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STANDING COMMITTEE ON THE LAW OF TRADE MARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS

Second Special Session on the Report of the Second WIPO Internet Domain Name Process

Geneva, May 21 to 24, 2002

ACCREDITATION OF CERTAIN ORGANIZATIONS

Document prepared by the Secretariat

1. The first Special Session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) on the Report of the Second WIPO Internet Domain Name Process approved the accreditation as *ad hoc* observers for the Special Sessions of the Agence pour la protection des programmes (APP), the Internet Society (ISOC) and the International Federation of Red Cross and Red Crescent Societies. Since the first Special Session, a number of intergovernmental and non-governmental organizations have expressed to the Secretariat their wish to obtain *ad hoc* observer status for the second Special Session. A document containing the names of the organizations in question is attached as an Annex. The details on the organizations contained in the Annex were received from each organization.

2. The Special Session of the SCT is invited to approve the accreditation of the organizations referred to in the Annex to this document as ad hoc observers for the second Special Session of the SCT on the Report of the Second WIPO Internet Domain Name Process.

[Annex follows]

ANNEX

INTERGOVERNMENTAL AND NON - GOVERNMENTAL ORGANIZATIONS
WHICH HAVE REQUESTED ACCREDITATION AS *ADHOC* OBSERVERS
FOR THE SECOND SPECIAL SESSION OF THE SCT
ON THE REPORT OF THE SECOND WIPO INTERNET DOMAIN NAME PROCESS

International Committee of the Red Cross (ICRC)

International Organization for Migration (IOM)

International Trade Centre (ITC)

Organisation for Economic Co - operation and Development (OCDE)

Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC) and
the Kyoto Protocol

Cognac National Interdisciplinary Office (BNIC)

Internet Corporation for Assigned Names and Numbers (ICANN)

International Committee of the Red Cross (ICRC)

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organisation whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and co - ordinate the international relief activities conducted by the International Red Cross and Red Crescent Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law - the law of armed conflict - and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.

The ICRC's authority is derived from international instruments to which States have subscribed. These include the Geneva Conventions of 1949 and their Additional Protocol of 1977, as well as the Statutes of the Red Cross and Red Crescent Movement.

In international armed conflicts, the ICRC bases its action on the four Geneva Conventions and Protocol I additional thereto, which recognise its right to conduct certain activities such as bringing relief to wounded, sick or shipwrecked military personnel; visiting prisoners of war; taking action on behalf of the civilian population; and ensuring that protected persons are treated according to the law.

During internal armed conflicts, the ICRC bases its action on Article 3 common to the four Geneva Conventions and on Protocol II. These recognise its right to make proposals by offering, for example, its services to parties to conflict with a view to undertaking relief operations and visiting persons detained in connection with the armed conflict.

In the other violent situations less intense than armed conflicts – internal disturbances for instance – the ICRC bases its action on the Statutes of the Movement, which grant it a right of initiative in humanitarian matters. It may in fact offer its services in any situation which requires the presence of a specifically neutral and independent intermediary.

Taken together, all these rights constitute the permanent mandate assigned to the ICRC by the international community.

In 2001, the ICRC maintained a permanent presence in 69 countries but conducted operations in about 80. The President of the ICRC is Dr. Jacob Kellenberger. The ICRC employs approximately 800 persons at its headquarters at 19, avenue de la Paix, 1202, Geneva, Switzerland. The ICRC's permanent delegations in Africa (21), the Americas (9), Europe/Central Asia (15), Asia (15) and the Middle East (9) employ approximately 11,000 people.

An increasing number of ICRC activities for victims of conflict and internal strife are implemented jointly with National Red Cross and Red Crescent Societies, wherever their network, structure and capacity permit. In joint operations, the ICRC coordinates all input from components of the Movement and helps increase the capacity of the local National Society.

International Organization for Migration (IOM)

As the leading international organization for migration, IOM is committed to the principle that humane and orderly migration benefits migrants and society. It acts with its partners in the international community to:

- assist in meeting the growing operational challenges of migration management,
- advance understanding of migration issues,
- encourage social and economic development through migration, and
- uphold the human dignity and well-being of migrants.

Established in 1951 as an intergovernmental organization to resettle European displaced persons, refugees and migrants, IOM has now grown to encompass a variety of migration management activities throughout the world, and is working with migrants and governments to provide human responses to migration challenges.

With over 150 offices, some 2700 staff members and operations on every continent, IOM helps governments and civil society through :

- rapid humanitarian responses to sudden migration flows,
- post-emergency return and reintegration programs,
- assistance to migrants on their way to new homes and lives,
- facilitation of labor migration,
- assisted voluntary return for irregular migrants,
- recruitment of highly qualified nationals for return to their countries of origin,
- aid to migrants in distress,
- training and capacity building of officials,
- measures to counter trafficking in persons,
- migration medical and public health programs,

- mass information and education on migration, and
- research related to migration management and other services for migrants.

While not formally part of the United Nations system, IOM maintains close working relations with UN bodies and operational agencies. IOM has as partners a wider range of international and non-governmental organizations. Ninety-one States are members of the Organization, while 37 have observer status.

