

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

WIPO GENERAL ASSEMBLY

Nineteenth Session (7th Extraordinary)
Geneva, September 23 to October 2, 1996

MATTERS CONCERNING PREMISES (ADDENDUM)

Memorandum by the Director General

1. The present document provides further information to complement and update that contained in document WO/GA/XIX/1.
2. The September 9 to 11, 1996, joint session of the Budget Committee and the Premises Committee (hereinafter referred to as "the two Committees") considered two documents, one containing the opinion and report of the independent expert (Mr. Alec Sugden) concerning the needs of WIPO for additional premises (document WO/BC/XV/2 - WO/PC/VI/2), and the other concerning building on the "Steiner Lot" (document WO/BC/XV/3 - WO/PC/VI/3). (Those documents were sent not only to members of the two Committees but also to all States members of WIPO; further copies are available on request from the International Bureau.)
3. After a thorough discussion, the two Committees unanimously approved the following text:

"The joint session of the Budget and Premises Committees (hereinafter referred to as "the two Committees"),

Notes with appreciation and approval the findings in the report of the independent expert, Mr. Alec Sugden;

Recognizing that there is a difference of opinion among the members of the two Committees, some of whom regretted the absence of complete information on options available for meeting WIPO's premises needs;

Aware of the desire of the two Committees to rapidly identify a solution to WIPO's premises problems;

Decides to recommend to the General Assembly that:

1. the International Bureau organize an international architectural competition for constructing a building on the Steiner lot, it being understood that the invitations for the submission of projects shall not be sent prior to the approval of the two Committees. The competition and its results shall not prejudice in any manner any decision that shall be taken by the two Committees or the Governing Bodies to address the premises needs of WIPO;
2. the Director General appoint an independent consultant, selected by the Chairperson of the present session of the two Committees after consultations with the membership of the two Committees, to identify, evaluate and report on rental, purchase and construction options available in Geneva to WIPO for meeting its premises and conference facility needs. The terms of reference of the consultant shall be defined by the said Chairperson after consultations with the membership of the two Committees. Members of the two Committees may provide, through the said Chairperson and no later than October 15, 1996, information for consideration by the consultant. The consultant shall have available or obtain the necessary expertise to give advice on matters pertaining to financial, architectural and real estate considerations. The consultant shall submit his report in time for the two Committees to consider it by mid-March 1997 at the latest."
4. The report of the joint session of the two Committees is contained in document WO/BC/XV/4 - WO/PC/VI/4. The full text of that document is annexed to this memorandum.
5. *The General Assembly is invited to pronounce itself in respect of the recommendation contained in paragraph 3, above.*

[Annex follows]

REPORT OF THE
SEPTEMBER 1996 SESSIONS OF THE
BUDGET AND PREMISES COMMITTEES
(WIPO document WO/BC/XV/4 - WO/PC/VI/4
dated September 11, 1996)

1. The fifteenth session of the WIPO Budget Committee and the sixth session of the WIPO Premises Committee, hereinafter referred to as "the two Committees," were held jointly at the Headquarters of WIPO from September 9 to 11, 1996.

2. The members of the Budget Committee are the following States: Algeria, Brazil, Bulgaria, Canada, Chile, China, France, Germany, Guinea, India, Japan, Netherlands, Pakistan, Philippines, Poland, Russian Federation, Switzerland (*ex officio*), United Kingdom, United Republic of Tanzania, United States of America and Uruguay (21). The members of the Premises Committee are the following States: Argentina, Brazil, China, Egypt, France, Germany, India, Nigeria, Russian Federation, Switzerland and United States of America (11). The States members of the Budget Committee, of the Premises Committee or of the two

Committees which were represented at the session were the following: Algeria, Argentina, Brazil, Bulgaria, Canada, Chile, China, Egypt, France, Germany, India, Japan, Netherlands, Nigeria, Pakistan, Philippines, Poland, Russian Federation, Switzerland, United Kingdom, United Republic of Tanzania, United States of America and Uruguay (23). In addition, the following States members of WIPO but not members of the Budget Committee or the Premises Committee were represented by observers: Armenia, Australia, Bangladesh, Belarus, Belgium, Cameroon, Colombia, Côte d'Ivoire, Ghana, Iraq, Italy, Kenya, Latvia, Lithuania, Mexico, New Zealand, Paraguay, Peru, Portugal, Republic of Korea, Saudi Arabia, Senegal, Slovakia, South Africa, Spain, Sri Lanka, Thailand, Trinidad and Tobago, Venezuela and Zimbabwe (30). The list of participants is attached to the present report.

3. The session was opened by the Chairperson, Mme Joëlle Rogé (France), who welcomed the participants.

4. Discussions were based on documents WO/BC/XV/2-WO/PC/VI/2 ("Needs of WIPO for Additional Premises: Opinion and Report of Independent Expert") and WO/BC/XV/3-WO/PC/VI/3 ("Building on the 'Steiner Lot'").

5. The two Committees had a thorough and extensive discussion of the two documents. Delegations expressed their appreciation for the excellent report by the independent expert, Mr. Alec Sugden, which they considered provided a detailed, comprehensive and well documented evaluation of the needs of WIPO for additional premises. There was a general acceptance of the findings of the independent expert, in particular, his projections of the number of working places needed in the year 2006.

