

Program and Budget Committee

Thirty-Fifth Session
Geneva, May 22 to 26, 2023

REPORT

Adopted by the Program and Budget Committee

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1. The 35th session of the WIPO Program and Budget Committee (PBC) was held at the Headquarters of WIPO from May 22 to 26, 2023.
2. From October 2022 to October 2023, the Committee is composed of the following Member States: Algeria, Argentina, Belarus (2022-2023), Brazil, Canada, Chile, China, Colombia, Czech Republic, Egypt, El Salvador, Estonia, France, Germany, Ghana, Greece, Guatemala, Hungary, India, Indonesia, Iraq (2022-2023), Italy, Jamaica, Japan, Kenya, Kyrgyzstan (2022-2023), Mexico, Mongolia (2022-2023), Morocco, Namibia, Nigeria, Oman (2022-2023), Panama, Poland, Romania, Russian Federation, Saudi Arabia, Serbia, Singapore (2022-2023), Slovakia, South Africa, Spain, Sweden, Switzerland (*ex officio*), Syrian Arab Republic (2022-2023), Tajikistan (2022-2023), Tunisia, Türkiye, Turkmenistan (2022-2023), Uganda, United Arab Emirates (2022-2023), United Kingdom, United States of America (53).
3. Members of the Committee represented at this session were: Algeria, Argentina, Brazil, Canada, Chile, China, Colombia, Czech Republic, Egypt, El Salvador, Estonia, France, Germany, Ghana, Guatemala, Hungary, India, Iraq, Italy, Jamaica, Japan, Kyrgyzstan, Mexico, Morocco, Namibia, Nigeria, Panama, Poland, Romania, Russian Federation, Saudi Arabia, Slovakia, South Africa, Spain, Sweden, Switzerland (*ex officio*), Tunisia, Türkiye, Uganda, United Kingdom, United States of America (41).
4. In addition, the following States, members of WIPO but not members of the Committee, were represented as observers: Angola, Australia, Bahamas, Barbados, Cambodia, Côte d'Ivoire, Democratic People's Republic of Korea, Djibouti, Ecuador, Fiji, Georgia, Indonesia, Iran (Islamic Republic of), Jordan, Kazakhstan, Kuwait, Lithuania, Monaco, Nicaragua, Niger, Oman, Pakistan, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Republic of Moldova, Slovenia, Thailand, Togo, Ukraine, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe (36).

ITEM 1 OPENING OF THE SESSION

5. Chair: Very good morning, dear colleagues, distinguished delegates. I am delighted to welcome all of you to this room, the conference room of the World Intellectual Property Organization. To begin, allow me to welcome you to this 35th session of the Program and Budget Committee. As you all know, this is a budget year for our organization and as such, there will be two PBC meetings this year- the one taking place this week and then another planned for June. I would like to begin by expressing gratitude across, of course, to the coordinators of the regional groups for their work, and for the utmost flexibility they have shown in undertaking all of the preparatory work, particularly in the course of the May 4 meeting I held with them. As you know, I am not new to this committee. I'm delighted to be able to Chair this meeting after three years as Vice-Chair- with two different Chairs from the African Group, the distinguished ambassador of Tunisia, and also from the Asia-Pacific group, the distinguished ambassador of India. It is my wish to be able to continue working along the same lines in the course of the two sessions we have for this year. You can, of course, count on me as Chair, and with the Vice-Chairs, and of course, the work we have been appointed to do, as well as on all members of the Secretariat who join me here at the bureau and all those who will be working intensely throughout this week. We had a great deal to be done this week. We need to work collectively to ensure that this committee is able to work effectively in order to achieve the goals we have all set for ourselves, working effectively and efficiently to enable us to reach the conclusions and decisions which we are tasked with conveying to the General Assemblies. With that in mind, I wish you a very fruitful working week, of course, a very productive week also, which will see us undertaking the work that is asked of us. The Director-General has asked me on his behalf to convey apologies for not being here since he is not in Geneva this week. He will not be able to join this committee, as has been the case in the past. That, notwithstanding in his absence, I would like to give the floor to open this meeting of the

Committee to Assistant Director General (ADG) for Administration, Finance and Management, Andrew Staines, for an opening statement. Mr. Staines, I would like to give you the floor.

6. Assistant Director General of the Administration, Finance and Management Sector, Andrew Staines (on behalf of Director General): Thank you very much indeed. A very good morning, everyone. Excellencies, distinguished delegates, dear friends, I am honored to welcome you, on behalf of Director General Daren Tang, to the 35th session of the Program and Budget Committee. It's great to see some familiar faces in the room and to welcome some of you for the first time. Excellencies, this PBC session comes at a critical time in WIPO's history. The world is rapidly changing, and so is the intellectual property landscape. New technologies, business models, and forms of creativity are emerging at an unprecedented pace. At the same time, we are facing global challenges such as an economic downturn, climate change, and inequality, which require us to work together in new and innovative ways. In this context, I believe that WIPO has an important role to play in promoting innovation and creativity, and through these, sustainable development. We need to ensure that our IP systems are fit for purpose in the digital age, that they are accessible and inclusive for all, and that they support the needs and aspirations of all of our Member States. Our work continues to be guided by the Medium-Term Strategic Plan for 2022-2026. Since its launch, we have been working to realize the transformative vision of WIPO, moving IP from a technical tool to a powerful tool that helps inventors and creators from anywhere in the world to bring their ideas to life. We have made good progress, delivering on programs and projects, including to support female entrepreneurs, youth, SMEs and indigenous and local communities. This year's World IP Day was themed Women and IP: Accelerating Innovation and Creativity. Too few women have benefited from IP. WIPO's new IP Gender Action Plan, or IP GAP, promotes women's engagement in all aspects of IP and innovation. The plan also provides governments and stakeholders with data and policymaking tools to improve national ecosystems in support of women and girls, and to deliver concrete impact-driven activities that encourage women's use of IP in their entrepreneurial activities. WIPO's Graduation Support Package for Least Developed Countries provides targeted IP technical assistance to graduating LDCs, to help them meet IP-related obligations. It also helps to enhance productive capacity, competitiveness, and economic diversification. We've seen robust demand for projects under the COVID-19 Response Package, with support offered to over 40 Member States, from all WIPO regions. Looking ahead, we are committed to evolving, and scaling up these and other projects to promote a global IP framework that serves everyone. We also pledge our support in helping negotiators navigate the two major Diplomatic Conferences to be held in 2024 – one on the protection of designs, and the other on genetic resources and traditional knowledge associated with genetic resources. In 2022, WIPO made significant progress in patent and trademark registration and in promoting IP as a tool for development. This included record PCT and Hague filings. Madrid filings were down slightly in 2022 but remained higher than their 2020 levels. WIPO ended 2022 with a strong financial performance. We had an operating surplus of 103.5 million CHF, and, despite unrealized investment losses of 88 million CHF, we recorded an overall surplus of 7.7 million CHF. I note that, while 2022 was most difficult year for investments in recent history, WIPO's investment policies are designed for the medium and the long term. Excellencies, I am happy to report that over 75 per cent of the Key Performance Indicators were on track towards achieving their biennial targets. This is a testament to the hard work of all WIPO staff and the excellent engagement of Member States and stakeholders. Looking forward, you will have before you, this week, the proposed Program of Work and Budget for the next biennium, 2024/25. I would like to express our deep appreciation to the Member States for your valuable guidance and input. The global economic situation continues to be uncertain but we expect that our global IP systems will continue to see some growth in the 24/25 biennium, driven largely by increases in income from our top two services – the PCT and Madrid systems. We will continue our commitment to financial prudence, while investing in future capabilities and infrastructure to better support our Member States. We will focus on maintaining momentum and completing our existing Capital Master Plan projects, rather than requesting new projects at this stage. We have integrated high priority smaller improvements to buildings, security, and information

technology into a wider Program of Budget and Work – following the recommendations from the External Auditor. As a UN agency, the SDGs are an important framework for our activities, with every sector contributing. Since joining the United Nations Sustainable Development Group in early 2022, WIPO has engaged in various discussions to promote greater awareness of our contribution to the SDGs. We have provided inputs into UNSDG common approaches, policies and other strategy documents. Member States may have already seen and studied the report recently presented to the CDIP that provides WIPO's contribution to the implementation of the SDGs and the associated targets. Next week we are co-organizing an international conference on Industrial Property and the SDGs in Lisbon, Portugal. Development expenditure for 2024/25 is estimated at 21.4 per cent of the biennial budget, up from 18.9 per cent in 2022/23 and this represents a 22 per cent increase in absolute terms over the previous biennium. We will also continue digitalization of WIPO, evolving our internal culture to work more innovatively, efficiently and collaboratively, and ultimately to serve all of our Member States better. Finally, this PBC session will consider a number of items following decisions of the 34th PBC and the 2022 Assemblies. These include the Draft Terms of Reference of the 2021 Evaluation of WIPO External Offices, and the Methodology for Allocation of Income and Expenditure by Union. We stand ready to support you, Chair, and the PBC membership in your deliberations. In closing, I would like to thank you all for your continued dedication to the important work of WIPO. Two years ago, we pledged to raise the bar on what we deliver. We have made meaningful progress and we will continue to challenge ourselves to offer the absolute best support to inventors, communities and businesses. I wish you productive and fruitful deliberations over the coming days. Thank you, Chair.

7. Chair: Thank you very much, Mr Staines, for this opening statement. I would now like to give the floor to Ms. Narayanaswamy who will be giving us some administrative remarks at this point. Thank you, you have the floor.

8. Secretariat: Thank you very much, and a very good morning to you, great to see you all in the room and so many colleagues who have joined online. I would just go through some dos and don'ts for the meeting. The request from the floor and the speaker list will be monitored by me here, both for those attending physically and virtually. For those attending in the room, request for the floor will be as usual through the delegate, pressing the button on the microphone in front of you. The microphone will turn green to indicate that you are requesting the floor. When you are given the floor by the Chair, your microphone will turn red and you can start speaking. We kindly ask you, to the extent possible, to try and remain in the seats designated for your country. Our IT system has been configured to this predesigned seating plan. For those who are connecting on the virtual platform Zoom, since this is a formal meeting, it would not be appropriate to use the chat, or the chat to everyone function for comments, questions or conversations. The exception would be if you wish to raise a point of order. In which case type 'point of order' in the chat and the Chair will give you the floor so that you are not waiting in the regular floor request queue. The chat might occasionally be used by the WIPO Secretariat or the interpreters or the technical support team if necessary to convey a message to you. For technical questions or issues please send an email to emeetings@wipo.int or reply to the joining instructions email you have received. To request the floor, remote delegates are invited to click on the button reactions at the bottom of your Zoom interface and then select the 'raise-hand' icon. If you do not see the reactions button you will find it by clicking on 'more'. Regarding interpretation and audio quality, please be aware that the work of our interpreters is even more challenging in the hybrid and remote conferencing environment, so please try to speak slowly and clearly. To optimize the audio quality for all participants and interpreters, it is strongly recommended that you enable your web camera when taking the floor. Use a headset with an integrated microphone and that you limit the background noise you may have while speaking. Delegates are also encouraged to send their statements in advance to interpretation@wipo.int. If any of the interpreters encounters a problem with audio quality, he or she may be obliged to temporarily suspend interpreting. If so,

the interpreter will use the chat to inform us all and we will signal this. Thank you very much, Chair.

9. Chair: Thank you very much, Ms. Narayanaswamy, for your statement. This takes us now to the second item on our agenda with regards to the adoption of the agenda.

ITEM 2 ADOPTION OF THE AGENDA

10. Discussions were based on document WO/PBC/35/1 Prov.

11. Chair: I thank the PBC for its trust and confidence in me as Chair. I would also like to thank Assistant Director General, Andrew Staines for his comprehensive opening remarks. We will now proceed with Agenda item 2: "Adoption of the agenda". In order to facilitate the review and discussions of the various items, the agenda has been structured in accordance with the following high-level grouping: Audit and Oversight; Performance and Financial Review; Planning and Budgeting and Items following decisions of PBC 34 and 2022 Assemblies of WIPO Member States. I would like to remind delegations that this is a hybrid meeting, we have delegates in this room as well as delegates connecting remotely. I open the floor now for comments if any, since there are no requests for the floor so I understand that the Committee wishes to adopt the agenda and I would like to now read the decision:

12. The Program and Budget Committee (PBC) adopted the agenda (document WO/PBC/35/1 Prov.).

13. Chair: The Secretariat has already shared with you the provisional schedule for the week, which I am proposing in order to allocate time in the most judicious manner possible. If discussions on a particular topic are not concluded in the allocated time, any outstanding discussions will be taken up as of this Thursday. We will begin today's session with general statements, followed by substantive items falling under the high-level grouping "Audit and Oversight", with Agenda Item 4: Progress Report on the Implementation of the Joint Inspection Unit's (JIU) Recommendations. At the end of each day, we will take stock of the items covered and we will inform you of how we intend to proceed. I would like to remind you that this Committee is extremely important to the Organization since it cannot function without a budget. Therefore, we need to work in an efficient manner and respect the time limits imposed during our sessions. We will start the morning sessions every day punctually at 10 am Geneva time going on until 1 pm and resuming at 3 pm for the afternoon sessions. Owing to the hybrid nature of the meeting, and as well as interpretation, we will need to close sessions at 6 pm. I am now going to open the floor to delegations for their introductory remarks. I would like to remind you that the time limit for statements will be three minutes for Group Coordinators and two minutes for Delegations and Observers. If we make it through our agenda faster than planned, then we will proceed as appropriate. I am going to open the floor now for introductory statements on this agenda item.

14. Delegation of Uruguay: I am certainly going to try to stick to the three minutes time limit. Uruguay is delighted to take the floor on behalf of GRULAC. Firstly, allow us to congratulate you on your appointment Chair, we also congratulate the Vice-Chairs who will guide us through this very intense period of two PBC sessions prior to the General Assembly in July. For GRULAC, this issue is of the utmost importance given the fact that we have a Vice-Chair who is the Head of an Industrial Property Office (IPO), and also a Latin American woman. Every time young girls, young people, farmers, indigenous persons and persons of Afro-American descent see a photo of a woman presiding over a meeting, we are offering them a reference point and we are inspiring them. This Committee is a priority for GRULAC since we find ourselves at a time when we are going to be adopting the Organization's budget for the 2024/2025 biennium. This is a biennium which will be marked by two diplomatic conferences in 2024, on i) the

Protection of Designs to Ease Cross Border Trade and ii) Intellectual Property (IP), Genetic Resources and Traditional Knowledge Associated with Genetic Resources. We understand in our work that it is essential to ensure predictability, transparency and budget balance in the issues that are important to developing Members States, particularly for GRULAC. From a crosscutting point of view, our region believes that quantifying and breaking down the activities for development spending financed by WIPO needs to be in tune with the WIPO Development Agenda and the Sustainable Development Goals (SDG), and this link needs to be clear. This is necessary to promote transparency in terms of accountability and strategic alignment with the SDGs. In implementing this measure, WIPO can demonstrate its commitment to the sustainable development agenda and foster international cooperation in terms of intellectual property rights to benefit all Member States. In a post-COVID context, WIPO needs to step up efforts to generate a resilient Intellectual Property system, which can be understood to be a tool for development in tune with national needs. Furthermore, we will be following closely debates on financing for the two diplomatic conferences. We will be doing this with the understanding that the allocated budget will be sufficient to cover the mandate of the two Preparatory Committees. Finally, we would like to draw attention to the need to comply with the mandate of the 2019 General Assembly in which the importance of participation of indigenous peoples and local communities was stressed in the work of the Committees. For GRULAC, this should also apply to the two diplomatic conferences. Today the voluntary fund for financing in-person participation contains a little bit more than 200 CHF, despite multiple efforts to collect donations. It is clear that the current system has reached its limits, and there is a need for a long-term review. Therefore, we would like to urge WIPO's Member States to think about a budget line within its biennium plan to ensure guaranteed and fair participation for indigenous peoples and local communities as key stakeholders in the work of the IGC. GRULAC would like to pledge our constructive support in these two PBC sessions. We hope that we will be able to achieve a balanced result, whilst meeting and complying with the interests of Member States thus allowing us to abide by the mandates agreed in the past.

15. Delegation of Indonesia: Indonesia has the pleasure to deliver this statement on behalf of the APG. The APG congratulates you and the Vice-Chairs on your respective elections. The Group is fully confident in your leadership to guide us through our deliberations and ensures you of our full support throughout this week. The APG extends its appreciation also to Assistant Director General Staines for his remarks and to the Secretariat for the preparation and the timely delivery of working documents for this meeting as well as the engagement of the Group ahead of the session. The Group places great importance on the work of the PBC as the government body which deliberates on budgetary, audit and strategic planning of the Organization. We are hopeful that WIPO's sound management and finances corresponds to and further contributes towards a program and budget, which spurs innovation and creativity for the social and economic benefit of everyone. In this regard, the APG recognizes the importance of the audit and oversight responsibilities of this Committee as well as the performance and financial review mechanisms. We express our thanks for the work of the External Auditor, the Independent Advisory Oversight Committee and the Internal Oversight Division, which we deem essential to this Committee. In this regard, the Group looks forward to constructive discussions on the various agenda items that will be considered in this session. The Group is also hopeful that the Committee will make progress on important outstanding agenda items from the previous sessions. In the interest of time the APG and its Member States will make their substantive observations under the relevant agenda items. We reiterate again our commitment to contribute positively to the deliberations of the work of this Committee.