International Trade Centre (ITC)

The International Trade Centre (ITC) is a technical cooperation organization whose mission is to support developing and transition economies, and particularly their business sectors, in their effort to realize their full potential for developing exports and improving import operations with the ultimate goal of achieving sustainable development. ITC deals specifically with the operational aspects of trade promotion and export development.

The development of national capacities for improving the trade performance of businesses is ITC's overriding objective. While providing direct support to the individual enterprise, ITC attempts to generate a multiplier effect through partnerships with technical and business service institutions able to replicate successes for a broader developmental impact. ITC's direct involvement with national institutions and the business community as well as its applied R&D enable it to draw up practical, relevant and action-oriented trade promotion programs. It brings to bear the business perspective in contributing to the design and implementation of trade promotion strategies and coordination arrangements. Networking and cooperation with national, regional and international organizations are pillars of its strategy. ITC assumes the dual role of providing its own technical support and of performing a clearing-house function for proven expertise and experience in trade promotion and export development on a worldwide basis.

To fulfil its mandate, ITC strives to be recognized as a centre of excellence in those priority areas of trade promotion and export development where its comparative advantages allow it to be most effective. ITC's six core services are: product and market development, development of trade support services, trade information, human resource development, international purchasing and supply management, and needs assessment and program design. Its range of services, expertise and modes of delivery are continuously reviewed and adapted to the changing needs of its clients. In carrying out its tasks, ITC integrates issues of common concern such as environmental considerations, entrepreneurship development, the advancement of women, poverty alleviation and employment generation, and economic and technical cooperation among developing countries.

ITC is a demand-driven organization responsive to national development objectives and programs. It endeavors to deliver relevant and cost-effective services for sustainable development ends. Its staff are committed to providing information and advice according to criteria implicit in the United Nations Charter: the highest standards of efficiency, competence, integrity and neutrality.

Organisation for Economic Co-operation and Development (OECD)

The Organisation for Economic Co-operation and Development (OECD) is an intergovernmental organisation established by Convention on December 14, 1960. The Organisation has 30 member States¹ sharing a commitment to democratic government and the market economy. Its headquarters are in Paris (2 rue André -Pascal, 75 775 Paris Cedex 16, France.)

The aims of the OECD are:

- to promote policies to achieve the highest sustainable economic growth and employment;
- to contribute to the development of the world economy;
- to contribute to the expansion of world trade on a multilateral, non-discriminatory basis.

The work of the Organisation covers a very wide range of economic and social issues from macroeconomics to trade, education, development, and science and innovation. The OECD plays a prominent role in fostering good governance in the public service and in corporate activity. It helps governments to ensure the responsiveness of key economic areas with sectoral monitoring. By identifying emerging issues and policies that work it helps policy makers adopt strategic orientations. It is well known for its individual country surveys and reviews.

The activities of the OECD are not limited to its member States, but through its active relationships with some 70 other countries, NGOs and civil society, the Organisation has a global reach.

Dialogue, consensus and peer pressure are the typical OECD tools. Its governing body, the Council, is made up of representatives of member countries. It provides guidance on the work of OECD committees and decides on the annual budget. Donald J. Johnston has been Secretary-General since June 1, 1996.

Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol

On 9 May 1992, the international community adopted the United Nations Framework Convention on Climate Change (UNFCCC). In doing so, they took the first step in addressing one of the most urgent environmental problems facing humankind. As they knew that these commitments would not be sufficient to seriously tackle climate change, the Conference of the Parties (COP 1) (Berlin, March/April 1995), in a decision known as the Berlin Mandate, launched a new round of talks to decide on stronger and more detailed commitments for industrialized countries. After two and a half years of intense negotiations, the landmark Kyoto Protocol was adopted at COP 3 in Kyoto, Japan, on December 11, 1997. It built on the

¹ Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Republic of Korea, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Poland, Portugal, Slovakia, Spain, Sweden, Switzerland, Turkey, United Kingdom, United States of America. The European Community takes part in the work of the Organisation.

framework of the Convention and marked the first time that governments of industrialized countries had accepted legally binding constraints on their greenhouse gas emissions. It broke new ground with its innovative “mechanisms” aimed at cutting the cost of curbing emissions. Today, 186 countries (including the European Community) are Parties to the Convention, more than almost any other environmental treaty, and the entry into force of the Kyoto Protocol is expected soon.

The complexity of the negotiations, however, meant that considerable “unfinished business” remained even after the Kyoto Protocol itself was adopted as it outlined basic features of its “mechanisms” and compliance system, for example, but did not detail the all-important rules of how they would operate. Although 84 countries signed the Protocol indicating that they intended to ratify, many were reluctant to do so and brought the Protocol into force before having a clear picture of the treaty’s rulebook. A new round of negotiations was therefore launched which culminated at COP7 with the adoption of the Marrakesh Accords, setting out detailed rules for the implementation of the Kyoto Protocol and taking some important steps forward in fleshing out the Convention’s rulebook.