6. A number of delegations stated that they supported the proposal of the Director General to recommend to the WIPO General Assembly that the International Bureau be authorized to organize an international architectural competition for the construction of a building on the Steiner lot. Those delegations noted that the independent expert's opinion confirmed the International Bureau's assessment of both the number of working places needed for the year 2006 and the need for a 400-seat conference room, and stated that the solution consisting of constructing a building on the Steiner lot was ideal, as it would be in close proximity to the WIPO Building and would be an economic solution, which would cost much less than commercial rental thanks to the generosity of the Swiss Confederation--which would finance half of the cost of the construction through an interest-free loan--and of the Republic and Canton of Geneva--which would make the land available to WIPO free of charge. Those delegations noted their satisfaction with the proposed procedures which would ensure a fully transparent and closely controlled operation, with competitive tendering for the architectural work and for each element of the construction. The delegations emphasized the urgency of providing a solution to WIPO's pressing needs for additional premises, and stated that they saw no reason to undertake any further studies which would involve unnecessary expenditures and could delay the construction of the building, and might even lead to the Steiner lot becoming no longer available.

7. A number of other delegations stated that they did not consider that sufficient information had been provided by the International Bureau. In particular, those delegations said that they did not know the capacity of WIPO's buildings (including the WMO Building), nor the projections of space needs for WIPO's staff, equipment and storage; it was therefore

not possible to determine what additional space would be needed for the year 2006. Furthermore, the delegations considered that a full examination of all options in Geneva that could satisfy WIPO's space needs had not been provided; only the solution of a building on the Steiner lot had been advanced, and that appeared to be an expensive solution. In the light of the current high vacancy real estate market in Geneva, it was necessary to consider other possibilities. Moreover, some of those delegations questioned the need for the proposed new conference room, in view of the availability of other conference facilities in Geneva. There should be a fully transparent process leading to the decision. It was therefore necessary to obtain an independent evaluation of all options open to WIPO, in order that a responsible and informed decision could be made to find the best possible solution to WIPO's future premises needs. Since it was WIPO's post-2001 premises needs which were under consideration, those delegations considered that time was available in which to have appropriate experts develop and provide the additional information that was necessary. The delegations emphasized that the further study envisaged did not preclude the possibility of eventually constructing on the Steiner lot.

8. Several delegations expressed the concern that construction on the Steiner lot should not affect the funds available for development cooperation. The International Bureau stated that the construction of the new building would not in any way reduce the funds available for development cooperation and that the International Bureau intended to propose to the Governing Bodies, for future biennia, to further increase such funds.

9. Thorough discussions followed in an endeavor to reconcile the divergent views among delegations, so that a recommendation could be made to the General Assembly with a view to rapidly finding a solution to WIPO's premises problems. During those discussions, the Delegation of Sri Lanka, speaking on behalf of the Group of Asian countries, proposed to add, at the end of the decision proposed in paragraph 18 of document WO/BC/XV/3-WO/PC/VI/3, after the word "Committees," the words "which may call upon expert opinion if required." The Delegation of the United States of America made a proposal, which was revised several times, for a recommendation to be addressed by the two Committees to the General Assembly.

10. Finally, the following text was developed by a drafting group, and was unanimously approved by the two Committees:

"The joint session of the Budget and Premises Committees (hereinafter referred to as "the two Committees"),

Notes with appreciation and approval the findings in the report of the independent expert, Mr. Alec Sugden;

Recognizing that there is a difference of opinion among the members of the two Committees, some of whom regretted the absence of complete information on options available for meeting WIPO's premises needs;

Aware of the desire of the two Committees to rapidly identify a solution to WIPO's premises problems;

Decides to recommend to the General Assembly that:

1. the International Bureau organize an international architectural competition for constructing a building on the Steiner lot, it being understood that the invitations for the submission of projects shall not be sent prior to the approval of the two Committees. The competition and its results shall not prejudice in any manner any decision that shall be taken by the two Committees or the Governing Bodies to address the premises needs of WIPO;

2. the Director General appoint an independent consultant, selected by the Chairperson of the present session of the two Committees after consultations with the membership of the two Committees, to identify, evaluate and report on rental, purchase and construction options available in Geneva to WIPO for meeting its premises and conference facility needs. The terms of reference of the consultant shall be defined by the said Chairperson after consultations with the membership of the two Committees. Members of the two Committees may provide, through the said Chairperson and no later than October 15, 1996, information for consideration by the consultant. The consultant shall have available or obtain the necessary expertise to give advice on matters pertaining to financial, architectural and real estate considerations. The consultant shall submit his report in time for the two Committees to consider it by mid-March 1997 at the latest.”

11. Following that unanimous approval, the Delegations of Germany, Sri Lanka (speaking on behalf of the Group of Asian countries), Côte d'Ivoire (speaking on behalf of the Group of African countries), the Russian Federation, Nigeria, Chile (speaking on behalf of the Group of Latin America and Caribbean countries), the United States of America and Latvia expressed their satisfaction with the consensus that had been achieved, and thanked the Chairperson, the other delegations and the International Bureau for their work in achieving that.

12. This report was unanimously adopted by the two Committees on September 11, 1996.

[List of participants follows]

LISTE DES PARTICIPANTS/
LIST OF PARTICIPANTS

I. ÉTATS MEMBRES/MEMBER STATES

*(dans l'ordre alphabétique des noms français des États/
in the alphabetical order of the names in French of the States)*

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POLOGNE/POLAND

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RÉPUBLIQUE-UNIE DE TANZANIE/UNITED REPUBLIC OF TANZANIA

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EXPERT INDÉPENDANT/INDEPENDENT EXPERT

Alec SUGDEN

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Vice-présidents/Vice-Chairmen:	Guido Fernando SILVA SOARES (Brésil/Brazil)
	Nikolai KHLESTOV (Fédération de Russie/Russian Federation)
Secrétaire/Secretary:	Joachim BILGER (OMPI/WIPO)

IV. BUREAU INTERNATIONAL DE L'ORGANISATION MONDIALE DE LA
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Joachim BILGER, chef de la Section du budget/Head, Budget Section

Division des bâtiments/Buildings Division
Giovanni TAGNANI, directeur/Director

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