16. Delegation of Ghana: I have the honor to make this statement on behalf of the African Group. The Group takes this opportunity to congratulate you and the Vice-Chairs on your election, and is ready to cooperate fully for the success of this Committee. We appreciate the work of the Secretariat towards organizing the session in time and for preparing the relevant documents. The African Group congratulates WIPO for its positive financial performance and

progress achieved, thanks to its result-based management framework and prudent financial management as the Organization continues to navigate the challenging economic environment successfully. We note with appreciation the effort put in the preparation of the draft Program of Work and Budget and thank the Secretariat for its continued engagement with the Member States to explain the draft proposal. We believe that WIPO should hold such consultations before the elaboration of the Program of Work and Budget, to take into account the concerns and priorities of all Member States in the draft proposal. The African Group believes that the current structure of the Program of Work and Budget needs to be more relevant and provide the granularity required to allow Member States to dissect and fully comprehend the document. We invite WIPO to address the situation by providing more details, including a budget breakdown by type of expense and details on the activities to be carried out. The African Group encourages WIPO to continue promoting a balanced Intellectual Property system, which ensures that Intellectual Property is an enabler that contributes to addressing current and future challenges such as access to public health, climate change, and food security. We call also on WIPO to continue mainstreaming the development concerns in all its activities in light of the WIPO Development Agenda and ensure Sustainable Development Goals (SDG) are equally integrated into the WIPO Program of Work and Budget. The African Group remains concerned with the underrepresentation of some geographical regions in the WIPO workforce and calls on the Organization to take concrete, deliberate and actionable measures to address the current situation, especially in the African region. The Group looks forward to making tangible progress on the Terms of Reference for the Evaluation of WIPO External Offices and reiterates that the evaluation should be conducted in an objective, transparent and fair manner with a view of improving the current functioning of the network. The African Group would like to express its hope for productive engagements at this session and affirms its eagerness to contribute constructively to the work of the PBC.

17. Delegation of China: My dear colleagues, good morning, good afternoon and good evening. We are very happy to return to this meeting room to participate in this PBC meeting. First of all, on behalf of the Chinese Delegation, I would like to congratulate you for your election as Chair of the 35th PBC session of WIPO. We will fully support your work. We also congratulate the two Vice-Chairs for their election. We thank the Secretariat for the preparations for this meeting, and we thank Mr. Staines, the Assistant Director General for his presentation. Finance is one of the most important foundations and important pillars of WIPO's governance and operations, China attaches great importance to the work of this Committee. We call on all parties to uphold the so-called '5C spirits' of cooperation, consultation, constructiveness, compromise and consensus. We should persist in consultation and consensus to achieve win-win situations. We should carefully review the Organization's budget and other important issues and provide necessary resources for the Organization's various tasks and mandate. The Secretariat should continue to strengthen this comprehensive budget performance management, effectively improve the transparency of planned budgets and performance reports, strengthen internal controls, improve governance, and achieve value for money, and accountability for value. Furthermore, we would like to suggest that WIPO should proceed with its own characteristics, focus on its main responsibilities in the main business and give priority to the interest of users of the PCT, Madrid, Hague and other Intellectual Property international service systems so as to ensure the better development of these systems. This meeting will discuss very important topics such as the Proposed Program of Work and Budget for 2024/25 biennium, WIPO's Performance Report 2022, the Preliminary Results for the year ended December 31, 2022, which covers the financial accounting results of the Organization, the Draft Terms of Reference of the 2021 Evaluation of WIPO External Offices, *et cetera*. China is pleased to see that the PCT, the Madrid System and Hague System's incomes have remained stable since last year. The Madrid System's income increased beyond expectations, this provides a very good foundation for the smooth operation of the Organization. We noted that the budget expenditure for the 2024/25 biennium will increase significantly by 63.5 million CHF, an increase of 8 per cent year-on-year. The budget of some sectors has also increased

relatively quickly. China has also noted with great regret that WIPO has lost 88 million CHF in its investments last year. We hope to discuss these issues this week. Additionally, the Program of Work and Budget will guide the Organization's work in the next biennium, and this is important for WIPO's promotion of the development of the global Intellectual Property ecosystem and the Organization's governance. We hope that this meeting will discuss various parts of the draft in a thorough manner. There are many documents for this session, regrettably, the issue of the late publication of documents still exists and this has an impact and effect on Member States decisions. We recommend that the Secretariat take practical and effective measures to solve this long-standing issue. China assures you that we are ready to engage openly, actively and constructively in all discussions with all parties to jointly complete the agenda and achieve the expected targets.

18. Delegation of Switzerland: Group B would like to congratulate you and the Acting Vice-Chairs on your election. We are confident of your leadership to bring our discussions in the session to a successful conclusion. We would also like to thank the Secretariat for all of the work done in organizing this 35th PBC session, in particular in preparing the Proposed Program of Work and Budget for 2024/25 in a short period of time. To save time for the discussions ahead of us this week, our Group will deliver its substantive comments under the relevant agenda items. We are certain that your guidance and our collective efforts throughout the session will lead us to positive outcomes, particularly with regards to the Program of Work and Budget of the next biennium. Be assured that you can count on the full and constructive support of Group B in this endeavor.

19. Delegation of Poland: Poland is honored to deliver this opening statement on behalf of the Central European and Baltic States Group. We would like to thank you for your leadership and commitment and wish you all the success in chairing the 35th PBC session. Likewise, we congratulate you and the Vice-Chairs on your elections and assure you of CEBS support in your work. We also thank the Secretariat for the excellent work, especially for the preparation of the high-quality documents and the engagement ahead of this session. The CEBS Group looks forward to fruitful and constructive discussions on the documents and proposals, including the Program of Work and Budget for the next biennium, which is one of the priorities for this Committee. Additionally, we look forward to positive results on various proposals and agenda items, which will be the subject of this week's discussions, especially WIPO's Performance Report and the Draft Terms of Reference of the 2021 Evaluation of WIPO External Offices. In light of the intensive week ahead of us, let me reassure you once more of the constructive engagement and support of the CEBS Group in the work of this Committee and we are ready to share detailed comments on various points of the agenda for this Committee.

20. Delegation of Tajikistan: We have the honor to deliver this statement on behalf of the CACEEC. On the onset, we thank the Secretariat for organizing the briefings for the members of our Group as well as the tireless work for the preparation and dissemination of the documents prior to the Committee meeting. Our Group attaches great importance to the PBC and closely follows its work. The CACEEC Group expresses its readiness to engage in the work of this Committee in a constructive manner and firmly believes that under your skillful leadership and with the assistance of your Vice-Chairs we will have constructive discussions for the successful conclusion of the work of this Committee. I also take this opportunity to congratulate the newly elected Vice-Chairs and wish them all success. Among other issues before us today, our Group considers the issue of geographical balance within the WIPO workforce of the highest importance. Especially for Member States of the CACEEC Group that are underrepresented and we look forward to solutions, which can improve the geographical representation of our Group. We also note that members of our Group have specific concerns on some of the agenda items and they shall make interventions in their national capacity in the course of the meetings. Our Group wishes everyone a productive discussion with a pragmatic and constructive approach throughout the PBC sessions.

21. Delegation of Ukraine: Ukraine fully supports the statement made by Poland on behalf of the CEBS Group, and I have the honor to deliver this statement in my national capacity. Ukraine conveys its extended gratitude to you and the Secretariat of WIPO for the excellent preparation done for this Committee session. We acknowledge the importance of the work of the WIPO Program and Budget Committee in implementing WIPO's new vision and mission and in achieving Medium-Term Strategic Plan (MTSP) for 2022-2026. We are confident that this Committee will have successful discussions under your leadership. Ukraine hopes that the discussion of the budgetary plan for the next biennium will be held in the spirit of respect for International Law and understanding by all Member States that the objectives of the global Intellectual Property community and economic stability cannot be maintained without the context of global impacts and challenges. It is within the mandate of this Committee to take into account the devastating consequences of the action taken by one of the Member States and to take appropriate decisions to counteract them. As stated in the Medium-Term Strategic Plan (MTSP) for 2022-2026 which sets the framework for our discussions this week. Intellectual Property must be seen more broadly as a powerful tool for meeting the global challenges that we collectively face for growth and development and as a matter of everyday interest for everyone and everywhere. 453 days ago, Russia launched a full-scale war against Ukraine. Russia damaged and destroyed more than 92,000 civilian infrastructure facilities, including residential buildings, houses, educational and medical institutions, cultural and religious buildings, and road and electricity networks. Russia occupation also damaged 1322 sites of cultural heritage and cultural infrastructure in Ukraine. 505 of them were completely destroyed. This damage does not include damages on temporary occupied areas in which the real level of destruction is much higher. A joint assessment released by the government of Ukraine, the World Bank Group, the European Commission and the United Nations estimates that the course of reconstruction and recovery in Ukraine is growing to 411 billion US dollars - covering the one-year period from the start of Russia's full-scale war. The full-scale war launched by Russia has become the accelerator of deepening global challenges, considering the damages caused by global inflation according to the UNDP last year alone 71 million people from 159 developing countries are experiencing poverty because of soaring food and energy prices driven up by Russia's full-scale invasion of Ukraine. Russia occupiers have left more than 180,000 km² of our territory dangerous because of mines and unexploded ordinances. For a country that ranks among the world's top five agricultural exporters, this represents a direct violation of global food security guarantees. Russia's full-scale war against Ukraine undermines efforts of WIPO and UN agencies while simultaneously taking advantages of all privileges and abusing Intellectual Property law. This harms not only the global community but also individual rights holders and relevant actors. Russia should be denied the opportunity to enjoy all of the privileges and honors from WIPO. Recent developments on this issue in other UN agencies should become a precedent. Finally, we express our gratitude to the Secretariat and all WIPO members who continue to provide unwavering support and solidarity to Ukraine and our people.

22. Delegation of Russian Federation: I would like to recall that the issue of war and peace is beyond the mandate of the Program and Budget Committee (PBC). We ask delegates to restrict themselves to the foreseen agenda items.

23. Delegation of India: India is making this joint statement on behalf of seven member States who have expressed interest in opening of external offices of WIPO in their countries (Colombia, India, Iran, Republic of Korea, Romania, Saudi Arabia, and UAE). As we all are aware, this issue has been under consideration since the 51st session of the WIPO General Assembly in 2019. At that time, it was decided that the decision be deferred on opening new External Offices pending an evaluation by 2021 of the existing External Offices. The Terms of Reference were to be decided by this Committee during its 31st PBC session in 2020. It is unfortunate that it has not been possible to finalize the Terms of Reference despite extensive discussions in this Committee during its 31st to 34th sessions. External Offices, at the regional

level, have been instrumental in connecting the expertise, services and tools of WIPO with the needs and priorities of the Member States of the region. As the extended arms of WIPO on the ground, they are able to develop familiarity with the local conditions, cultures and languages, which assists them to develop deep and meaningful relationships with various stakeholders, both public and private. This important to gain the necessary insight to quickly respond to evolving changes in the policy environment and identify opportunities for effective implementation of WIPO's vision and goals. External Offices also provide cost-effective support services in relation to the PCT, Madrid and Hague systems, arbitration and mediation. The External Offices, thus, play an instrumental role in enabling the effective implementation of WIPO's developmental agenda; in fostering the development of balanced and effective innovation and creative ecosystems; and in increasing the Intellectual Property knowledge and skills of the host member States as well as the entire region. In view of the role that the External Offices play in promoting the goal of the WIPO to create an enabling environment for promotion and protection of Intellectual Property rights within the framework of creating a conducive eco-system for research and development and innovation. Any further delay in opening new External Offices will not be in the interest of either WIPO or the member states of WIPO. Like other International Organizations based in Geneva, who work through their regional and national offices, like WHO and ILO, WIPO should be enabled by the member States to open as many External Offices as it deems essential to realize its goals. The evaluation of the existing External Offices, which in itself is an essential task, should not be allowed to delay the decision on opening of the new External Offices. Given the healthy financial situation of WIPO, there are no financial constraints on opening of new External Offices as the financial overview presented by WIPO in its proposed program of work and budget for 2024-25 mentions a surplus of about 90 million Swiss francs, predicted at the end of the biennium. We, therefore, urge all Member States to give serious consideration to the issue of External Offices and quickly move forward on finalizing the Terms of Reference for the Evaluation of the existing External Offices, which we will be discussing under Agenda Item 11. We hope that all Member States shall make efforts in a cooperative and constructive manner paving the way for the opening of new External Offices as early as possible, responding to the long-pending requests of the countries who are keen to harness the power of Intellectual Property for their development. We live in a world struggling with multiple crises. If under exceptional circumstances, we are not able to reach an agreement on the Terms of Reference for the Evaluation of the existing External Offices, we urge all Member States to decouple the two issues and to proceed with the decision on the creation of the new External Offices.

24. Delegation of Pakistan: It is a pleasure to see you chairing this meeting again. My delegation aligns itself with the statement delivered by the distinguished delegation of Indonesia, on behalf of the APG. I also take this opportunity to congratulate you as well as your Vice-Chairs on your respective elections. My delegation has taken note of valuable reports prepared by the Secretariat with regard to audit and oversight, performance and financial review, planning and budgeting, including the Proposed Program of Work and Budget for 2024/25. While we will engage separately on these reports under the relevant agenda items, I would like to highlight some relevant points at this stage. First of all, it is heartening to note that despite disruptions caused by the COVID-19 pandemic WIPO able to maintain a healthy revenue, as well as achieve sound programmatic performance due to results-based management and prudent financial management. We hope that these positive trends will continue into the upcoming biennium. Secondly, we appreciate the management that it was able to deliver concrete visible results on the ground, especially under the Strategic Pillar 4, with priority to demand driven interventions and projects. In this regard, we welcome the increase in development budget to 21.4 per cent and the increased attention to WIPO's contribution to Sustainable Development Goals (SDGs) as well as the establishment of the Regional and National Development Project Sector (RNDS) project team. We hope that development consultation concerning the Development Agenda, as well as SDGs would constitute key benchmarks in the program delivery during the next biennium. Thirdly, we thank the

Organization for the activities carried out and projects implemented under WIPO's response to COVID-19, including through COVID-19 response package as well as the WHO, WIPO and WTO Trilateral Cooperation on Public Health, Intellectual Property and Trade. We support the continuation of WIPO's COVID-19 response package in the next biennium with a focus on inter alia, the following: a) capacity building for existing flexibilities and the global Intellectual Property regime including trade-related aspects; b) tangible technology transfer to fight current and future pandemics and c) participating and contributing to norm-setting processes at various UN forums on pandemic preparedness in the future. Fourthly, with regards to the Terms of Reference for the revolution of WIPO's External Offices, this meeting offers an opportunity to bridge differences on key pending issues to enable an objective external, and independent evaluation of the entire External Office network. Lastly, my delegation would like to reiterate the need to universalize the membership of this Committee to all Member States of WIPO. The restrictive membership of this important Committee does not correspond to the need for WIPO Member States engagement in the important process of the program and budget of this Organization. We look forward to constructive discussions on this matter during the upcoming meeting of the Assemblies in July this year. Please be assured of my delegations full support you during the course of this meeting.

25. Delegation of Sweden: Sweden congratulations you on your re-election and the election of the Vice-Chairs. We would also like to thank the Secretariat for the preparatory work for the PBC. We express solidarity with Ukraine and support the sovereignty and territorial integrity of Ukraine within its internationally recognized border. We call on Russia to immediately cease all violations of International Law, and to completely withdraw its troops from the whole territory of Ukraine and fully respect Ukraine's territorial integrity, sovereignty and independence. Ukraine has shown that innovation can be pursued, even in the most severe circumstances, but it is also clear that innovation needs not only funding but also a safe and secure environment. At the PBC, we look forward to discussing how WIPO can play its part to ensure that resources are focused on risk needs on the ground. On behalf of the European Union and its Member States let me reiterate our continued support and solidarity with Ukraine and the Ukrainian people.

26. Delegation of the Russian Federation: The Russian Federation would like to associate itself with the statements of the delegation of Tajikistan on behalf of the Regional Group of Central Asian, Caucasus and Eastern European Countries (CACEEC). We would like to greet the Assistant Director General Andrew Staines, the Secretariat and participants in this 35th session of the PBC. We thank the Secretariat for preparing documents, the session, and for convening meetings at the expert and Ambassadorial level. I would also like to express greetings to the Chair and the Acting Vice-Chairs. We hope that under your wise and impartial leadership we would be able to discuss the Proposed Program of Work and Budget for 2024/25 and other equally important agenda items in a constructive manner. We reject the accusations levelled against the Russian Federation as they do not represent reality and are not connected to the work being considered under the PBC agenda. Regrettably, we observe that deliberate politicization and aggressive anti-Russian statements from certain countries are undermining the productive work of the executive and governing bodies. We note that this approach has a negative influence on the practical work of the Organization and undermines the authority and effectiveness of WIPO, and also hampers the real resolution of global issues. We note that when planning the work of the Organization and taking decisions, there is a need to consider long-term prospects and the strategic interests of all parties in this connection. We consider it of the utmost importance that decisions taken are not intentionally or unjustifiably politicized. For our part, we stand ready to take an active part in the discussion of agenda items in a constructive manner and to make substantive contributions to the work of the Committee. We are convinced that the Intellectual Property system will continue to be a system that will enable life to flourish along with innovation, creation and scientific endeavor. Thank you.