The Conference of the Parties (COP) and the subsidiary bodies of the Convention and its Bureau are serviced by a secretariat, whose main functions are to make practical arrangements for sessions of the Convention bodies, to assist Parties in implementing their commitments, to provide support to on-going negotiations and to coordinate with the secretariats of other relevant international bodies, notably the Global Environment Facility or the Intergovernmental Panel on Climate Change. Specific tasks of the secretariat include the preparation of official documents for the COP and subsidiary bodies, the coordination of in-depth reviews of national communications from the Annex I Parties in accordance with Articles 4(2)(b) and 12(1) and (2) to the Convention and the compilation of greenhouse gas inventory data. The greater technical work needed since the adoption of the Kyoto Protocol (e.g., on reporting guidelines and the land use, land-use change and forestry sector) is leading to a trend of increased technical expertise within the secretariat. The Convention secretariat will also serve the Kyoto Protocol and its bodies.

The secretariat is institutionally linked to the United Nations and administered under United Nations Rules and Regulations. Its Head, the Executive Secretary, is appointed by the Secretary-General of the United Nations in consultation with the COP through its Bureau, and currently holds the rank of Assistant Secretary-General. The Executive Secretary reports to the Secretary-General through the Under-Secretary-General heading the Department of Management on administrative and financial matters, and through the Under-Secretary-General heading the Department for Economic and Social Affairs on other matters. The current Executive Secretary is Ms. Waller-Hunter. She succeeded the first Executive Secretary, Michael Zammit Cutajar (1991 to January 2002). The secretariat is guided in its work by the Bureau of the Convention bodies. Since August 1996, the secretariat has been located in Bonn, Germany. It moved from its previous location in Geneva, Switzerland, following an offer from Germany to host the secretariat, which was accepted by COP1.

Cognac National Interdisciplinary Office

The Cognac National Interdisciplinary Office (BNIC) is a body established by the Interministerial Decree of July 9, 1946, which entrusted it with providing a public service. The

BNIC carries out its duties under the dual supervision of the Ministry of Agriculture and Fisheries, and the Ministry of Economy and Finance.

As an interdisciplinary organization, the BNIC represents all those involved in the Cognac industry.

According to its constituent articles, the BNIC is entrusted, *inter alia*, with the promotion and protection of the controlled appellation of origin Cognac, both in France and abroad.

The BNIC protects the appellation of origin Cognac against any unlawful use of its name. It endeavors, in particular, to prevent any registration of marks or domain names using the name Cognac to designate products other than Cognac.

The BNIC also acts as an expert for the purposes of institutional cooperation on behalf of France or the European Union. These forms of cooperation relate generally to assistance with the adoption and implementation of a system of geographical indications. In that regard, the BNIC operates in particular in China, India, the Russian Federation, Ukraine and Viet Nam.

In order for its operation to run smoothly, the BNIC is obliged to follow legal developments relating to the protection of intellectual property rights, so as to adapt its activities to changes in the law, and thus guarantee better protection for the controlled appellation of origin Cognac.

Internet Corporation for Assigned Names and Numbers (ICANN)

Formed in October 1998, the Internet Corporation for Assigned Names and Numbers (ICANN) is a non-profit, private-sector corporation formed by a broad coalition of the Internet's business, technical, academic and user communities. ICANN has been recognized by the United States of America and other governments as the global consensus entity to coordinate the technical management of the Internet's domain names system, the allocation of IP address space, the assignment of protocol parameters, and the management of the root servers system.

It is ICANN's objective to operate as an open, transparent, and consensus-based body that is broadly representative of the diverse stakeholder communities of the global Internet. With a small staff of 14, ICANN is funded through the many registries and registrars that comprise the global domain name and Internet addressing systems.

ICANN is a non-profit corporation with a 19-member volunteer Board of Directors. Its Board has worked to pave the way for a smooth and stable transition from the present technical management system, which has been funded by the United States Government, to a new privatized and internationalized system. The Board's chairman is Mr. Vinton Cerf, Vice President of Internet Architecture and Technology for WorldCom, widely regarded as one of the fathers of the Internet. The other Directors have been drawn from a set of specialized technical and policy advisory groups, and through open, worldwide online elections.

Together with its Board of Directors, ICANN builds consensus through three supporting organizations -- the Domain Name, Address, and Protocol Supporting

Organizations --which collectively represent a broad cross-section of the global Internet's business, technical, academic, non-commercial and user communities.

In the past, many of the essential technical coordination functions of the Internet were handled on an *ad hoc* basis by United States Government contractors and grantees, and a wide network of volunteers. This informal structure represented the spirit and culture of the research community in which the Internet was developed. However, the growing international and commercial importance of the Internet has necessitated the creation of a technical management and policy development body that is more formalized in structure, more transparent, more accountable, and more fully reflective of the diversity of the world's Internet communities. In a phased, co-operative process, ICANN has been assuming responsibility to coordinate the stable operation of the Internet in four key areas: the Domain Name System (DNS), the allocation of IP address space, the management of the root servers system, and the coordination of protocol number assignment.

As a technical coordinating body, ICANN's mandate is not to "run the Internet." Rather, it is to oversee the management of only those specific technical managerial and policy development tasks that require central coordination: the assignment of the Internet's unique name and number identifiers.

[End of Annex and document]