution of the staff of the International Bureau (see document WO/CC/I/3, paragraph 3, and Annex I), several delegations stated that it should be still broader. In particular, a better representation of the developing countries and the socialist countries was asked for.

29. The Director General indicated that considerable progress was being made from year to year in this respect. It should be borne in mind, however, that the professional qualifications of candidates must always play an essen-

tial part in recruiting, that certain candidates could not be appointed for want of sufficient knowledge of the working languages, and also that staff of the general services category should as far as possible be recruited locally, if only for reasons of economy.

30. The Coordination Committee unanimously adopted, subject to one change indicated below, the Staff Rules as they appear in Annex II of document WO/CC/I/3 amended by document WO/CC/I/9, paragraph 7. The change concerns Rule C(6)(a), to the extent that it amends Article 12(1) of the BIRPI Staff Regulations. Following observations presented by the Delegations of Australia, France, Germany (Federal Republic) and the United States of America, the Coordination Committee unanimously decided that the words "provided the required amounts can be covered by the budget" be added to the penultimate sentence of C(6)(a) and that the last sentence be omitted.

31. The rest of documents WO/CC/I/3 and 9, including the promotion of Mr. B.A. Armstrong, Head of the Administrative Division of WIPO, to Grade D.1, and the introduction of an internal taxation system, was unanimously approved by the Coordination Committee.

Approval of the Headquarters Agreement

32. The Coordination Committee examined document WO/CC/I/6, and its Annexes I and II, which contain drafts for the Headquarters Agreement and the Arrangement for its implementation, negotiated by the Director General of WIPO and the Political Department of the Swiss Confederation. After the Secretariat had provided some explanations on these drafts, the Coordination Committee unanimously approved them and gave the Director General of WIPO the authorization to conclude and sign them in the name of WIPO.

33. In this connection, the Delegation of Switzerland stated:

(i) that the Swiss authorities would have no objection to making the entry into force of the Headquarters Agreement and the Arrangement for its implementation retroactive to the date on which the WIPO Convention itself entered into force;

(ii) that the Federal Political Department would propose to the Swiss Government the cancellation of the rules governing the status of the United International Bureaux for the Protection of Industrial, Literary and Artistic Property (BIRPI), decreed by the Government on August 16, 1960;

(iii) that the Headquarters Agreement provides for tax exemption only for members of WIPO staff who are not of Swiss nationality; that, on the other hand, the Geneva cantonal authorities had recently renewed their decision to exempt staff members of Swiss nationality from cantonal and communal taxes; that, in addition, considering the internal taxation system decided upon by the Coordination Committee, the Federal authorities would also exempt staff members of Swiss nationality from direct Federal taxation.

Approval of General Agreements with Intergovernmental Organizations

34. Discussions were based on documents WO/CC/I/4 and 11.

35. In connection with the question of relations with the United Nations, the Delegation of the Soviet Union recalled the invitation to the Director General contained in the Resolution of the WIPO General Assembly and the WIPO Conference (see Annex D to document AB/I/32) to carry out a study on the possibility of WIPO's becoming a specialized agency of the United Nations and stated that the new agreement referred to in document WO/CC/I/11 should be regarded as a starting point in that direction.

36. The Coordination Committee unanimously decided to agree with the proposals contained in documents WO/CC/I/4 and 11.

Approval of Arrangements with International Non-Governmental Organizations

37. The Coordination Committee, after having added the names of the Deutsche Gesellschaft für Dokumentation and the Deutsche Vereinigung für gewerblichen Rechtsschutz und Urheberrecht to the list of organizations contained in paragraph 2(b) of document WO/CC/I/5, unanimously approved the proposals contained in the said document.

Consideration of Plans concerning the Extension of the Headquarters Building of the International Bureau

38. See document AB/I/32, paragraph 98.

Admission of Observers

39. See document AB/I/32, paragraph 44.

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