27. Delegation of Nigeria: Nigeria aligns itself with the statement of Ghana on behalf of the African Group. We join others who have spoken earlier to congratulate you and your Vice-Chair's on your elections. We renew our commitment to work constructively with you towards the achievement of the mandate of this Committee. We seize this opportunity to extend profound appreciation and warm courtesies to the Director General and the Secretariat for their efforts in preparing for this meeting. We appreciate the numerous briefings that have been organized for Ambassadors and experts, which has tremendously enriched our knowledge of the issues under consideration. It is on this note that my delegation wishes to underscore the good work of WIPO in the implementation of the new mechanisms to further involve Member States in preparation and follow-up of the program and budget. Recalling that questions have been raised by delegates during the briefing of African Group experts, on the Proposed Program of Work and Budget for 2024/25 biennium, my delegation wishes to kindly request the Secretariat to provide responses to the pertinent questions as appropriate. Furthermore, my Delegation takes notes of the breakdown provided by the Secretariat for the budget for WIPO's External Offices in the next biennium. However, and considering that the sector activities are not specified, it has become very challenging to understand what is specifically considered as development expenditure and region/country coverage. To provide a remedy for this, my delegation wishes to kindly request for a similar breakdown of the budget from the Development Sector, with details of expenditure by activity and region under each of the sectors. This breakdown could be annexed to the draft budget proposal for the next biennium. Furthermore, Nigeria is pleased to highlight the new proposal for a "build-back better program" for the draft Program of Work and Budget for the 2024/25 biennium, to ensure the smooth running of the COVID-19 response package related to projects in the next biennium. Finally, permit me to reiterate our commitment to contribute positively to the deliberations of this Committee.

28. Delegation of Algeria: Algeria associates itself with the statement made by Ghana on behalf the African Group. My delegation joins other delegations in congratulating you and your Vice-Chairs on your elections to this important Committee. We extend our thanks to the Secretariat for the excellent preparation and organization of this meeting. My delegation commends the extensive outreach efforts by the Secretariat to increase Member States involvement in the discussions of the Program of Work and Budget for 2024/25. We congratulate WIPO for maintaining a solid financial performance based on sound results-based management and cautious policies, which have allowed the Organization to mitigate the adverse effects of the difficult global environment. My delegation believes that WIPO should pay a key role in promoting a more balanced Intellectual Property system that supports innovation and contributes to achieving the development goals of all countries, regardless of their level of development. In this regard, we call on WIPO to put renewed vigor into the implementation of Sustainable Development Goals (SDG) by establishing new collaborations and partnerships with UN entities, and other stakeholders, and to develop strategic frameworks for the planning, monitoring and evaluation of progress towards these goals. My delegation highlights that WIPO should put more emphasis on impact-driven and results oriented programs that responds to Member States needs and help them to address pressing global challenges such as health crisis, food insecurity, climate change and inequalities. We encourage WIPO to take up new initiatives aimed at supporting SMEs and start-ups to use Intellectual Property a tool for growth and value creation and improve databases and services provided to Intellectual Property offices and Technology and Innovation Support Centers (TISCs) networks in developing countries. Furthermore, gender and geographical balance are important issues and efforts should be made to ensure this balance, which will allow WIPO to be a more inclusive and diverse Organization. Concerning the evaluation of WIPO's External Offices, my delegation hopes that progress will be made in this agenda item, taking into account the specific characteristics, type of business and length of operation of each External Office. My delegation looks forward to having fruitful and constructive discussions on all agenda items.

29. Delegation of Türkiye: The Delegation of Türkiye would like to congratulate you and the Vice-Chairs on your election. Chair, counting on your leadership, we are confident that your extensive experience will successfully guide our work throughout the session. We also wish to take this opportunity to thank the Assistant Director General for the opening remarks and the Secretariat for their tireless efforts in organizing this session and for the preparation of the related documents for our consideration. We also extend our warm greetings to all the participants of this meeting. Furthermore, the Delegation of Türkiye would like to thank the distinguished delegation of Switzerland for the statement made on behalf of Group B. The delegation of Türkiye is committed to the work of this Committee and is keen on engaging in consultations to further the improvement of Intellectual Property rights for the benefit of all users and stakeholders and society as a whole. We attach great importance and value to WIPO's leading role in this regard. I would like to end by reiterating Türkiye's commitment to constructive work with you and the Member States to achieve successful outcomes during the session.

30. Delegation of Poland: The statement reflects the CEBS Group member's position in light of the statement delivered by Ukraine. The agenda of the 35th session of the PBC, which will focus on the budgetary plan for the 2024/2025 biennium reminds us about values shared by WIPO's Members that determine the vision and goals of this Organization. In this context, peace and stability, respect for International Law, being the WIPO Members' obligation, are the very basis and prerequisite for the success of achieving WIPO's mission of supporting nations relentless quest to innovate and create for a better future as it is set out in the Medium-Term Strategic Plan for 2022-2026. The Russian war against Ukraine has had an unquestionably negative impact on the geopolitical situation, shaking the economic stability globally and weakening our unprecedented efforts for post COVID-19 pandemic recovery. Some of these negative tendencies can already be seen in the budgetary and performance provisions of this Organization. The continued for more than a year Russia's attacks on Ukraine are harmful to WIPO's efforts to support economic development and growth of its Members. The scale of humanitarian crisis caused by the Russian war, which has led to death and suffering of thousands of civilians, severe destruction of civilian infrastructure and disruptions of main global supply chains, should be seen as a significant factor curbing our efforts, instead of moving them forward. The continued war has brought far-reaching damage to the Ukrainian Intellectual Property ecosystem and as a result has deprived the Ukrainian scientists, innovators and creators of basic conditions for their operations, development and growth. Long-term international assistance will be necessary for full recovery and return to normality. Accurate implementation of the WIPO General Assembly decision of July 2022 on Assistance and Support for Ukraine's Innovation and Creativity Sector and Intellectual Property System (document A/63/8) is critical for delivering timely, adequate and necessary support to Ukraine. The CEBS Group looks forward to the written specified report on the implementation based on this decision. On behalf of the CEBS Group, let me reiterate our continuous support and solidarity with Ukraine and the Ukrainian people. We demand that the Russian Federation immediately stops its unprovoked and unjustified war against Ukraine, which is in violation of Article 2.4 of the UN Charter. We also recall the UN General Assembly Resolution ES 11/4 condemning attempted annexation of Ukraine's territories, which is a clear international indication that no territorial acquisition resulting from the threat or use of force shall be recognized as legal.

31. Delegation of Russian Federation: Once again, we wish to reject the accusations levelled against the Russian Federation, which do not reflect reality and are not related to the issues discussed by the PBC. Russia hopes that in the future, States, particularly Western States, will consider the consequences of their hegemonic policies and return to a pragmatic approach guided by sovereign equality and respect for mutual interests. We always stand ready to engage in partnership and dialogue inter alia on Intellectual Property, which is particularly relevant in view of the large numbers of people who are interested in that positive outcome.

32. Delegation of Iran (Islamic Republic of): We congratulate you and the Vice-Chairs for your election for this very important session of the Program and Budget Committee. My delegation assures you of our full support and cooperation in the course of the Committee's deliberations. We also appreciate the preparation of this session by the Secretariat, as well as the hard work undertaken in preparing and drafting the Program of Work and Budget for the next biennium. We align ourselves with the statement delivered by the distinguished delegate of Indonesia on behalf of the Asian Pacific Group. Transparency, clarity and openness within WIPO particularly the budgeting process are of the utmost importance. We would like to see WIPO's budget and creativity for the economic, social and cultural development of all countries through a balanced and effective international, Intellectual Property system. To achieve this objective, clear roadmaps of initiatives that effectively address the challenges are necessary. We are of the firm belief that development agenda recommendations should be regarded as a process that needs to be constantly mainstreamed in all WIPO activities and Committees. In this regard, all WIPO bodies should take due account of those recommendations in their activities. In particular in their policy-making decisions. Taking account of these recommendations in substantive programs in the course of the new biennium is a key priority for both the Organization and the Member States. Enhanced South-South cooperation needs to be included in WIPO's Program of Work and Budget and implemented through the establishment of a dedicated coordination mechanism. This targeted budgetary allocation is essential for both developing and least developed countries. While recalling that WIPO's norm setting activities should be inclusive and Member State driven, we would like to highlight the importance of the improvement of all issues under the normative work agenda that would be based under multilateral spirits and the political will to achieve outcomes benefiting all Member States. My delegation underlines the significance of the technical assistance in the Program of Work and Budget for the next biennium and resources allocated to the activities of WIPO Academy. My delegation also recognizes the prominence of Small and Medium-sized Enterprises (SMEs) for innovation in WIPO's activities to which due consideration must be given in the Program of Work and Budget. We encourage enhanced and successful activities for the WIPO Academy and for SMEs to be promoted during the next biennium. We would also like to emphasize the importance of mainstreaming geographical representation in all WIPO sectors and the activities especially WIPO staff composition with accordance with Development Agenda recommendations. Despite the achievement, we are of the view that there are long-standing gaps in the geographical representation within the WIPO Secretariat, while welcoming and recognizing the efforts made by the Secretariat to narrow the existing gap. However, we are of the view that there is a need to further actions to ensure balanced geographical representation. We believe that geographical representation is a fair mechanism to ensure more transparency and efficiency to the work of the Organization. Therefore, we suggest that geographical representation be included as a performance indicator along with other indicators and be treated equally. The promotion activity and providing high-quality services to the global Intellectual Property system is one of the main functions of the WIPO. Particular focus should be placed on promoting the PCT, the Madrid, the Hague and Lisbon systems for international registration. In this regard, we are of the view that the financial sustainability of the Lisbon System could not be compared with other global registration systems, such as the Madrid or the PCT systems mainly because appellations of origin and other geographical indications are based on geographical names, and there is an obvious limit to the total number of protected geographical names and corresponding applications. Last but not least, we strongly believe that WIPO and Member States should recognize the need for striking a balance in the development of the international Intellectual Property system and greater attention to addressing historical imbalances in the development of international rules to include issues of key importance to developing countries. One of the most challenging issues for developing countries is the need for flexibility to be given to these countries in applying international rules by promoting the conservation of the existing policy space and use, particularly in critical areas such as protection of genetic resources and traditional knowledge. My delegation would

engage constructively in the negotiation in the course of the Committee's deliberation and each agenda item.

33. Delegation of Switzerland: Group B is in full solidarity with the people of Ukraine. Group B recalls the General Assembly's decision on document A/63/8 on assistance and support for Ukraine's Innovation and Creativity Sector and Intellectual Property System. Russia's attempt to annex the Ukrainian territories declared on September 30, 2022 highlights the territorial integrity and national sovereignty of Ukraine. As such, Russia is violating International Law. Therefore, Group B does not recognize the attempted annexation of Ukrainian territories into the Russian Federation. Ukraine's territorial integrity and sovereignty must be fully respected within the global Intellectual Property system.

34. Delegation of Colombia: Allow me first and foremost to congratulate you on being appointed as Chair. I would also like to express to the Members of this Committee our thanks for the vote of confidence in Ms. María del Socorro Pimienta, a woman with 30 years' experience working in Intellectual Property Authorities and who today is evidence of Colombia's feminist foreign policy. I would like to wish her every success in her work as I would to the entire Bureau, and you can count on our support in order to ensure that this Committee and the one in June will be successful. We endorse GRULAC's statement as well as the statement made by India. Chair, dear delegates, we are currently experiencing one of the most difficult moments that we have ever faced as a species. I am sure that all of those who have come to work in this Organization have come with a sense of purpose to build a better world. However, unfortunately, there is a risk after spending many years in Geneva that one can lose touch with one's people. With Indigenous Peoples, with the Afro-descendant communities, women and young people. They are why we are all here. Lake Geneva is very close to the road where you find computers, fashion and luxury. This is far away from hunger, climate change and issues of immigration. Chair, we would like to draw attention to the role that Intellectual Property plays and this is indicated in the National Development Plan. The process for the budget in this Committee is crucial for Colombia. We would like to thank the Secretariat for all of its efforts in putting together the documents and for the patience and professionalism demonstrated in the informal meetings where we were able to ask our questions. Colombia has played a very important role in designing the Sustainable Development Goals (SDG), and therefore we continue to support these as well as the underlying efforts to bring this in tune with WIPO's guidelines in order to ensure that the SDGs might be achieved. Today, we want to see some quantitative results. On gender now, some might think that because Colombia already has a female Vice-President, that we've achieved much progress and, yes, this is true. However, unfortunately, I have to say that this is just a first step and we still have a long way to go. It is not just having this kind of position filled in a decision-making body but we need mixed delegations and it is important also to break down patriarchal systems. Furthermore, the issue of oversight in WIPO is very important to us, with regard to the programs that need to move forward based on good practices in order to work against conflicts of interest. And last but not least, something that is very dear to us, we would like to state the participation of Indigenous Peoples and Afro-descendant communities in the diplomatic conferences is very important. We have been stating this for two decades, and it would seem that it could be that our voice is finally being heard. Traditional knowledge is extremely important, that is why we are asking this Committee for understanding because we share our land with our Indigenous and Afro-descendant brothers and sisters. They have a very specific system, and that is why it is very important that they play an active part in negotiations.

35. Delegation of Russian Federation: In view of yet another statement from the Polish delegation on behalf of CEBS, from Switzerland on behalf of Group B and also the statement from the Representative of Sweden on behalf of the EU, we are obliged once again to seek the floor on a point of order and to request the Chair to call for delegates to respect the organizational arrangements of the meeting and its agenda.

36. Chair: I would like to reiterate to all delegations that it is important to keep to the timeframe for statements and to the extent possible we need to recognize that we need to focus on our Program of Work and Budget.

37. Delegation of China: On the issue of Ukraine, China remains committed to its position, which is impartial and objective. China has issued its position on the political resolution of the Ukraine issue. We stress that we should respect countries' sovereignty and other interests, the focus of which is to facilitate a peaceful resolution. This year, we will hold two PBC sessions on which we will discuss important agenda items. All parties should cooperate and coordinate in order to reflect real multilateralism and we should avoid the introduction of politicized statements, which might impede on the proceedings of this meeting.

38. Delegation of Tunisia: Chair, I would like to congratulate you and the Vice-Chairs on your appointment. I can assure you of our support in your work. We are confident with your experience in the PBC, that the Committee will achieve significant progress. My delegation would like to endorse the statement made by Ghana on behalf of the African Group. We would like to thank the Assistant Director General for the presentation of the priorities and principles for the preparation of the budget for the 2024/25 biennium. We would like to express our appreciation to the Secretariat for its efforts to include Member States in the preparatory process for the Program of Work and Budget and for explaining the document. We would like to urge the Secretariat to continue in the same direction, underscoring at the same time the importance of taking into consideration Member States contributions in the preparation of the Program of Work and Budget documents. We welcome the stability of the financial situation and the excellent management of the Program of Work and Budget for 2020-23, which shows that there is progress in strategic objectives. We believe that the Program of Work and Budget should fit into the mid-term strategic program for 2020-23 and this should move us towards achieving its objectives. We particularly take note of the action and focus to help young people and SMEs.

39. Delegation of Republic of Korea: The Republic of Korea would like to congratulate you on your election. We like to thank the WIPO Secretariat for preparing for this session. We also thank the delegation of Indonesia for the statement on behalf of the Asia Pacific Group and we appreciate the delegation of India for the joint statement on the opening of a new WIPO External Office. My delegation will make its substantive observation on the relevant agenda items and we look forward to constructive discussions on each agenda item including the Terms of Reference for the Evaluation of External Offices.

40. Delegation of Canada: Canada supports the Swiss statement on behalf of Group B. Canada condemns the unjustified unprovoked invasion of Ukraine. This hostile action is a flagrant violation of International Law. The Russian Federation is destroying the freedom of a people, and they are seeking to overthrow a democratically elected government. In addition to the devastating cost in human lives, this what is preventing Ukraine from fully participating in the innovation and promoting culture of their country. The sovereignty and territorial integrity of Ukraine should be respected. Their people should be able to decide their future for themselves. Canada calls on Russia to immediately cease all hostile aggression against Ukraine and to withdraw their troops.

41. Delegation of Brazil: Chair, members of the Secretariat, dear colleagues around the globe and delegates in Geneva, good morning. Aligning itself with GRULAC's opening remarks, Brazil is requesting the floor to speak in its national capacity given the importance given by Member States of this Organization to WIPO's Development Agenda. I thank you all beforehand and I will try to be brief. Brazil would like to highlight the importance of seeking to enhance

transparency and accountability within the World Intellectual Property Organization by recommending, in line with the spirit of Nigeria and Algeria's initial interventions, the quantification and breakdown of development expenditure activities financed by WIPO in alignment with the Sustainable Development Goals (SDG), the SDG's. This could be done based on the revised definition of development expenditure as outlined in document A/55/4. But it would be better delivered if an additional realm of analysis is added to the budget format submitted to all Member States, the sustainable development one. Firstly, it is crucial to recognize the significant role that development expenditure plays in advancing social economic progress and promoting sustainable development. By allocating financial resources towards initiatives that address the SDG's, WIPO can effectively contribute to global efforts aimed at eradicating poverty, promoting innovation, and fostering inclusive and sustainable economic growth. Secondly, quantifying and breaking down development expenditure activities by respective SDG will provide us with a comprehensive overview view of WIPO's contributions towards specific sustainable development targets and WIPO's own Development Agenda. This level of transparency and accountability is essential for evaluating the effectiveness of WIPO's actions and assessing the impact on achieving the SDGs. It will allow Member States and stakeholders to monitor progress, identify areas of success and highlight potential areas for improvement. Moreover, by aligning developed expenditure with the SDG's, WIPO can enhance its strategic focus and ensure that resources are allocated to areas where they can have the greatest impact. This approach enables WIPO to prioritize initiatives that are directly linked to the global development agenda and address pressing challenges faced by Member States, particularly those in developing regions. Furthermore, sharing this information with the Member States will foster knowledge exchange, best practices, and peer learning. It will facilitate collaboration and encouragement of partnerships among Member States, enabling them to collectively work towards achieving the SDGs in the realm of Intellectual Property rights and innovation. This open sharing of information and experiences will contribute to more effective and efficient utilization of resources and promote the advancement of Sustainable Development Goals (SDG). In conclusion, to quantify and breakdown development expenditure activities financed by WIPO according to the respective SDG is a necessary step towards promoting transparency, accountability and a strategic alignment with global development objectives. By implementing this measure, WIPO can demonstrate its commitment to the Organization's development agenda and foster international cooperation and Intellectual Property Rights for the benefit of all the Member States.

