



English translation of the French original version

Declaration of Switzerland

General Assembly of WIPO, 10 Octobre 2016

Switzerland welcomes the decision that has been taken by the Assembly as well as the recommendations of the 72th and 73th sessions of the Coordination Committee. We fully support these revision processes and are convinced that these adjustments will strengthen governance within the organisation. These measures, which take into account both the conclusions of the OIOS and those of the presidents of the General Assembly and the Coordination Committee should allow us to look to the future.

Switzerland has always attached great importance to the transparent handling of the OIOS report, which is why we asked for it to be published as soon as it was finalised. We are pleased that the report was made available and distributed to the member states.

Switzerland takes this opportunity to address once and for all the criticisms directed against it in the OIOS report on the DNA case, namely the lack of cooperation by the Swiss authorities.

YES, in one case there was a problem in our communication.

Owing to a simple oversight, the OIOS did not receive a response to a request it submitted. The Swiss government has since recognised this error and remedied the oversight in regard to the OIOS at the end of September.

In 2015 the OIOS asked Switzerland to facilitate a meeting with the Attorney General of the Canton of Geneva. The Attorney General said he did not intend to depart from the position he had expressed in 2014 to the Director of Internal Audit and Oversight at WIPO. At that time, he had indeed indicated that a third party not party to the proceedings could not be granted access because Swiss law did simply not allow it.

NO, the Swiss authorities did not attempt to obstruct the obtaining of information by the OIOS in any way.

Under the separation of powers, the government is not authorised to take a stance on a criminal case, nor to instruct the judiciary how to act.

If members of WIPO's staff feel they have been adversely affected by the taking of DNA samples apparently without their knowledge, it was up to them to exercise their rights through the public prosecutor.