

World Intellectual Property Organization
50th Series of Meetings of the WIPO Assemblies
Group B Opening Statement
Geneva, October 1-9, 2012

Thank you, Mr. Chairman

1. On behalf of Group B, I would like to welcome you back as the chair of the General Assembly, as well as your two vice chairs. I appreciate the work that you have done between the last session and now in trying to forge compromise on a number of issues. Group B remains confident that under your leadership, we will be able to reach a positive outcome during this session, as we did in the last session.

2. Group B would also like to take this opportunity to commend the Director General and his staff for their efforts over the last year in maintaining the organization's rightful place as the global IP authority. We look forward to further progress in supporting both normative development of the global IP rights system and further improvements in governance. We would also particularly like to recognize the important work of

WIPO in supporting infrastructure development, for example: through WIPO CASE. I would also like to thank the International Bureau of WIPO for its hard work in preparing these meetings. The documents before us are comprehensive and well prepared.

3. Chair, we all acknowledge that WIPO is quite different than most other UN organs and specialized agencies – in both form and function. With approximately ninety-three percent of WIPO’s income derived from fees paid by businesses, including SMEs, seeking to protect their intellectual property, Group B believes that these businesses should be involved more in what the Organization does, or at least better informed. One way in which to achieve this is to capitalize on the broad gathering of the General Assembly, and allow those businesses to participate in a meaningful way. While we are not considering a radical transformation of the established practice, Group B proposes that one day be set aside at next year’s General Assembly devoted to fostering a more inclusive approach to industry relations. Group B

members would welcome the opportunity to work with the Secretariat and other Member States in designing such an event.

4. Chair, Members of Group B have raised concerns about longstanding deficiencies in the design, transparency and accountability of WIPO's technical assistance activities in countries subject to U.N. Security Council sanctions. We welcome the recent steps taken by the Organization to redress these problems and prevent them from happening in the future. We acknowledge that the recently released Independent External Review Report and the relevant sanctions committees concluded that WIPO did not violate UNSC Sanctions. However, as in all areas, we encourage WIPO to continue to engage with Member states to improve transparency and accountability in relation to its technical assistance activities, particularly those in Members subject to U.N. Security Council sanctions, and to seriously consider the Independent External Review Report recommendations.

5. Group B welcomes the changes in the Internal Audit Charter that will simplify Member State access to audit and evaluation reports of the IAOD. This is a welcome improvement in transparency and governance, and Group B thanks the Secretariat for acting on our concerns. Moreover, the comprehensive Human Resources Report – a first of its kind in the Organization – will over time be further developed and will increase transparency of an issue that comprises approximately two-thirds of the WIPO budget.

6. Group B notes that the Program Performance Report for 2011/12 and the accompanying validation report by the IAOD identify a number of key issues that should be taken into account in the upcoming 2014/15 biennium budget process.

7. The implementation of the 2012/13 Program and Budget shows that WIPO's expected revenue level has more or less materialized and that the outlook for the months to come is quite positive. At the same time, WIPO has started

implementing the cost efficiency measures requested by Member States. As we are only three-quarters of the way through the first year of the biennium it is too early to ascertain the actual savings, we understand things are on track. Nevertheless, WIPO should not limit its efforts to the proposals previously made by Member States, but rather, it should develop a long-term strategy for structural savings and report regularly thereon to Member States. Group B is encouraged by the Secretariat's willingness to engage in this process.

8. Group B also believes that by focusing on issues such as the effective and efficient management of meetings and the presentation and volume of documents, additional cost savings can be achieved, not to mention a better functioning and more productive organization. Group B welcomes the opportunity to work with the Secretariat and Member States on these issues.

9. Concerning the status of the new construction projects – the New Building and the New Conference Hall – Group B would have preferred to be informed much earlier regarding the developments that lead to the termination of the contracts with the general contractor. Nonetheless, Group B has confidence in the Secretariat’s decision to finish the projects without a general contractor, and welcomes the Secretariat’s offer to regularly report on developments to Member States.

10. Group B again thanks the Independent Advisory and Oversight Committee (IAOC), the successor to the Audit Committee for the hard work it has done in addressing critical issues faced by the Organization. Group B appreciates the constructive engagement and collaboration of the IAOC with the Secretariat and Member States. The close collaboration has enabled the IAOC to review in detail the recommendations made by the former Audit Committee from a risk management perspective and to work closely with WIPO to significantly reduce the risk associated with the recommendations that the IAOC had identified as having a

very high risk. We also encourage the IAOC to continue working closely with the new director of IAOD and the new external auditor in order to create more synergies and strengthen the auditing and oversight function at WIPO.

11. Group B congratulates the Director General and the Organization on the successful implementation of the Strategic Realignment Program, which is nearing completion. The SRP has encompassed 19 broad ranging of initiatives which have significantly improved governance in WIPO and which will enable WIPO to be a more responsive, efficient organization, equipped to provide global leadership on IP issues and to achieve its Strategic Goals. We acknowledge WIPO's ongoing commitment to continuous improvement and the ideals and goals established through the SRP.

12. One of the many initiatives under the SRP is the Whistleblower Protection Policy, which we understand is close to being issued and implemented. Group B calls upon

WIPO to implement comprehensive whistleblower protections as soon as possible.

13. Group B finds last year's new publication, the World Intellectual Property Report 2011 – The Changing Face of Innovation of high interest and information value and we appreciate very much the initiative and look forward to future reports.

14. By far, the greatest achievement this year was the successful conclusion of the Beijing Treaty for the Protection of Audio Visual Performances. I personally had the pleasure of attending the diplomatic conference and witnessed the atmosphere of collegiality and the desire of reaching consensus to solve problems facing an important constituency in the creative sector. I am not sure who coined the phrase “the Spirit of Beijing”, but we all hoped at the close of the conference that it would somehow make its way back to Geneva. I still have hope that it is here, and that it will guide

us through the myriad of challenges before us. Chair, I note your comments on the blockage facing the Organization, but am convinced that we can clear the path for progress. One challenge in particular is the much overdue conclusion of our work addressing the needs of the visually impaired and those with print disabilities. Group B is firmly committed to continue the dialogue and work constructively with other delegations to a positive end. On the subject of a treaty for the protection of broadcasting organizations, Group B is similarly committed to engaging with other delegations to make headway on this very important issue.

15. Group B looks forward to progress on the Design Law Treaty toward an early convening of a diplomatic conference.

16. Group B also welcomes progress made since the last General Assemblies in the WIPO IGC and remains willing to engage constructively towards an appropriately balanced and

flexible outcome, while recognizing the wide divergences of views.

17. In conclusion, let me assure you that you can count on the constructive spirit and support of the delegations of Group B during these assemblies.

Thank you