42. Delegation of Saudi Arabia: I would like to congratulate you on your election as Chair of the Committee and also the Vice-Chairs who will be able to assist you as we work through the different agenda items for this session. We would like to commend the Organization for their work especially since the COVID-19 pandemic. We would also like to take this opportunity to thank the Secretariat for preparing the documents for this session.

43. Delegation of Uganda: We would like to congratulate you and your Vice Chairs on your election. We pledge our support throughout this session. Uganda aligns itself with the statement made by Ghana on behalf of the African Group. Uganda believes that the WIPO Program of Work should foster the advancement of a balanced Intellectual Property system. Within WIPO's activity in line with the objectives of the development agenda and Sustainable Development Goals (SDG). Transparent and effective utilization of resources will promote greater inclusivity and ensure that efforts are a response to the diverse challenges and opportunities faced by different Member States. Additionally, enhanced transparency, better resource allocation and improved accountability provides Member States with a comprehensive understanding of the budget and facilitates effective decision-making, support various projects and programs, geared towards economic transmission in the developing countries. We would like to reiterate the issue of the balance in WIPO staffing to ensure all regions are well represented. We will continue to engage constructively on the different agenda items to ensure mutual results.

44. Delegation of Switzerland: Chair, Switzerland supports the statements given by Group B. This statement is given in our national capacity and I will be brief. Switzerland would like to thank the Secretariat and you for the organization of this 35th session of the PBC. For us, this Committee is extremely important as it deals with key issues for the future of WIPO. During the course of the week we will have in-depth discussions on very diverse issues, there are two in particular on this session's agenda, which caught our delegation's attention. Firstly, there is the Update of the Mechanism to Further Involve Member States in the Preparation and Follow-up of the Program of Work and Budget and as well as the Proposed Program of Work and Budget for 2024/25. Concerning the Proposed Program of Work and Budget for the 2024/25, we note that like the current Program of Work and Budget, the proposed Program of Work and Budget is concise. It does not contain certain more detailed budgetary information which is important for the Member States, and we regret that. Please be assured of our full support in order to ensure that this 35th session of the PBC is a success.

45. Chair: This brings us to the end of our list of speakers. I would like to thank all of you for your statements given on behalf of the Regional Groups and for those given in your national capacities. Above all, I would like to thank you for respecting the time restrictions. I would like to also say that given that we have interpretation, we have been able to listen to interpretation in the six UN language, Arabic, Chinese, French, Russian and Spanish, therefore, I thank the interpreters. The chair offers thanks for the delegates being able to have the free exercise of their linguistic rights. We will take note of all of your statements and we will carry on with the agenda.

ITEM 3 ELECTION OF ACTING VICE-CHAIRS OF THE PROGRAM AND BUDGET COMMITTEE (PBC)

46. Chair: It is in the interest of the PBC to function with a full bureau of elected officers. As you may recall, at the 34th PBC session, the PBC elected me as Chair for 2023 and Ms. Maria José Lamus Becerra (Colombia) as Vice-Chair for the same period. I understand that Ms. Lamus Becerra of Colombia will not be available to attend the 35th and 36th PBC sessions, therefore, there are two vacancies for Acting Vice-Chair. I would like to proceed with the election of the Acting Vice-Chairs. I now open the floor to delegations for nominations.

47. Delegation of Poland: Good morning everyone. It gives me great pleasure to make a nomination on behalf of the CEBS Group. We would like to present for the nomination the candidacy of Ambassador Zbigniew Czech, Permanent Representative of the Republic of Poland to the United Nations Office and other International Organizations in Geneva. Thank you very much.

48. Delegation of Uruguay: We just want to second GRULAC's proposal from the Colombian delegate for Miss Pimienta.

49. Delegation of Switzerland: Group B supports the nominations for Acting Vice-Chairs from the CEBS Group and GRULAC, Ambassador Zbigniew Czech and Ms. María del Socorro Pimienta. Thank you Chair.

50. Delegation of Ghana: The African Group supports the nominations for Acting Vice-Chairs.

51. Delegation of Poland (CEBS Group): The CEBS Group is ready to support both nominations. Thank you very much.

52. Delegation of Indonesia (APG): The Asia Pacific Group (APG) supports both nominations for Acting Vice-Chairs from the CEBS Group as well as GRULAC.

53. Chair: I am going to ask the Secretariat whether there are any other proposed statements. There are no requests for the floor therefore, given the consensus for these two candidates, I will read the next decision paragraph, which we will share with you on the screen for Agenda Item 3: Election of Acting Vice-Chairs of the Program and Budget Committee (PBC).

54. The Program and Budget Committee (PBC) elected, for its sessions to be held in 2023, Ambassador Zbigniew CZECH (Poland) and Ms. María del Socorro PIMIENTA (Colombia) as the Acting Vice-Chairs of the Committee.

55. Chair: Let me congratulate our new Vice-Chairs for this Committee. I believe that both Ambassador Zbigniew Czech as well as Ms. María del Socorro Pimienta are with us, and I would like to invite them to come and take the podium. Let us congratulate them and welcome them to the Chairpersonship of the PBC.

ITEM 4 PROGRESS REPORT ON THE IMPLEMENTATION OF THE JOINT INSPECTION UNIT'S (JIU) RECOMMENDATIONS

56. Discussions were based on document WO/PBC/35/2.

57. Chair: We now move on to item 4: Progress Report on the Implementation of the Joint Inspection Unit's Recommendations, document WO/PBC/35/2. This document gives us an overview of the state of implementation of the Joint Inspection Unit's recommendations addressed to WIPO's Legislative Bodies and also to the Executive Head of WIPO, the Director General, for the period of 1 January 2018, until February 28, 2023.

58. Secretariat: Thank you, Chair. A very good morning, Excellencies and distinguished delegates. It is my pleasure to present a review on the status on the implementation of the Joint Inspection Unit recommendations addressed to Legislative Bodies and the Executive Head of WIPO. Since the last report submitted to the 34th PBC session in 2022, one JIU review was issued which was not relevant to WIPO. This specific review was not a system wide review, it was a review of a United Nations entity. Recommendations currently outstanding and under implementation by WIPO are from reviews which were issued from 2018 to 2021. Subject to the endorsement of Member States, in respect of recommendations contained in this document, there will be one recommendation addressed to WIPO's Legislative Bodies and four addressed to the Executive Head which will remain outstanding and in progress for implementation. This represents the lowest number of outstanding recommendations since reporting to Member States governing bodies began. All other recommendations have been closed. Although all recommendations are of equal importance, we would like to highlight the implementation of recommendations under JIU/REP/2018/06 on enhancing accessibility for persons with disabilities to conferences and meetings of the United Nations system. WIPO has developed its first disability inclusion strategy which will provide policy level guidance for our work over the next four years. The strategy includes several steps to promote disability inclusion in various areas such as human resources, procurement, physical infrastructure and communication. Assistant Director General Andy Staines will be the champion of this strategy. We have implemented a more robust process for the implementation of all oversight recommendations. The central coordination of the process is in the Office of the Controller. Specific to the JIU, I am the JIU focal point for WIPO and follow-up within the organization to ensure timely implementation of recommendations. I am ably assisted in this role by Geneviève who is part of the Office of Controller, and, of course, the good cooperation of managers and directors who are actually responsible for implementing the actions. We now report the status of implementation of these recommendations on a quarterly basis to the Independent Advisory Oversight Committee (IAOC). Since the time that this particular report was published, a further

two recommendations have been implemented, and these will be reported to the IAOC in the 69th session next week and to the Member States at the PBC in 2024. These are a) recommendation 10 of JIU/REP/2018/4, review of whistleblower policies and practices in the United Nations system organizations, and b) recommendation 6 of JIU/REP/2020/2, policies and platforms in support of learning towards more coherence, coordination and convergence. Effectively, as of today, only three recommendations of the five reported as outstanding in the report are in progress for implementation.

59. Delegation of Switzerland: Group B welcomes the Progress Report on the Implementation of the Joint Inspection Unit's recommendations contained in document WO/PBC/35/2. We very much welcome the fact that as of February 28, 2023, there are only five outstanding recommendations. As underlined in the document, this figure represents the lowest number of outstanding recommendations since the beginning of reporting to Member States on the progress of the implementation of JIU recommendations. Group B would like to thank WIPO for its efforts and encourages the organization to swiftly implement upcoming and current JIU recommendations.

60. Delegation of Ghana: The African Group thanks the Secretariat for providing this overview on the status of implementation of outstanding recommendations addressed to WIPO's Legislative Bodies and the Executive Head, from the reviews of the Joint Inspection Unit carried out from January 1, 2018 to February 28, 2023, in document WO/PBC/35/2. The Group commends the efforts made so far resulting in the lowest number of outstanding recommendations since the beginning of reporting to Member States and the progress of the implementation on JIU recommendations. We welcome particularly the adoption of WIPO Disability Inclusion Strategy by the end of 2022, which will guide the work of WIPO for the next four years in line with the recommendation of report JIU/REP/2018/6 and invite the Secretariat to make a presentation on the Strategy at the next session of PBC. The African Group also recognizes the implementation of recommendation 2 of the report of cyber security in the United Nations system organizations (JIU/REP/2018/3), recommendation 7 of the report of the review of the United Nations system support for landlocked developing countries to implement the Vienna program of action (JIU/REP/2021/2), recommendation 1 on blockchain applications in the United Nations system: towards a state of readiness (JIU/REP/2020/7), and recommendation 4 on multilingualism in the United Nations system (JIU/REP/2020/6) addressed to the Legislative Bodies. The Group also notes the implementation of recommendation 4 of report JIU/REP/2021/6 on business continuity management in United Nations system organizations, recommendations 3 and 4 of report JIU/REP/2021/5 on the review of the ethics function in the United Nations system, recommendation 1 of the report on cyber security in the United Nations system organizations in JIU/REP/2021/3 report, as well as recommendation 1 of the review of mainstreaming environmental stability across organizations of the United Nations system (JIU/REP/2020/8). We invite the Secretariat to publish the high-level policy on the environmental responsibility issued in December 2022. The African Group also took note of the recommendations which are still in progress, particularly recommendation 1 of JIU/REP/2019/5 on managing cloud computing systems in the United Nations system and recommendation 10 of JIU/REP/2018/4 on the review of the whistleblower policies and practices in the United Nations organizations, which have been in progress for a while. The Group will appreciate some clarity on the updated assessment of the two recommendations and some information on the challenges or obstacles that have caused the delay in their implementation.

61. Delegation of China: The Chinese Delegation thanks the Secretariat for updating the implementation of JIU recommendations. Towards the overall implementation of JIU recommendations by WIPO all the way up until 2023, we are pleased. Under the joint effort of the Secretariat and the Member States, most of JIU recommendations have been implemented which will facilitate the work of WIPO and its better integration into the overall UN framework. China notes that the Secretariat suggests that the report of JIU on cyber security in the UN system organizations in report JIU/REP/2021/3, recommendations 1 and 2 of which will be

proposed to change to implemented. The main reason behind this change is that in the 2020/21 WIPO Performance Report submitted by the Secretariat, it entails the briefing of this organization cybersecurity status and information security status. China would like to remind the Committee that last year in the resolution of PBC 34, it was decided, here I quote “During the implementation of the PCT RSP Hybrid Phase project WIPO will continue to update and optimize its data security technologies in a timely fashion including in response to any concerns raised in this context, particularly by PCT users and will report to Member States on an annual basis through the WIPO Performance Report including any audits conducted thereon.” China is of the view that, despite last year’s performance reports briefing on this organization information security, however, the PCT RSP project was approved last year based on important interest of PCT applicants, as well as the data security of PCT system which is the main source of income for this organization. Member States have therefore decided to continue to focus on data security of this project. Therefore, China believes that the project’s work on data security is still in progress. Based on this, recommendation 1 and 2 of report JIU/REP/2021/3 should remain in the status of in progress. China also notes that the Secretariat is in the progress of implementing recommendation 1 contained in the report JIU/REP/2019/5 on managing cloud competing services in the UN system. Implementation measures includes the following: Analyzing best practices of private sector and relevant white paper; requesting AWS of Amazon to provide information. China welcomes this. Currently, United Nations organizations including WIPO are actively promoting the utilization of cloud computing service in the organization. However, the report of JIU in 2019 pointed out already that the cloud computing service will bring data analysis risk to organizations in the UN system. Commercial cloud service providers such as AWS and many WIPO global service system users are actually competitors and so have conflicts of interest. Besides, recent incidents have demonstrated clearly that the Convention on privileges and immunities of the United Nations was not adequately observed. Therefore, strengthening the supervision on data service of commercial cloud service programs are of great significance, a necessity. Therefore, China would like the Secretariat to provide a detailed description of its communication with AWS.

62. Delegation of Poland: The CEBS Group would like to thank the Secretariat for the progress report on the implementation of Joint Inspection Unit’s recommendations as contained in document WO/PBC/35/2. We note the implementation status of the 38 recommendations of the JIU reflected in progress reporting during the period of January 1, 2018, to February 28, 2023. We are pleased to note that the Secretariat continues its work to facilitate and coordinate responses to their JIU questions, surveys and interviews in relation to ongoing and new reviews. The fact that the latest update confirms the lowest number of outstanding recommendations since the beginning of reporting to Member States on the progress of the implementation of JIU recommendations is the reason for satisfaction. Concerning the implementation of the remaining recommendations of the JIU, we would like to encourage the Secretariat to continue working with the aim of the expeditious finalization. We appreciate the close cooperation of IAOC with the Internal Oversight Division and other important actors. We believe this significantly improves the process of the implementation of the issued recommendations. Progress on the outstanding recommendations, especially recommendation 6 from report JIU/REP/2020/2 on policies and platforms in support of learning towards more coherent coordination and convergence, related to the use of external platforms to the achieve learning objectives, as well as recommendation 1 of report JIU/REP/2019/5 on managing cloud competing services in the United Nations system remain important for efforts to streamline the quality of work and level of communications by WIPO.

63. Delegation of the Russian Federation: We thank the Secretariat for preparing the report on progress towards implementation of the recommendations of the JIU. We welcome the readability of information on the status of implementation of the JIU’s recommendations. I would like to draw attention to the implementation of the JIU recommendation contained in report JIU/REP/2020/6, multilingualism in the UN system. We welcome implementation of recommendation 1 with regard to the strategic basis for multilingualism policy aimed at

Legislative Bodies and the administration of WIPO. We also welcome the implementation of JIU recommendation 3, which, of course, is important from the point of view of ensuring implementation of the multilingualism policy. At the same time, I would also like to draw attention to this recommendation as it impacts the hiring of new translation interpreters and skills and qualifications for language specialists, and skills enhancement and qualifications for language specialists. This recommendation together with the new WIPO Language Policy can be considered a starting point for the promotion of the principle of multilingualism in the Organization. At the same time, we consider appropriate to attach particular attention not only to the development of skills amongst WIPO staff but also the implementation of multilingualism directly into the organization's work inter alia in the registration systems. We trust that the Secretariat will take all necessary measures to fully implement the principle of multilingualism in line with the new Language Policy and the Medium-Term Strategic Plan. We note the need to develop and to make available to Member States the administrative roadmap for the implementation of the WIPO Language Policy as endorsed in 2021. We also welcome the JIU recommendations with regard to block chain technology in the context of the JIU's report. With regard to cyber security and cloud computing in the UN system, we draw attention to the Secretariat to the concerns raised by a number of Member States with regard to possible risk on the protection of confidential data in the cloud environment. We consider that the principal condition for this project should be ensuring cyber security in the processing and protection of WIPO data. This is particularly with regard to unpublished patent applications, personal data, and other personal information with regard to applications. We would also request clarification as to when we can expect the conclusions with regards to the appropriateness of the adoption of the new JIU recommendations, in other words how do you view the timeframe for the implementation of the decisions which are contained in paragraph iii of the draft PBC decision. It might make sense to reflect this timeframe in the decision text. We hope the JIU will continue to actively work with the Secretariat and we also consider it a useful practice to engage in regular direct cooperation with the independent advisory oversight committees of the UN System organizations. We hope this will be done by WIPO. Separately, we call upon the Secretariat to properly and fully finance JIU as per the relevant UN General Assembly resolutions. In view of the experience of other organizations of the UN system, we propose the Secretariat review the possibility of setting up a single open mechanism for following up progress on all implementation of recommendations of all oversight bodies. In other words, external and internal auditors as well as the Independent Advisory Oversight Committee and the Joint Inspection Unit. Such consolidated information available to everyone could be posted on the WIPO website in the About WIPO section within the oversight section. Such a step would significantly increase the degree of transparency at WIPO and would also simplify understanding on the part of Member States as to the level of realization of the recommendation to the various oversight bodies.

