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PROPOSAL OF THE ASIA AND THE PACIFIC GROUP ON THE COMPOSITION OF THE WIPO COORDINATION COMMITTEE

submitted by the Asia and the Pacific Group

In a communication to the Secretariat received on September 19, 2019, the Delegation of Singapore, on behalf of the Asia and the Pacific Group, submitted the enclosed proposal in the framework of Agenda Item 9, "Composition of the WIPO Coordination Committee, and of the Executive Committees of the Paris and Berne Unions".

[Annex follows]

Submission of the Asia and the Pacific Group (the APG)

Composition of the Coordination Committee (CoCo)

1. The APG notes that according to Articles 8(1)(a) and 11(9)(a) of the WIPO Convention, the CoCo is composed of the following categories of members:
 - a. the elected ordinary members of the Executive Committee of the Paris Union and of the Executive Committee of the Berne Union;
 - b. Switzerland, as the State on whose territory the Organisation has its headquarters, as an *ex officio* member; and
 - c. one-fourth of the States party to the WIPO Convention that are not members of any of the Unions administered by WIPO, which are designated by the WIPO Conference and which serve as *ad hoc* members of the WIPO Coordination Committee.
2. The APG further notes that Article 14(4) of the Paris Convention and Article 23(4) of the Berne Convention states that “in electing the members of the Executive Committee, the Assembly shall have due regard to an equitable geographical distribution and to the need for countries party to the Special Agreements established in relation with the Union to be among the countries constituting the Executive Committee”.
3. The APG recalls that the number of allocated seats on the CoCo has stayed at 83 since 2011. The APG further recalls that in preparation for the 57th WIPO Assemblies in 2017, the Secretariat informed the WIPO Membership that the CoCo should have 87 members.¹ However, “in the absence of agreement as to how best to allocate the four additional CoCo seats,” the Legal Counsel reported at the 57th WIPO Assemblies that the “consensus among groups was that the CoCo would remain, exceptionally, at 83.”² The 57th WIPO Assemblies further decided that consultations on the composition of the CoCo will continue, “with a view to making a recommendation to the bodies concerned at their sessions during the WIPO Assemblies in 2018, on the allocation of the vacant seats at the WIPO Assemblies in 2019”.³ Nevertheless, the 58th WIPO Assemblies was unable to reach agreement on this issue, which decided that “the Chair of the WIPO General Assembly will undertake consultations with Member States on the allocation of the vacant seats at the WIPO

¹ Paragraph 16 of the Composition of the WIPO Coordination Committee, and of the Executive Committees of the Paris and Berne Unions (A/57/3) dated 2 August 2017.

² Paragraph 33 of the General Report adopted by the 57th WIPO Assemblies (A/57/12) dated 14 December 2017.

³ Paragraph 40 of the General Report adopted by the 57th WIPO Assemblies (A/57/12) dated 14 December 2017.

Assemblies in 2019, for the election of the composition of the WIPO CoCo, and of the Executive Committees of the Paris and Berne Unions, at the same WIPO Assemblies".⁴

4. The APG notes from the Legal Counsel's office that due to the accessions of Afghanistan (to the Paris and Berne Unions), and Kiribati and Solomon Islands to the Berne Union since the 57th WIPO Assemblies in 2017, the composition of the CoCo should now have 88 members.
5. The APG reiterates that the current allocation in the CoCo is not fairly proportioned and representative of the relative size of regional groups in WIPO (as illustrated in Annex A). In particular, the African Group, APG and CEBS are underrepresented in the CoCo. The APG notes that, based on the CoCo's composition in paragraph 1, the increase in the number of seats in the CoCo since 2011 has arisen mostly from accessions from the APG and the African Group, given the 13 accessions from the APG, 3 from the African Group, and 1 from CACEEC to the Paris and Berne Unions that have taken place since then (as illustrated in Annex B).
6. In view of the above, the APG proposes the following:
 - i. The five unfilled CoCo seats should be allocated to better reflect the WIPO Membership and the relative size of WIPO regional groups as well as the accessions to the Paris and Berne Unions since 2011 from the respective WIPO regional groups, while reaffirming that every regional group should be represented in the CoCo. The APG reiterates that this allocation is not only timely, but necessary in light of Article 14(4) of the Paris Convention and Article 23(4) of the Berne Convention on equitable geographical distribution.

⁴ Paragraph 54 of the General Report of the 58th WIPO Assemblies (A/58//11) dated 7 December 2018.

Annex A

Allocation of Seats in the CoCo among Regional Groups for Biennium 2018-2019⁵

S/N o	Item	Group B	Africa	CACEE C	CEBS	GRULAC	APG	China	Total
1.	Total Members in group	32	53	10	18	33	45	1	192
2.	Current allocated seats for CoCo	23	19	4	6	15	15	1	83
3.	Percentage of the group Members represented in the CoCo ⁶	71.88%	35.85%	40.00%	33.33%	45.45%	33.33%	NA	-
4.	Group percentage of WIPO Members ⁷	16.67%	27.60%	5.21%	9.38%	17.19%	23.44%	NA	100%
5.	Group percentage of CoCo Membership ⁸	27.71%	22.89%	4.82%	7.23%	18.07%	18.07%	NA	100%
6.	Number of CoCo seats if according to proportion of WIPO Membership based on 83 CoCo seats ⁹	13.83	22.91	4.32	7.78	14.27	19.45	NA	83
7.	Differential (between Row 6 and Row 2)¹⁰	<u>-9.17</u>	<u>3.91</u>	<u>0.32</u>	<u>1.78</u>	<u>-0.73</u>	<u>4.45</u>	NA	-

⁵ This Annex is based on the table contained in document A/58/9 REV. dated 21 September 2018. It has been updated to include the Solomon Islands (a Member of the APG) which has joined the WIPO Membership since the 2018 WIPO Assemblies.

⁶ Based on: (number of current allocated seats for regional group in the CoCo)/(total number of Members in regional group) x 100%

⁷ Based on: (number of Members in regional group)/(total number of WIPO Members) x 100%

⁸ Based on: (number of current allocated seats for regional group in the CoCo)/(total number of seats in the CoCo) x 100%

⁹ Based on: (group percentage of WIPO Membership) x (total number of seats in the CoCo)

¹⁰ Based on: (number of CoCo seats if according to proportion of WIPO Membership based on 83 seats) - (current allocated seats for CoCo). A negative number means a regional group is overrepresented by that amount of seats on the CoCo.

Annex B

Accessions to the Paris and Berne Unions since 2011

S/No	Item	Group B	Africa	CACEEC	CEBS	GRULAC	APG	China	Total
1.	Number of Members in Paris Union	32	49	10	18	33	34	1	177
2.	Accessions since January 2011	0	0	0	0	0	4* *Afghanistan, Brunei, Kuwait, Samoa	0	-
3.	Number of Members in Berne Union	31	46	10	18	33	38	1	177
4.	Accessions since January 2011	0	3* *Burundi, Mozambique, Sao Tome and Principe	1* *Turkmenistan	0	0	9* *Afghanistan, Cook Islands, Kiribati, Kuwait, Lao PDR, Niue, Solomon Islands, Tuvalu, Vanuatu	0	-
5.	Total number of new accessions to the Paris and Berne Unions since 2011	0	3	1	0	0	13	0	17

[End of Annex and of document]