64. Delegation of Colombia: We would like to thank the Secretariat for document WO/PBC/35/2. We welcome the work carried out by the Secretariat on moving forward with regard to these recommendations. We agree with Group B and the African Group on the fact that there is a minimum number of outstanding recommendations and it is at its lowest since the time the status of JIU recommendations were reported to Member States. Nevertheless we would like to call your attention to Annex II, especially recommendations 3 and 4 of report JIU/REP/2021/5. In recommendation 4, it is mentioned in the report that an internal Financial Disclosure and Declaration of Interest software system is under development. We encourage the Secretariat to keep up with its efforts and we would very much welcome it, if we could be informed on the date on which the software will be up and running.

65. Delegation of Mexico: It is the first time that my Delegation is taking the floor, and therefore I would like to congratulate you and your Vice-chairs on your elections. My Delegation welcomes the report and takes note of it. We welcome the efforts made by the Secretariat in implementing the recommendations of the JIU, and we take note of the fact that there are still five pending recommendations that need to be implemented. We would very much welcome in

Annex II of this report to be informed of the number of the recommendations that is still pending. In line with best practices to be replicated in the United Nations system, we would very much appreciate if in a future PBC session with the JIU on the agenda, WIPO could invite the Chair of the JIU. It is very important for my Delegation and for this body to be more visible within the international organizations.

66. Delegation of Pakistan: My Delegation thanks the Secretariat for providing the overview of the status of limitation of outstanding recommendations. Resulting from the review of the Joint Inspection Unit during the period of January 1, 2018, to February 28, 2023. We appreciate the fact that the remaining recommendations represent the lowest number of outstanding recommendations since the beginning of reporting to Member States on the progress of implementation of JIU recommendations and that all other recommendations have been closed. With regard to recommendation 4 of report JIU/REP/2020/6, my Delegation appreciates, the fact that over 20 per cent of WIPO's overall training budget covers the cost of language training of its staff. Before we could close this recommendation, may we request some more information with regard to the other part of the recommendation which talks about the training of WIPO staff on official languages of the United Nations and other languages. We request more information and a breakdown of this 20 per cent with regard to especially the other languages. While we take note of the reference that is contained in the management response of the new and revised language policy, we wish to know about the criteria of selecting other languages as contained in this recommendation. Secondly, we look forward to the expansion of WIPO's policy to major languages spoken around the globe. There is also a need to translate WIPO's existing WIPO related tools such as SMEs, start-ups and women entrepreneurs to national and local languages so that IP can be understood and utilized for the benefit of creators and innovators at the grassroots level. We look forward to working with the Secretariat to facilitate the translation of IP tools to national and local languages.

67. Delegation of Türkiye: Türkiye is grateful to the Secretariat for providing this progress report on the implementation of the Joint Inspection Unit's recommendations and aligns itself with the Group B statement. The Delegation of Türkiye recognizes the satisfactory outcomes leaving only five outstanding recommendations highlighted in the document WO/PBC/35/2. Furthermore, according to the annual report of the unit, namely the report of the Joint Inspection Unit for 2022 and program of work for 2023, WIPO has fully completed the consideration phase for the recommendations, namely closed all the recommendations, and has accepted approximately 92 per cent of them which stands at about 73 per cent as an average for the 28 participating organizations of the unit and has reached more than 88 per cent in the implementation of these recommendations, while this is approximately 77 per cent for the overall participating organizations. Recognizing the significant progress made so far, it is also crucial to address these remaining five recommendations and the JIU reveals relevant to WIPO's plan in 2023 covering certain important topics such as the review of policies, measures, mechanisms and practices to prevent and address racism, maintaining internal tribunal stage appeal mechanisms available to staff members, use of non-staff personnel and related contractual modalities in the UN system organizations. We believe that their implementation in a timely manner will further enhance WIPO's operations and contribute to the organization's overall effectiveness.

68. Delegation of the United States of America: The United States of America would first like to extend our congratulations to you and to the Vice-Chairs on their elections. We also thank the Secretariat for the preparation of this report. We support Group B's statement and likewise note with appreciation the timely implementation of JIU recommendations in this recording period. Nonetheless, we strongly encourage WIPO to address the remaining pending recommendations. In particular, the 2019 JIU report review of staff exchange and similar interagency mobility measures in UN System organizations, advised Executive Heads to specify procedures for the handling of allegations of misconduct by staff who have moved to another organization. We welcome information on the status of the focus group that was formed in 2022

to draft relevant procedures and their timeline and agenda for convening in 2023. Implementing this recommendation is a necessary step to close a troubling gap in the accountability process and address a loophole that could lead to impunity.

69. Delegation of Iran (Islamic Republic of): My Delegation takes note of the progress report under the implementation of the JIU recommendations which contains invaluable information to understand the process of the Secretariat's efforts in implementation of the JIU recommendations. We recognize that overall acceptable numbers of JIU recommendations have been implemented, with the number of recommendations that have been further accepted or in the process of being implemented. We take note of the JIU recommendations, particularly those recommendations which can perfectly contribute to the best possible solutions to the global environmental challenges and crisis in a manner more consistent with the current work of other relevant UN agencies. In this regard, we take note of the appropriate implementation of the JIU recommendation on review of mainstreaming environmental sustainability across organizations of the United Nations system. We encourage WIPO to continue to implement relevant JIU recommendations. We further urge organizations to facilitate and coordinate responses to the JIU's questionnaires, surveys and interviews in relation to ongoing and new reviews while considering the specificities of the organization.

70. Assistant Director General, Administration, Finance and Management Sector: I was keen to make some comments on topics close to my heart and in response to questions raised by Member States. I wondered if I may, first of all, just to respond to the questions raised by the distinguished Delegate of Ghana firstly on the Disability Inclusion Strategy, which is a topic, a strategy and approach that is very close to my heart and something we have started in the past year. We launched the strategy a few months ago, really to move to a rights-based model as part of a much broader cultural shift in WIPO to really recognizing internally colleagues in all their diversity, supporting colleagues, allowing everyone to contribute to WIPO's mission and vision. We have a Disability Inclusion Strategy that is in line with the broader UN approach, UN DIS. It is one where we would be delighted to give an informal presentation, if I may suggest under your guidance, Chair, and the Member States' guidance, I may propose we hold an informal presentation in the margins of the next Program and Budget Committee session to update you on the journey we are going on. Similarly on the environment responsibility policy, which again is a policy where for a number of years WIPO has been very active, I think trying to lead the way in the UN system on some of these issues. Perhaps if I may I could suggest that we, in the margins of the next Program and Budget Committee session, we do similarly an informal presentation to those Member States that are interested and we tell you a little bit about the policy and where we are going with it and to get your ideas and inputs and so on. I think on both disability and inclusion and the environment responsibility, I think we would be delighted to offer you more information, as I suggested again under your guidance, Chair and Member States. Perhaps we slot into the next Program and Budget Committee two informal sessions and we can discuss those a little bit more. Turning briefly if I may, Chair, to questions from China and the Russian Federation around cybersecurity and cloud security. I think in our WIPO Performance Report, there is an update there, so very happy to provide further information including under that item. I think for now what I wanted to underline is firstly we attach a lot of importance of course to cybersecurity and cloud computing in particular. You will recall in our discussions last year when we presented our hybrid solution, a key part of that was to continue the local management here in WIPO of highly confidential information. I wanted to just take advantage of this response to underline that. In terms of where we are using external providers, we are very happy to update you on the assurances we received from those partners on how they look after our data more widely. But to be clear for highly confidential data it will continue to be managed by WIPO locally here. It is not on the cloud. On multilingualism, briefly to just underline our commitment to multilingualism. It does go beyond just skills. It is one where we are committed to progressing our fairly ambitious roadmap under the multilingualism policy. I am happy to update you in terms of exactly where we have gotten to, we have certainly made some good progress including on expanding the universe of items and where we are

translating them. On the IP systems of course we stand ready to support Member States in discussions on multilingualism within the individual Intellectual Property systems, and in response to Pakistan's question on the breakdown, I will hand shortly to my colleagues to answer on the breakdown on how we allocate the language training budget. Finally on Joint Inspection Unit funding, I just wanted to be clear on the record that in terms of the JIU budget, WIPO management's response is that our oversight bodies whether internal or external need to be properly funded. Therefore, there is a complete commitment to funding efficient and effective oversight bodies whether they are internal bodies or external bodies. Therefore I wanted the opportunity to put that on the record and that we are happy to explain the process more generally where we are fairly heavily involved, and on participation of the JIU in these meetings. I think we stand ready to be guided by the Member States.

71. Secretariat: On the cybersecurity points raised as said by ADG Staines, we will discuss that during the WPR. I have had an informal consultation with the Delegation of China, and they will reassess their requests to keep those points open after the WPR presentation. And on the budgetary matter, I just want to reconfirm everything that ADG Staines said in that we are completely committed to funding all oversight bodies and activities. WIPO's share of the jointly funded activity cost of the JIU is a very small one. We contribute one per cent, so there are much larger contributors, and this one per cent is not something that we have ever disputed. We have paid all of our bills, including any increases that have been passed on to the different agencies. This is something that I would like to confirm. With regard to the question from the Delegation of Mexico of the JIU Chair being here, definitely it will be our pleasure to welcome the JIU Chair when we have the item on the JIU report, potentially for the PBC session in 2024. In the past, the JIU has been present here under different Agenda Items and in particular when they have undertaken a management and administrative review of a specific entity and when it has been WIPO's turn, they have been here to address their report and the recommendations to the Member States. There was a point made by the distinguished delegate from the Federation of Russia, and this was related to other oversight body recommendations. As previously mentioned, we have strengthened our oversight recommendations follow-up and, in principle it is the IAOC who works on your behalf to monitor the implementation of all oversight recommendations and it is our Internal Oversight Division that provides them with a comprehensive overview. The External Auditors Report will be published for the next PBC and you will see our management responses as well as a status of prior recommendations. Similarly, the Internal Oversight Division will present its report to you in the 36th session of the PBC and you will see then also the status of specific recommendations that they have made throughout the year on different reports, and if there are any recommendations from the IAOC, of course, these are reported by them. In principle, they do not have many recommendations addressed to the Secretariat.

72. Secretariat: Good morning distinguished delegates. My understanding is that there were two questions that were posed for the Ethics Office. The first one on JIU report JIU/REP/2018/4 on the training regarding protection against retaliation for managers and supervisors. As previously mentioned, there will be an update on this recommendation because since the report was issued to you, it has been addressed in the new mandatory training on ethics and integrity at WIPO, which was revised to include specific lessons on protection against retaliation, the qualities of ethical role models, including managers and supervisors, and other specific guidance for managers and supervisors on their heightened responsibility to act ethically and take the correct steps when receiving reports of misconduct. The Ethics Office will of course continue to strengthen these messages with tailored guidelines but this mandatory training is for all managers and supervisors, and we are confident that they are receiving the correct message and training with regard to this recommendation. On the second question that came regarding the Financial Disclosure and Declaration of Interest software, the Ethics Office has worked very closely with the Information and Communication Technology Department as well as the Information Security Section to develop WIPO's own financial disclosure software, an in-house proprietary software for disclosing financial interests. We have just finalized the security

accreditation of the software, and also finalized testing by colleagues throughout the organization. Although we had anticipated to launch the next exercise using the software in May, this will be done with some slight delay, but certainly within 2023.

73. Secretariat: With regard to the question on language training as mentioned by ADG Staines, we will be looking at the number in more detail and will revert to Member States. On the question relating to recommendation 4 of JIU/REP/2019/8, which is the review on staff exchange and similar interagency mobility measures in the United Nations system organizations, WIPO like all the other agencies in the UN System is dependent on the work of the CEB Secretariat to lead discussions on such issues within the framework of the HR Network. However, there seems to be very little interest to revise the 2012 inter-organizational agreement concerning transfer, secondment, or loan of staff among the organization applying the UN common system of salaries and allowances and very little expectations of progress. In fact this has not been on the agenda of the HR network in the last year or so either. In that context, the only thing WIPO can do is to be very cautious and to make sure that even in the case of secondments, it goes through a thorough process of references to ensure proper follow-up in case follow-up is required, and that staff would not escape accountability.

74. Chair: Thank you to various members of the Secretariat for addressing the questions raised by various delegations under the Item. We are fast approaching the end of the morning session so let us leave this Item open and continue discussing it this afternoon.

75. Chair: We now turn to the Agenda Item four decision paragraph, and there is an amendment if I'm not mistaken. I would like to ask the Secretariat to share that with you. As you can see on the screen, in the third paragraph in the decision paragraph, we have added in a new paragraph. I will read it out. This is a different proposal from the previous proposal in accordance with what some of the delegations stated:

(iii) recommended to retain “under implementation” as the status of the implementation of recommendations under:

I open the floor, if there are any delegations who have comments on these proposed paragraphs.

76. Delegation of Pakistan: We do not have any objection on the draft text proposed on the screen. We just want to put our position on record very briefly with regard to the implementation of this recommendation, especially when it concerns with other languages. I would just like to state that we call on the Secretariat to continue to evolve the criteria that is laid out especially with regard to staff training vis-à-vis other languages, while we will be submitting our proposals in the subsequent sessions of this Committee, I think at this stage it would be important to keep this in mind.

77. Chair: Thank you for your flexibility about the decision paragraphs and the Secretariat takes note of your statement which will be recorded. I do not see any more requests for the floor at this stage. Thus, we have concluded the discussions and the decision item. Now I would like to propose to the Committee to take the decision on this agenda item. It will be displayed before you, but I will also read it out for you:

78. The Program and Budget Committee (PBC):

- (i) took note of the present report (document WO/PBC/35/2);
- (ii) welcomed and endorsed the Secretariat's assessment of the status of the implementation of recommendations under:
 - JIU/REP/2021/6 (Recommendation 4);

- JIU/REP/2021/5 (Recommendations 3 and 4);
- JIU/REP/2021/2 (Recommendations 1 and 7);
- JIU/REP/2020/8 (Recommendations 1, 5, 8 and 9);
- JIU/REP/2020/7 (Recommendations 1, 2, 3 and 4);
- JIU/REP/2020/6 (Recommendation 4);
- JIU/REP/2020/2 (Recommendation 3);
- JIU/REP/2018/6 (Recommendations 1 and 4); as set out in the present report;

(iii) recommended to retain “under implementation” as the status of the implementation of recommendations under:

JIU/REP/2021/3 (Recommendations 1 and 2); and

(iv) called on the Secretariat to propose assessments for the open recommendations made by the Joint Inspection Unit (JIU) for Member States’ consideration.”

ITEM 5 WIPO PERFORMANCE REPORT

79. Discussions were based on document WO/PBC/35/3.

80. Chair: Good afternoon, delegates. We are resuming work on the Program and Budget Committee. Given that there are still some outstanding questions pertaining to Item 4 of the Agenda, we will listen to the answers before closing that Item and passing to Item 5, the WIPO Performance Report (WPR) for 2022. For Item 5, the relevant document is WO/PBC/35/3 REV, which is at your disposal. That report for 2022 is the first report published within the framework of the Medium Strategic Plan for 2022-2026, which was prepared in accordance with the financial regulations and rules with the view of achieving the Expected Results of the Program of Work and Budget for 2023. The Secretariat and myself will listen to the interventions by various speakers, and the first to speak will be the Director of the Program Performance and Budget Division.

81. Secretariat: Thank you, Chair, and good afternoon, delegates. It is my pleasure to introduce the WIPO Performance Report (WPR) for the year 2022. As the Chair’s just stated, this is the first performance report under the MTSP 2022/26 and the first WIPO Performance Report (WPR) against the new streamlined 2022/23 results framework. As in the Program of Work and Budget 2022/23, the WIPO Performance Report (WPR) 2022 is a mid-biennium report, which provides a comprehensive results-based view of performance, articulated by Strategic Pillar. It assesses progress towards achieving our Expected Results and targets made through the implantation of the Program of Work and Budget 2022/23. The document has been revamped with an increased focus on results and impact. Report sections include key accomplishments by Expected Results, a performance dashboard, and aggregated views of performance data and risk by Strategic Pillar. As compared to the first year of the biennium, and I think we can really be very proud of that as ADG for AFMS mentioned, WIPO's performance in 2022 was higher with 75 per cent of targets assessed as on-track compared to 66 per cent in 2020, which is the last year which is comparable, and 14 per cent as not on-track compared to 23 per cent in 2020. We are heartened that our performance measured against the indicator is on such a good track. Let me deep dive into some examples of our performance under each Strategic Pillar. I would just like to emphasize that these are just some highlights. There are too many highlights to fit into this short presentation, but they are all in the report. Under Strategic Pillar 1, we have considerably stepped-up our social media presence, and now have 377,000 followers which is up 18 per cent from the previous year. We have also published

the first full HTML edition of one of our flagship report, the Green Technology Book. Under Strategic Pillar 2, some examples of our performance in 2022 include the establishment of the trilateral COVID-19 technical assistance platform. WIPO also continues to be the leading forum for IP and frontier technology conversation. In addition to robust growth of our global IP systems, the year 2022 was yet another record year for our arbitration and mediation services under Strategic Pillar 3. Membership in WIPO GREEN also continued to expand, reaching 150 members. Delivering impact on the ground through results-oriented projects was a key priority under Strategic Pillar 4. The WIPO Performance Report (WPR) highlights a number of these projects including those targeting women and youth. Outreach to SMEs likewise continued including through the IP diagnostic tool. Lastly, but not least, some highlights under the foundation include the expansion of payment methods for better customer experience, and our YEP program, which has been significantly expanded and is being very vigorously implemented. Coming back to the previous Agenda Item, if I may, Chair, we had some questions regarding the reporting of cybersecurity. So, I would like to emphasize that, under the reporting on the Expected Result 5.2, it is on page 40 of the WPR English version, we have a reporting back on the implementation of our information security strategy. In addition to that, in the Annex, which reports on the implementation of the capital masterplan project, you will have a more detailed reporting on the implementation of the RSP, the PCT Resilience Platform. For further questions, I have my colleagues all here in the room, and they will be happy to take further questions. Lastly, I would just like to add that the detailed performance data and risk tables for each of the Sectors are provided through QR codes to enhance the readability and reduce the length of the document, while ensuring no loss of information. Thank you very much for your attention. Sector Leads and colleagues are all here to answer any other detailed questions.

82. Chair: Many thanks for your presentation. Now, I am going to give the floor to the delegations requesting it to make comments or ask questions with regard to this 2022 Performance Report. We can see it is quite a bulky and complex document, and so, if you are counting and asking specific questions with regard to specific elements, please be precise so that the Secretariat can fully reply to you.

83. Delegation of Switzerland: Group B would like to thank the Secretariat for preparing the WIPO Performance Report 2022 contained in document WO/PBC/35/3 Rev. We have carefully analyzed this document, which is the first performance report done under the Medium-Term Strategic Plan 2022-2026. Group B welcomes the positive financial results for 2022, and its surplus of 7.7 million Swiss francs. More than 96 per cent of WIPO's income comes from fees paid by users of its international intellectual property systems, primarily users of the PCT System - 77 per cent, and the Madrid System- 17 per cent. Once again, this observation underscores the key role played by WIPO's IP registration systems as the financial backbone of the Organization. As these registration services depend on the global economy, which is currently very fragile and volatile, we would like to reiterate that WIPO must continue to adopt a prudent and effective management behavior. Indeed, this is key for continued positive performance in the coming biennium. Our Group takes note that 75 per cent of the 155 Performance Indicator Evaluations were on track in 2022. The lowest figure, that is 55 per cent, concerns indicators linked to Strategic Pillar 3: Provide high-quality IP services, knowledge and data that deliver value to users around the world. We would be interested to know from the Secretariat if we may expect higher scores on these performance indicators in 2023. We appreciate information provided on the implementation of WIPO's response to COVID-19 in 2022. We welcome the fact that over 40 Member States have requested or have already benefited from projects under that response. The IP framework has been essential for incentivizing innovative R&D in the response to COVID-19. Voluntary licensing of IP has helped to provide access to essential products. We particularly appreciate the development of new arbitration and mediation center services to facilitate contract negotiations and management of disputes in long-term life sciences collaboration in the event that this is needed, delivering additional assurance on top of the confidence the IP system provides in such collaborative

partnerships. The fact that, by the end of 2022, WIPO mediation and/or arbitration clauses had been included in 65 licensing agreements related to COVID-19 treatments concluded by the Medicines Patent Pool demonstrates the constructive role IP rights can play in facilitating partnerships and voluntary technology transfer. Therefore, we wish to thank the Secretariat and the Arbitration and Mediation Centre for all of its efforts in this regard. Regarding the Capital Masterplan Progress Report 2022, Group B welcomes the solid progress made under CMP projects 9 and 41 on a PCT Resilient and Secure Platform, phase 1 and hybrid phase, as well as the completion of CMP Project 22 on the Hague Externalization Project. By contrast, we note the rather slow progress on the Madrid IT Platform. We would appreciate more information in this regard, especially as to the "substantial organizational changes, anticipated in the coming years" that seem to have prevented the finalization of the roadmap. In conclusion, Group B acknowledges the positive financial performance of the Organization in 2022, congratulates WIPO, and encourages the Secretariat, the Director General, and the Sector leads to continue in this direction.

84. Delegation of Ghana: Thank you. Ghana is honored to make a statement on behalf of the African Group. The African Group wishes to thank the Secretariat for presenting the WIPO Performance Report (WPR) 2022. The Group wishes to commend the Secretariat for the excellent financial results for the 2022/23 biennium. We note that 75 per cent overall progress towards achieving the Expected Results in 2022 as against the 66 per cent of the last biennium. We are confident in WIPO's continued efforts towards consolidating all the current strides, especially under Strategic Goals 3 and 4, and across the board on all indicators. Furthermore, and despite the adverse effect of the COVID pandemic, WIPO continued to benefit from the high demand for its fee-based services in 2022. This includes, for instance, the 0.3 per cent increase in international filings compared to 2021. With an estimated 278,000 international applications, marking yet another new record in data applications, filing under the PCT. This reflects the global trust in the relevance of the IP system as a critical driver of innovation, competitiveness and growth. The protection of intellectual property rights is not in itself conducive to development, and if IPR regimes relaxes safeguards such as expectations and limitations, these can hinder development goals. We observed that the development activities in 2022, which have been implemented, have hardly explored the use of the TRIPS flexibilities to the maximum. In this regard, the African Group hopes that more funds will be allocated for development expenditure and clarity on the intended activity. Chair, permit me to reiterate our support for the membership of WIPO in the UN Sustainable Development Group. The African Group notes that WIPO has held a series of engagements and interactions with various stakeholders to promote greater awareness of the Organization's contribution to the SDGs since its membership in early 2022. However and in view of the need to give better traction to the activities of WIPO, the African Group wishes to invite the Secretariat to review the modus operandi of the special representative of WIPO on SDGs and restructure its institutional frameworks in the coordination of development activities with other international and UN bodies on the SDGs. While we continue to discuss the progress of evaluating the EOs, we should also consider the External Offices' need to be adequately resourced in terms of personnel and monetary resources to enhance their effectiveness. We therefore take this opportunity to call for increased resources to be allocated to the two EOs in Africa. Finally, we commend WIPO's leadership at the Secretariat for providing technical assistance, activities tailored to the needs and priorities identified by Member States. A number of excellent initiatives have been launched during the current biennium. We look forward to the maximum budgetary utilization under all programs including those related to development during the ongoing biennium.

85. Delegation of Poland: The CEBS Group would like to thank the Secretariat for the preparation of the WIPO Performance Report 2022, as contained in the document WO/PBC/35/3 Rev. We also thank the Secretariat for preparation of Preliminary Results for the Year Ended December 31, 2022, as contained in the document WO/PBC/35/INF/1. The WPR document presents, in a reader-friendly and result-focused manner an assessment of the financial performance and progress made towards achieving the Expected Results established

in the Program of Work and Budget for the 2022/23 biennium. Presenting WIPO performance through Key Accomplishments, Expected Results measurement as well as Performance dashboard is helpful in a comprehensive and detailed analysis of the document and results of WIPO activities. We also welcome the concept of presentation of the Expected Results in the Strategic Pillars. While it is the first Performance Report under the Medium-Term Strategic Plan (MTSP) 2022-2026, it is important that it can serve as a solid benchmark for reviewing of WIPO performance in consecutive periods as well. In this context, we would appreciate more in-depth information about the effectiveness of 155 performance indicators, 37 of which showed certain shortcomings of the measurement process. At the same time, we note with satisfaction and emphasize the fact that the percentage of the performance indicators reported as being 75 per cent “On Track” in the reviewed horizon was higher than in the case of the 2020/2021 biennium (66 per cent). Progress towards Achievement of the Expected Results in Strategic Pillar 3 (the provider of high quality IP services, knowledge and data that deliver value to users around the world) assessed at 55 per cent also deserves more attention with a view of improving collective efforts to meet the defined goals. At the same time, CEBS Group recognizes significant progress achieved by WIPO in all four Strategic Pillars. It is especially important for members of CEBS Group that special focus was made on Strategic Pillar 4 defined as “Support to governments, enterprises, communities and individuals to use IP as a tool for growth and sustainable development.” This direction reflects CEBS Group’s priority of demand-driven approach and strengthening WIPO’s cooperation and concrete assistance to business communities, academia and experts, whose activities determine successful development of IP ecosystems. We note with satisfaction that more than 40 countries have benefited from projects under the COVID-19 Response Package, which is the best measure of WIPO’s ability to adapt and respond effectively to the needs of its Members and the dynamically changing world. CEBS Members would be interested in more detailed case-by-case information regarding the WPR statement on continued operations of a network of External Offices (EOs) and their contribution to enhancing efficiency and effectiveness of outreach efforts, project delivery, as well as responding to the specific needs and priorities of the countries and/or regions they serve. Moreover, the efficiency of their operations should take into account the medium term risk of global geopolitical, economic, and financial or health contexts, as these factors have a direct impact on the activities carried out by External Offices. Information about the budget assigned to individual External Offices is essential for an in-depth analysis of their effectiveness and contribution to the overall mission of WIPO. In conclusion, CEBS Group welcomes the document as a good basis for assessing WIPO’s performance in context of all sectors and instruments developed with an aim to support economic growth through healthy IP ecosystem development. The positive trends reflected in the WPR should continue and be further strengthened for our benefit.

86. Delegation of China: Thank you Chair. I will speak in English. The Chinese delegation thanks the Secretariat for the preparation of the WPR 2022. Last year, WIPO overcame the impact of the COVID-19 pandemic and carried out a lot of work in supporting innovation, promoting development and building a global IP ecosystem with positive results. China congratulates these achievements. However, China would also like to point out that this report has been significantly reduced in size, and the performance indicators, compared to the past, with the 2018 WIPO Performance Report being 322 pages, and this year's being 150 pages, which may not fully reflect the work done by the Organization in the past year, and create certain obstacles for Member States to fully understand the work of WIPO in the past year. Next, we would like to make the following specific comment. First, China notes that in the past two years, some 110,000 Chinese have participated in various forms of training at the WIPO Academy. China appreciates the hard work of the WIPO Academy for capacity building in a wide range of developing countries, including China. China also appreciates the extensive work done by the Chief Economist and his team last year in producing and publishing reports with global impact, such as the flagship Global Innovation Index and in providing accurate, comprehensive and timely statistical information on IP for the global IP system. Secondly, page 4 of this report shows that the Organization incurred an investment loss of 88 million Swiss

francs last year, which is the first time in many years that the Organization has incurred such a large investment loss. China believes that it is necessary for WIPO to study the reason for the loss, including whether the approved Investment Policy was strictly followed - whether investment strategy, investment timing or investment approaches - were implemented in a prudent way to ensure that the re-occurrence of such problems could be avoided in the future. This is to safeguard the important interest of the Organization, its Member States, and us, users of the service system at large. Thirdly, China notes the reference on page 29 to WIPO's adoption of a project-based approach to development work to ensure that IP effectively contributes to growth and sustainable development, and the establishment of the RNDS project taskforce to implement relevant cooperation initiatives in new ways. China would like to know in what new ways such project taskforces are implementing projects compared with previous practices. How do such taskforces coordinate with the work of the Regional Divisions of WIPO? Fourth, page 41 refers to WIPO's testing of payment methods such as Apple Pay, Samsung Pay or Google Pay in its main payment system last year. China supports, in principle, the expansion of WIPO's payment method to facilitate access to its global IP service system. China also hopes that in the future, the Organization will consider introducing other wider used payment methods such as Alipay and WeChat Pay based on the distribution of its main users in order to enhance the user friendliness of the global service system such as the Hague, Madrid, and the PCT in a more comprehensive manner. Fifth, according to Annex 1 of the report, the Regional and National Development Sector received a transfer of 6.6 per cent in the previous biennium. However, according to Article 3.4 of the WIPO Financial Regulation and Rules, the Director General may make transfer of resource from one sector to another for any given period up to the limit of 5 per cent of the amount corresponding to the biennium allocation of the receiving sector, or to 1 per cent of the total budget, whichever is higher. Could the Secretariat please clarify the rationale of such budgetary transfers? Six, China takes note of the progress report on the PCT Resilient and Secure Platform Phase 1 and the Hybrid Phase on page 91 as we have mentioned this morning. Having carefully studied the content of this report, China is of the view that the Performance Report does not report on the progress and actions taken by the Organization since July last year in updating and optimizing data security technologies and responding to user-related concerns, as required by the aforementioned division. We would very much appreciate if the Secretariat can clarify this as it promised this morning. China also notes that since the adoption of the program last year, WIPO has been recruiting a number of cloud positions, and we wonder if any of these positions involve data security. Could the Secretariat provide some details on this? In addition, China requests the Secretariat to revise the performance report to include relevant elements in accordance with the requirements of the relevant PBC decision.

87. Chair: Thank you very much, honorable delegate from China. Thank you for your statement. Please allow me to remind you that the Regional Group Coordinators need to stick to three minutes speaking time and the Member States have two minutes speaking time. I would like to remind you that our agenda is tight, and there will be many opportunities during the week to speak to the different issues.

88. Delegation of Pakistan: My Delegation takes note of the positive financial and programmatic performance of the Organization in 2022, and welcomes the overall progress towards achievement of Expected Results. It is commendable that over 75 per cent of WIPO Key Performance Indicators are on track across the four Strategic Pillars and Foundations. We also take note of key accomplishments under various Strategic Pillars. However, our appreciation also goes to the RNDS project team to incubate new ways of implementing urgent strategic cooperation initiatives among WIPO Member States in numerous areas relating to IP. We also observe that other staff costs estimated expenditure on travel, training and grants, as well as contractual services were lower than anticipated, and attributed to hybrid delivery, modality and use of machine translation. We hope that the budget saved under these heads will facilitate further enhancement of WIPO's delivery in developing countries and LDCs. My Delegation also appreciates the activities carried out in the WIPO response to COVID-19

including through WIPO COVID-19 Response Package. The WHO, WIPO and WTO Trilateral Cooperation is a welcome initiative aimed at strengthening practical coordination on issues around public health, IP and trade. IP was featured predominantly in the global fight against COVID-19 pandemic. On one hand, IP has been seen as a facilitator to innovation, essential in our collective fight against the pandemic. On the other hand, some of the issues are also relating to scaling up vaccine production, and their equitable distribution particularly in developing countries has also been attributed to limitations imposed by the global IP regime. While we support the coordination of COVID-19 Response Package for the Organization, we would like to highlight the following priorities in the next biennium. Under Expected Result 3.1, an important concentration is capacity building and legislative advice to developing countries on existing flexibilities in the global IP system including the TRIPS we have seen last year, and here we also echo the comments made by the distinguished Delegation of Ghana on behalf of the African Group. Under Expected Result 2.4, we look forward to WIPO's engagement in the ongoing setting processes in various UN fora, including at the negotiation on the pandemic treaty of the World Health Organization. With regards to their projects to the COVID-19 response package, we propose to give priority to those SMEs and start-ups in developing countries, which are directly or indirectly contributing to the global fight against the pandemic's consequences. In this regard, the start-ups in developing countries are in need of more financing opportunities at a regional and global level. We call on WIPO to offer a platform to the start-ups from developing countries, a global platform where they can be more visible for the verbal innovation value chain.

89. Delegation of Türkiye: The Delegation of Türkiye would like to thank Switzerland for the statement made on behalf of Group B since, like the other three Pillars, we very much value the wider and more effective use of global IP systems and providing high-quality IP services, knowledge, and data that is beneficial for users all around the world determined within the framework of the Strategic Pillar 3. Recalling our satisfaction in the comprehensive results-based view articulated by the Strategic Pillars and, in addition to the statement made by Group B, we would like to kindly bring to your attention the slightly lower percentage assessed as on-track with regards to the performance indicators on the Foundation. We would appreciate to be briefed by the Secretariat regarding the 76 per cent result and if gender representation as well as regional representation have been determinant in this outcome. In other words, their degree of significance in attaining a dynamic corporate culture to work effectively and collaboratively. As far as we have observed from the Performance Indicators included in the report, although the P4 and the D2 levels have been marked as on-track, the overall data show respectively low percentages ranging between 18 to 34 per cent, excluding the P4 level. As for the geographical diversity, it has been marked as not assessable. Therefore, we would be pleased to be informed by the Secretariat if there are any preparatory works in progress to further demonstrate this issue, and if we may expect higher scores on these performance indicators in 2023. We would like to encourage the concerted efforts in these areas to maintain the Expected Results under the Foundation, which directly supports and is dynamically interconnected with the four Strategic Pillars of the Organization. In line with the Group B statement, Türkiye would like to emphasize the importance of prudent and effective management practices in the current state of the global economy, and we would like to encourage WIPO to remain vigilant and responsive to economic fluctuations while leaving sufficient flexibility, enabling to navigate potential challenges effectively. In conclusion, the Turkish Delegation would like to thank the Secretariat for the preparation of this comprehensive report, and we would like to extend our appreciation to the Organization on the overall positive financial performance displayed in 2022.

90. Delegation of Japan: First of all, the Delegation of Japan would like to express its gratitude to the Chair of the Program and Budget Committee, as well as the ADG Administration, Finance and Management Sector and the Secretariat for the dedication and effort in organizing this meeting. As this is the first time that we take the floor, we would like to express our congratulations to you as well as the Vice-Chairs on your election. This Delegation

aligns itself with the statement delivered by the distinguished Delegation of Switzerland on behalf of Group B. We like to thank the Secretariat for their hard work in preparing the WPR 2022. This Delegation would like to comment on the results described in that report. Overall, we are pleased to see that about 75 per cent of the calls are on track. On the other hand, we recognize that there are still issues to be addressed, and we would like to support the improvement of those items that are not on track. With regard to WIPO GREEN on page 26, the steady increase in the number of partners is commendable, in addition to the matching of technology transfer realized in Japan in 2022, as stated in the WIPO Performance Report (WPR). We would like to continue our contribution so more can be achieved in the future.

91. Delegation of the Russian Federation: We commend the Secretariat for the preparation of the WIPO Performance Report (WPR) for 2022 document WO/PBC/35/3 Rev. We also note the comprehensive nature of the statistics in the report, the positive financial and program results over the period in question, as well as high performance overall. We would like to draw your attention to the fact that over the first year of the sectoral implementation of the budget, the implementation of the budget did not exceed more than 50 per cent in either of the Sectors. I think that goes to show that the Organization has been successful in performing its functions within the framework of an agreed budget, and without any unjustified increase in the expenses. We hope that these positive dynamics will be retained. At the same time, we would also like to seek the assistance of the Secretariat for clarifications, and possibly for the presentation of more detailed information with respect to the redistribution of assets or expenditures for Regional and National Development. We would be interested in a more detailed information to do with the fact that the implementation of the budget in this Sector is lowest among all other WIPO Sectors. Because of that, the question comes to the fore - what are the reasons for increasing the budget after the expenditures have been redistributed, and for the increase in the Proposed Program and Budget? We would also be grateful to the Secretariat for more detailed explanations of the specific steps in supporting the robustness of the PCT System, and with regard to a transition into the use of cloud technologies for WIPO global services. We would also like to draw attention once again to the concern expressed by a number of Member States in that regard, and so we believe that more detailed information would be helpful to Member States in getting the grips with the current activities of WIPO in these areas.

92. Delegation of Algeria: My Delegation thanks the Secretariat for preparing the WIPO Performance Report 2022 contained in document WO/PBC/35/3 Rev. We welcome the positive financial performance and the Sector's progress on achieving the Expected Results in 2022, however we note that 40 per cent of the Expected Results are not on track. We encourage the Secretariat to take proactive measures to put back on track those Expected Results within the current biennium while ensuring that all performance indicators are relevant and accessible based on the SMART framework. My Delegation is pleased with the accomplishments in the area of support for TISCs, with an increase of 10 per cent of individual TISCs listed in the TISC directory over the previous year, and 46 sustainable national networks registered. We also welcome the fact that 2,000 SMEs were assisted by support institutions that use WIPO materials or tools. We encourage WIPO to continue improving its tools and services in support for SMEs and start-ups. My Delegation notes with appreciation that 41 IP Offices participated in supporting IP Offices to develop green technology promotion initiatives, WIPO GREEN. We want WIPO to continue its outreach activities to attract more participants to the program, including from developing countries. My Delegation appreciates the work of the network of External Offices to bring WIPO closer to Member States. That being said, we highlight that External Offices in all regions should be given adequate staffing to ensure effective and efficient program management and improve their performance in line with the results-based management framework. We, once again, call on the Secretariat to provide WIPO External Office in Algeria with required staffing to ensure the functioning of the office. We welcome WIPO's membership in the United Nations Sustainable Development Group in early 2022, and we encourage WIPO to put more emphasis in future performance reports on the initiatives taken to support the implementation of the SDGs, and to develop specific indicators to assist the

process made in this regard by establishing clear accountability framework. Finally, we encourage the Secretariat to continue promotion of WIPO geographical diversity in their staff members, with special focus on under representative regions, in order to address the persistent imbalances.

93. Delegation of the Democratic People's Republic of Korea: The Republic of Korea would like to express our appreciation for the WIPO Secretariat's work in preparing the WIPO Performance Report 2022. First of all, the Republic of Korea welcomes the first report on the Medium-Term Strategic Plan 2022-2026. This new report will be highly beneficial in the progress and implementation of the MTSP on an annual basis. Regarding the Expected Results 1, under Strategic Pillar 3, we note that the international patent filing under the PCT continue to increase steadily in 2022. In this regard, the Republic of Korea was able to show the highest rate of increase, 6.2 per cent in total number of PCT applications filed in 2022, among the top 10 PCT filing countries. We believe there is a necessity to strengthening localized services to support each region, which will contribute to the success of a premium global IP service. Regarding Expected Result 1, under Strategic Pillar 4, the Republic of Korea notes that national IP strategy will be finalized and validated in three countries. We believe that the Republic of Korea has extensive experience in establishing a national IP strategy, and we hope to actively share our know-how with the WIPO Member States. Regarding Expected Result 2 under Strategic Pillar 4, we note that the first annual training on IP and life science, supported by the Korea-fund-in-trust was organized in cooperation with UNESCO. We believe this program contributed to making progress in reducing the IP gender gap and the Republic of Korea is committed to continuing this effort.

94. Delegation of Italy: The Italian Delegation is pleased to take note of the WIPO savings in actual expenditures compared to the amount budgeted for the year 2022. We have also noted the efficiency of the processes and transactions in 2022 that can be measured by the decreasing unit costs in the main IP systems. We encourage WIPO to continue to manage the financial resources in a prudent way, taking into account that all actions, plans, and initiatives should be addressed to use IP to boost resilience at a social and economic level. This would also contribute to building a more positive perception on the role of IP in society. We also acknowledge that intra-budget transfers are functional to the effectiveness and impact of WIPO by Sector. In particular, we do welcome all the measures conceived to support SMEs and start-ups that are dramatically impacted by the outcomes of the pandemic, as well as by the turbulent geopolitical context and the rising inflation rates. We support all the actions aiming at increasing access to an effective use of the IP global system by SMEs. We would like to ask the Secretariat to elaborate on the relevant decrease in the income recorded in 2022, actually a negative result, -73 per cent, compared to the estimates in the budget for the same year. We would like to know if it is due to extraordinary circumstances, for instance, the impact of the pandemic, and if some details can be given on the subject. I am referring to the figures in the table on page 5 of the document, compared to those on page 55 of the document.

95. Delegation of Spain: Spain would like to endorse the statement made by the Group B spokesperson. We would like to thank the Secretariat for preparing this report on the period of 2022. Since this is our first time taking the floor, we would like to congratulate you, Chair, and the two Vice-Chairs. First of all, we would like to say that the Spanish Delegation thinks that the Organization's financial situation is solid. There are 7.7 million Swiss francs, and this is at a crucial and critical time in the global economy, and we see that this shows that the Secretariat has been looking at things and presenting it well. We would like to look at what is happening in 2023, especially the surplus related this year. Looking at the overall information for 2022, we see that 75 per cent indicate a good result, however we do have some doubts about Strategic Pillar 3. There, we have got 55 per cent, and here we would like to also add our voice to those asking for more information about the expenses. We would like to talk about expenses for translation and interpretation services. But apart from the indicators that we have, we would like to say that we believe that the languages are a crucial part of the United Nations system,

allowing everybody from all around the world to understand the different complexities of all of the documents in the different languages. Therefore, we would like to ask that this spending for translation and interpretation be kept at an adequate level. Finally, we would like to draw attention to the drop in requests for the system in 2022 despite an increase in 2021. As we said on other occasions, we would like to stress how important it is to promote the advantages of this particular system. We understand that this is related to the economic circumstances, and we would like to ask the Secretariat to advertise the services provided by the Organization and to promote those ratifying the treaties.

96. Delegation of the United States of America: The United States supports Group B's statement and we welcome the presentation of the WIPO Performance Report 2022 contained in WO/PBC/35/3 Rev. WIPO continues to maintain a strong financial position due to the volume of fees received each year, particularly from the PCT and Madrid Systems. Despite that, we note that the Lisbon Union's actual fee income was under 2 per cent of what it was predicted to be in the Program of Work and Budget for 2022/2023 estimate shown in table 2, page 5 in the WPR for 2022. This is particularly notable given that the Lisbon Union continues to operate at a deficit. Thus, the United States continues to urge WIPO and Member States to take decisions that drive each of WIPO's registration for financial sustainability so that we reach a day in the future in which PCT applicants will no longer need to subsidize other registration systems. The US continues to maintain that WIPO members can agree to adjustments that will bring balance among WIPO's fee-funded unions in addition to compliance with trading applications. In any case, we encourage and support WIPO's good stewardship of all of its resources, including accounting for prudence, particularly in light of the instability of the current global economy.

97. Delegation of Tunisia: My Delegation would like to endorse the statement made by Ghana on behalf of the African Group. We would like to thank the Secretariat for preparing this document on WIPO's performance. We would like to stress how important it is to assess the activities and their impact. We note that there are positive developments in the different activity sectors, and there has been progress in terms of the objectives sought for. We note the increasing demand with regard to the fees for registration, and also a pursuit of expanding the scope of the treaties. We would like to offer thanks to WIPO for its support to Members in response to the pandemic. We feel the Organization was a leader in diversifying their support and responding to Members' needs to relaunch their economies. With regards to development, my Delegation would have liked for these performance reports to be more readable in terms of action taken for development and the objectives achieved. It would have been helpful to have a specific breakdown of funds spent on development, a geographic breakdown of that spending, and with regard to the spending towards sustainable development. We would like to thank the Organization for their efforts to promote linguistic diversity. We would like to also encourage the Organization to use new technologies and artificial intelligence in order to ensure that we keep our place as a leader, as an Organization. With regard to the geographic and gender parity in the Organization, we would like to encourage WIPO to step up their efforts in order to achieve their objectives. We think it would also be useful to have data about geographic distribution for high-level positions in WIPO. We are also delighted to see that the number of persons that benefit from the support programs for inventors is increasing, and that there are incentives for young people with regard to intellectual property.

98. Delegation of Iran (Islamic Republic of): We are grateful for the presentation of WPR 2022 contained in document WO/PBC/35/3 Rev. My Delegation is pleased to see that WPR has been enhanced with strategic dashboards as well as an overview of performance by Expected Results. We would also like to note with satisfaction the positive financial performance and programmatic performance of the Organization towards achieving the Expected Results in the biennium 2022/23. We appreciate WIPO performance in advancing capacity building seminars and workshops for industries that have experienced significant growth during the pandemic, strengthening an understanding of how to use the IP system, including for the videogames industry, to further empower young entrepreneurs. We acknowledge the importance of new

establishment of e-Lisbon, the recent IT system for management of the Lisbon Register, which was launched in the first semester of 2022. The system provides online services for competent authorities of the Lisbon System, including electronic filing services for all Lisbon transactions, which my Delegation has previously suggested in numerous relevant discussions in the past. While we recognize the positive efforts of the Secretariat to enhance and facilitate knowledge, transfer and technology adaptation the WIPO's IP-based platforms and tools to address global challenges, we request more clarification on how an explicit and better integration of the DA into WIPO activities can be achieved in the context of Program and Budget Committee (PBC). Since we have heard from different Member States earlier today proposing that the WIPO activities should contribute to SDGs and DA Recommendations, we suggest that all Member States seek an agreement on how the Program and Budget should articulate that the SDGs and the Development Agenda are to be mainstreamed in the WIPO strategic framework and WIPO's programs. We would urge different Sectors of WIPO to include technical assistance and capacity building projects related to IP infrastructures into their agenda, and we believe that this, in fact, would benefit all countries by improving the IP services.

99. Delegation of Canada: Canada would like to thank the Secretariat for the preparation of the report and congratulates the management and the staff for their achievements. Canada welcomes the launch of the IP and Gender Action Plan and will follow progress on this front with a great deal of interest. We welcome WIPO's efforts to promote and facilitate access to the use of intellectual property by under-represented groups. Canada encourages WIPO to maintain these efforts and to continue proposing ambitious and innovative initiatives in this field. Canada also congratulates the Secretariat on the successful first year of the Young Experts Program and would like to know if the participants have had the opportunity to provide feedback about the program and their experience and whether this feedback will be incorporated into the Program's performance evaluation. Canada takes this opportunity to thank this year's participants and wishes them success in their future projects. Canada notes that, although the objective is characterized as being on track, the representation of women in D2 positions remains lower than in 2014/2015, and would appreciate more details about the efforts that will be made to reach targets at this level, as well as for P5 and D1 positions. Finally, Canada would also appreciate more details about the results reported for the WIPO GREEN platform and how WIPO proposes to achieve its targets in this area.

100. Delegation of Uganda: Thank you, Chair. I would like to thank the Secretariat for the presentation of the WIPO Performance Report 2022. Uganda aligns itself with the statement made by Ghana on behalf of the African Group. Uganda observes that the region's share in the number of patent filings under the PCT is very small. The Development Agenda supports the efforts to be strengthened ensure that no one is left behind. As an example, the contribution of WIPO to capacity building activities such as workshops and seminars appears static, which limits the impact of this activity in a sustainable manner. We, therefore, ask WIPO to enhance the budget allocation to this activity to ensure there is benefit for all international IP system.

101. Delegation of Sweden: First of all, we would like to support the statement of Switzerland on behalf of Group B. We would like to congratulate WIPO for an excellent economic result for 2022. We can see that the PCT System is the backbone of the Organization's economy with a surplus of 120 million Swiss francs. I wonder if it has been considered- a review of the fees for the System. Interest groups in Sweden have been asking for decrease of the PCT fees.

102. Chair: Given that regional groups and national delegations have asked a large number of questions that may require a full response on behalf of the Secretariat, I suggest taking a 15-minute break in order to allow the Secretariat to prepare all of the replies. Hopefully, you will have full information and be in the position to close Agenda Item 5. The Secretariat is also informing me that coffee has been laid out in the main hall. We will resume our Committee's afternoon session at the Agenda Item that we left off. I am being very generous with speaking times but I am going to tell you that I am doing this because it is Monday. It is our first day of

work, and tomorrow, if we are not making better headway, then I am going to have to be more severe with regard to speaking time. Now, to respond to the questions that we have heard from different delegations, I am going to give the floor to the Director of the Program Performance and Budget Division, and she will also give the floor to other WIPO officials in order to respond to all questions.

103. Secretariat: Thank you to all delegations for all the questions. I will try to address some of them, and then I will hand the floor to some of my colleagues in order to give you more details. First, I would like to address the question on Strategic Pillar 3. There were a number of delegations who noticed that the on-track percentage for Strategic Pillar 3 is 55 per cent and asked for the reasons therefore. In Strategic Pillar 3, a number of the indicators relate to the global IP systems and therefore the number of applications received in the PCT, Madrid and the Hague. In some of the cases, for some of the systems we held compared to the forecast for the estimated applications, we foresaw in the Program of Budget 22/23, we did not achieve the target of the first year, and therefore those indicators are not on track as compared to the Program of Work and Budget. That is one of the reasons. The second reason is that there is a number of satisfaction surveys that are done only on a biennial basis, therefore we do not have performance data in the first year of the biennium and we will, however, report back to them in the end biennium report. That means that you will have the performance data on those at the end of the year. On the global IP systems, obviously we hope that they pick up in 2023 so that we will achieve the targets. Then, if I may, there were questions on, I think this was from the delegate of Poland on behalf of CEBS regarding what we are doing on those Key Performance Indicators, which were not on track, or were assessed or could not be assessed. On the global IP systems, we have touched upon those. We hope that they will get on track in 2023. There are some of the satisfaction survey indicators on which we did not have sufficient performance data and information in 2022. On those again, that is not only on the big survey for the global IP systems, but also in the case of other activities in other Sectors. We hope that we will get the information on those in 2023 so we will be able to report back to you. There are a couple of performance indicators, which have been discontinued. For example, I can mention one example of WIPO Re:Search which was retired at the end of 2022, and which obviously will remain not accessible for the biennium. There was an observation that the WIPO Performance Report (WPR) has reduced in size compared to the 2018/19 report. Just to recall that, there are two main reasons for that. One of the main reasons is that in the new Program and Budget Committee (PBC), in the new MTSP and the subsequent Program of Work and Budget for 2022/23, we went from around 270 KPIs down to 75 in the current Program of Work and Budget. That means, by definition, we have reduced the results framework, we have reduced our KPIs to focus on the most essential KPIs to measure the Organization's performance. By definition then, the reporting back on those will be reduced because they are reduced in size. Another reason for that is that we actually thought that the 2018/19 report was way too long. So we have introduced a novelty, which we did for the first time I think in the 2020/21 WIPO Performance Report (WPR), and that was the introduction of QR codes for all of the details by Sector. First by programs, actually, because that was 2021, we still had the 31 Programs, then in the WPR 2022, by Sector. We have all of the underlying details. It might look slimmer in size, but there is no loss of information because you can access the more detailed information in the QR code. I believe there was also a question regarding the budget after transfer for RNDS. If I may just recall the transfer rules, so the transfer rule in the Financial Regulation 3.4 mentions the 5 per cent of the receiving Sector or 1 per cent of the Organization's budget. I believe that the transfer from RNDS, as far as out of the Organization's budget was 0.6 per cent, as per the table in the Annex, so I believe we are fully compliant with the transfer rule. The reason for the transfer was re-organization and the move of the Internal Training Program from HRMD to the Academy. Since the Academy is organizing all the training, it was felt that that was the right place and for the coordination of internal training programs. That is the main reason for the budget after transfer. I believe there was a related question, which basically asked - why did we do the transfer? The budget utilization is the lowest in RNDS among the Sectors. It amounted to 43 per cent, but I believe that actually, all the sectors were between 43

and 46 per cent, if I am not mistaken. So, it is not such a big difference. But again, the reason for the transfer was the Internal Training Program transfer, and not necessarily to give them more funds for the traditional activities. From the Delegation of Spain, just to reassure the Delegation of Spain that the expense for translation and interpretation services are being kept at an adequate level. This is just a reassurance. I believe there also was a question on the projection for 2023. In the WIPO Performance Report (WPR), we are reporting on the financial results for 2022 and the projection for 2023. You actually have it in the next document, Preliminary Results for 2023, which we are going to consider. In table 5 of that document, there is a projection for the biennial expenditure. So, basically, taking 2022 actuals into account and then a projection for 2023. On breakdown of development expenditure, we usually report back on the development expenditure and the details of the development expenditure in the biennial report, not in the first report of the biennium and not in the progress report, but in the full biennium report. In that report, you will have a full reporting by Sector and Expected Results on the development expenditure. On the question regarding the Capital Masterplan Project, the Madrid IT Platform, I hand the floor to the Director of the Madrid System.

104. Secretariat: I believe the question regarding the Madrid IT Platform had two parts. The first part was regarding the pace of progress and the second part was the reference to the organizational changes as a reason for not yet finalizing the roadmap for the whole project. Starting with the first part, the pace of progress, the distinction has to be made between an initial period from 2016 to 2020. It is recalled that the funding for this project was approved, I believe, in 2016. During this initial period between 2016 and 2020, the Secretariat did spend a considerable amount of time to prepare for the project in terms of its conception and its planning. Any slowness, I think, was really during that period. Since then from 2020 to 2022 and now 2023, I think it is fair to say that the pace has picked up considerably, and we only started spending money for the first time in 2020, only 60,000 in 2020. By the end of 2022, we had already spent 32 per cent. I think in the current phase, we have picked up the progress and the pace quite significantly. Just for completeness sake, I would also like to add that, despite the quickening of this pace, we still face some challenges. The main one has been properly identified in the accompanying risk register, where we say that our pace is still somewhat hampered by the difficulty in securing or procuring technical resources. It remains a challenge to get the right technical architects and developers in the door to make really fast progress, but overall, we are currently quite satisfied with our progress compared to the initial period. As regards the second part of the question, the organizational changes that are the reason for the roadmap not being finalized, is explained by the fact that for a number of years now, in the new administration, we have worked much more closely together horizontally. Practically speaking, that means that central IT works now much closer with the business areas each time we develop significantly new IT components or projects. While the first draft of the overall roadmap for the Madrid IT system was already ready, we have not had the opportunity yet to go through a detailed analysis and discussion of that overall plan with central IT. This is now happening. We started that process a couple of months ago, and we believe that process will be finalized in 2024. In the year, we will have the finalized roadmap, which we will be happy to present to Member States if they wish to see it.

105. Secretariat: A number of delegations mentioned and requested more information on UNSDG-related coordination and implementation activities. I would like to give the floor to the ADG for Global Challenges and Partnerships Sector.

106. Assistant Director General, Global Challenges and Partnerships Sector: I recall there were two specific comments or questions, one from the distinguished Deputy Permanent Representative of Ghana. I believe she was speaking in the name of the African Group. The other comment was from the distinguished Delegation of Algeria. To start with Ghana, as I understood, the question was what WIPO has been doing in terms of coordinating and reporting on WIPO's work in respect of the SDGs. On that, I will start by recalling WIPO joined the United Nations Sustainable Development Group (UNSDG) last year, January 2022. One of the

conditions for us joining, when you, the Member States asked us to join, is that we would have to provide annual reports on our experience in the UNSDG. We have already provided a preliminary report in the WIPO Performance Report, which is before you for this meeting. Last month during the Committee on Development and Intellectual Property, the Organization presented Member States with a comprehensive report, explaining what we have done on the SDGs, and soliciting your views and getting some comments in respect of how we are doing on that. I should also say on the SDGs themselves, WIPO is co-hosting, next week, a big conference on the IP system in relation to the SDGs, co-hosted by the Government of Portugal. This will be in Lisbon, and we have invited all Member States, but more specifically, we have invited the CPLP countries (Community of Portuguese Language Countries), and Ibero-Pacific countries as well. It is going to be a discussion on the role of the IP system and innovation, broadly in respect of sustainability, and how best the two interact with each other. Of course, discussions will involve members from not just governments, but also the private sector, from academia, and all sorts of stakeholders that we are working with in WIPO. The idea will be to have them debate and share their experiences in respect of the intellectual property system and its impact on the Sustainable Development Goals. WIPO is also actively participating in various SDG strands. Two quick examples, in September in New York, there is an upcoming SDG summit, and WIPO is participating in the preparations for that. We are also participating in the UNSDG Working Group on Our Common Agenda. All this we do in coordination with the UN itself here in Geneva, together with the UN in New York, as well as in tandem with other specialized agencies, including UNESCO, the ITU, the World Meteorological Organization (WMO), and of course, ITC, etc. In respect of Algeria's question, it was more of a comment as I understood - Algeria was suggesting that WIPO, in respect of its WIPO GREEN, should try and involve developing countries in that program. I can confirm to the distinguished Delegation of Algeria that, in fact, we have now, in respect of what will be referred to as the acceleration projects, done just that. These projects are impactful on the ground. At the moment, we have only developing countries participating. So far, we have Brazil, Chile, Argentina, Indonesia, China, and we are hoping to extend to Central Asia, and to Africa. I am hoping maybe we can approach the permanent Mission of Algeria to see how best we can get Algeria to become the first African country to join the acceleration projects. I believe those were the comments that were addressed in respect of SDGs.

107. Secretariat: I think the distinguished Delegations from China and Russia have questions regarding the funds for Regional and National Development's project-based approach - what is new in the project-based approach, the coordination with regional divisions, and the RNDS project team. I would like to hand the floor to the ADG for RNDS

108. Deputy Director General, Regional and National Development Sector: I would like to respond to the two questions from the distinguished Delegate of China, one on implementation and the other on how is the coordination between the Team and the Regional Divisions. I would like to inform that the RNDS Project Team was established in February 2022 to deliver timely, impactful projects on the ground, based on the requests of the high-level officials of the Member States, such as Prime Ministers and Ambassadors. Implementation is on the ground for beneficiaries including SMEs, youth, and women entrepreneurs. The duration of projects is usually between six to 11 months, and the focus is on use of IP as a tool for business growth and sustainable development. We deliver, as part of projects, coaching, mentoring and training. We develop strategies on branding, design, and packaging, as well as assisting registering trademarks, or collective marks, depending on the products of the beneficiaries. On coordination itself, most of the Team is transferred from a Regional Division. The Team works and coordinates closely with the Regional Divisions, including, in the first stage, the drafting of the work plan between both. Colleagues are collaborating very closely. This project impact on the ground goes beyond seminars or workshops. We stay with beneficiaries for six to 11 months until completion of the project. I wish to inform that this Project Team in my office is tasked to incubate the way we are delivering impactful projects on the ground for Member States, as stated by the distinguished delegate of Pakistan. I also wish to inform that currently,

similar impactful projects on the ground are starting to be undertaken by the Regional Divisions of Africa, Arab countries, Asia Pacific, Latin America and the Caribbean, as well as by Least Developed Countries. If there is any need for more information, please do ask.

109. Secretariat: Thank you very much, ADG of RNDS. I would now like to turn to a number of questions on cybersecurity, cloud technologies etc. We have our Chief, we have all of our IT people hiding in the back. I would like to give the floor to our Chief Security Officer.

110. Secretariat: In response to the question from the distinguished delegate of China on the apparent lack of reported activity within the RSP project for the implementation of security technologies, I recall that the project, the migration to the hybrid implementation, was only approved in the General Assemblies in July 2022. Consequently, the second half of 2022 was spent in planning and in designing the security architectures, as a very close collaboration between the members of the PCT RSP project, our colleagues in the Information Communications Technology Division, and my team in the Information Security Section with our Senior Security Architect. These architectural designs take time to develop to ensure that the best technologies for the need are selected and designed for implementation correctly. This is why there is very limited activity reported on CMP 41 for the second half of 2022. In respect of the other question from the distinct delegate from China around the cloud positions and whether or not there was a position for a cloud data security expert, this was not the case. There was no data security expert for cloud advertised or sought. In WIPO, the information security capability is separate from ICTD capabilities. We maintain a segregation of duty approach, and it is felt that the resources available, both in the Information Security Section and currently available in the IT divisions, are sufficiently skilled up in data security within the cloud and in the cloud native security technologies. It was not felt necessary to advertise for a specific post at this point.

111. Secretariat: I would like to now turn to our Finance Director for two questions - one was a question from the distinguished Delegation of China on new payment methods, and the second question was from the distinguished Delegate from Italy regarding why there is less miscellaneous income in 2022 compared to what we had budgeted.

112. Secretariat: With regard to the question from China, yes, we are investigating other payment methods, and in fact, we are considering at the moment Alipay and WeChat Pay. We do already take the China Union Pay credit card for applicants in China. With regards to the second question from Italy, there are various streams of income, which are booked to miscellaneous revenue. One of the streams is exchange gains and losses. WIPO maintains various accounts in currencies other than the Swiss franc for operational purposes, but ultimately they have to be converted into Swiss francs. Last year, when we did this, we incurred essentially exchange losses, and they are booked to miscellaneous revenue. Similarly, we occasionally make investments from our operational cash in foreign currencies, and although net we make a positive return on those investments, we can incur losses again when we convert those investments back into Swiss francs, and those losses are also posted to miscellaneous revenue. The interest we earn on those investments is posted elsewhere. As I say, the interest less the exchange losses still gives a positive return on the investments, but we are posting losses to a different place from the interest.

113. Secretariat: A number of delegations mentioned the importance of gender balance and geographical representation, including the Delegations of Türkiye and Canada. I would like to hand the floor to the Director, Human Resources Management Department.

114. Secretariat: I just to remind everyone that, at the last meeting in July 2022, the WIPO Coordination Committee requested the Secretariat to include, systematically in its annual report on human resources, detailed information on the concrete measures taken to improve geographical balance on positions subject to geographical distribution as well as gender

balance in all Sectors of WIPO and at all levels. So, I just want to reassure you that this report is being finalized and will be submitted ahead of the Assemblies. We will be also available to brief you in more details because, obviously, we can say some of it in a report, but there is always more that may not be necessarily captured in a report. This is, by the way, also a work in progress. We will continue, in the course of the year, further the discussions, including through the regional coordinators, on the subject. Overall, there was a reference from the Delegation of Tunisia to the data. Yes, the first part of our work was to focus on data because until we have the data, it is really difficult to measure, and we are now looking at starting to build an action plan on things we could do so that we are able to propose different measures and measure the impact of these measures. We will be getting back to you. Meanwhile, just to note that we share twice a year the data on geographical and gender representation to all Member States. The last one was as of December 2022, and it was distributed not so long ago. As discussed, I will be happy to answer and engage with any delegation ahead of the upcoming meetings, but we will also make sure to provide some detailed briefings.

115. Assistant Director General, Administration, Finance and Management Sector: I want to start with some clarifications and reassurances on the 88 million Swiss francs in investment losses, which we certainly did not take lightly and do not take lightly. In terms of our own internal process, this is an issue obviously that evolved in the course of last year, and became clearer as we reached the end of the year. It was something that was followed very closely by our Advisory Committee on Investments, that's the internal group that I chair that has the participation of our external investment advisers to offer us outside of expertise. That group then reports, and indeed reported on this issue a number of times, to the Risk Management Group, which is the central group on risks across the Organization that is chaired by the Director General, and again, we had several conversations in that fora on what was going on. The conclusions of those discussions are summarized as follows. Firstly, in answer to the question from the distinguished Delegation of China, I believe, indeed the policy was followed, or put another way, there were no rogue investments or misallocations. All of these losses were purely the result of market wide adjustments, and so, every fund with a similar risk profile, a similar set of asset allocations fell by an equivalent amount. We saw that in other investment funds, for example in pension funds or other asset pools that are held to offset after service healthcare liabilities. That market adjustment was, in the main, driven, of course, by the increase in interest rates. Our portfolio is heavily weighted towards fixed income investments. As global interest rates increased, the multimarket price of those bonds fell, and so that was disappointing but not unexpected. If you look at our assets and liabilities together, at our net asset position, actually what also happened is, as interest rates increased, the discount factor that is applied to our long-term liabilities increased. So, our long-term liabilities actually fell by more than our fall in the assets in the investment portfolio. Our net assets actually increased as a result of this increase in interest rates. I think you asked a question on whether the policy could be improved, whether the policy needs changing. When we reviewed it, we did not identify any immediate need for a change. I think we took ourselves back to when the policy was originally conceived five to six years ago. When the policy was conceived, it was conceived with the negative interest rate environment in mind. So, the fact that actually, if we held money in bank accounts here in Switzerland we would have to pay the bank to hold the money. Those negative interest rates went up roughly to about .75 per cent, 75 basis points. So if we had been holding money in the bank over the last five years we would have paid out quite a significant amount in terms of the cost of holding the money in the bank. So, actually when you look at the strategy over the time horizons for which it was conceived, which was a medium-term time horizon, it has been broadly successful, broadly neutral in terms of delivering its objectives. Finally, as the Committee continues to look at this, what the policy does let us do and we have taken advantage of this, is to de-risk slightly in phases. Where the policy is allowed and where it has made sense, we have started to de-risk slightly. But overall, the policy, I think, is still broadly fit for purpose.

116. Secretariat: I think that we have completed the round of questions as per my notes. I hope that we have provided satisfactory answers, but if there are further questions then we stand ready to answer.

117. Chair: Thank you very much for giving me back the floor after a whole number of responses to the delegates' questions. I think it would be quite legitimate if people had additional questions, and we are going to reopen the discussion.

118. Delegation of Pakistan: My apologies for requesting the floor again, but I will try to be very brief. There is one question, a few observations and a suggestion. With regard to the reporting that over 40 countries have benefited or have requested support from WIPO under the COVID-19 Response Package, and although the document itself contains some very good elaboration of the activities that have been carried so far, we cannot find any information with regard to these projects in more than 40 countries. So, we would appreciate some information with regard to what sort of projects have been carried out under COVID-19 Response Packages. We also wish to understand if the projects that are mentioned here, have any additional or separate budgetary allocation or are they already accounted for under different Sectors, other Sectors of WIPO. Secondly, I think it would be useful to annex the information on these projects either with this document or at least to upgrade that information on the webpage that it is dedicated for this purpose. Finally, in the previous meetings including in the CDIP, we have been asking for a standard template for requesting assistance on SDGs. I think this also applies to the assistance of the COVID-19 Package. We would like to reiterate our proposal to the Secretariat to also organize briefing sessions, as have been organized for the COVID-19 package and also for the Sustainable Development Goals, so that the Member States know how to apply and which course to follow. Again, I think it would be very useful if we had a standard templates for requesting assistance for the projects under COVID-19 Package as well as the SDGs.

119. Delegation of China: In the previous PBC session last year, in communication with the Secretariat, we have put forward a few measures, and the Secretariat has reacted very positively. These measures include trusted computing and privacy computing. These measures have been positively considered during our intervention with the Secretariat. So, these measures I mentioned, however, were not clarified by the Secretariat. Therefore, I am still looking forward to clarifications from the Secretariat and whether they would be taken forward. Second, in my morning intervention, I also mentioned in the JIU report, in communication between the Secretariat and AWS, we would also like to seek some clarifications on the details of such communication. This is about the cloud of data security. Second, with regard to what the Director of Finance said about the expansion of the payment method, I am very grateful WIPO has taken into account our suggestions. With regard to what the Director of the Program Performance and Budget Division said on the budget transfer, I just had a look at the English version of the WIPO Performance Report (WPR), and because English is not my mother tongue, there may be some misunderstanding there. Indeed, I will get in touch with the Secretariat after the meeting. That is all for now.

120. Delegation of Uganda: My observation is on budget allocation for capacity building activities, which seems to be static or the same throughout. We are wondering if, of course, cognizant of budgetary constraints, this allocation could be based on budgetary requirements of activities in different countries as opposed to having static allocation to some of these capacity-building activities.

121. Delegation of Algeria: I would like to go back to the issue of External Officer. We have been advocating for improving the staffing of the External Offices in Africa, especially with the Office in Algeria, but we didn't see any improvement even though it has been three years since we asked the Secretariat to provide adequate staffing based on the workload of the External Office of Algeria. This request has not been fulfilled so far, so we would like to receive more

clarification about the human resources policy in terms of providing adequate staffing to External Offices in all regions equally and on the same footing.

122. Chair: I will take a little break, two or three minutes, but I am asking you not to leave the room because we will resume immediately after two or three minutes, and hopefully we will close Item 5 before this afternoon is over. Let us resume the session of this committee. I am going to give the floor to the Controller to respond to a few questions. The Controller will also give the floor to other officials as needed for responses.

123. Secretariat: Just to address the question from the Delegation of Pakistan, we will add the answers to your questions to the Questions & Answers Document. We will try and capture that in the Questions & Answers Document which will be updated shortly. I will hand over to the Director of Program Performance and Budget Division.

124. Secretariat: On the distinguished Delegate of Pakistan's question regarding the COVID-19 Response Package, there were a number of questions related to that. I would like to give the floor to the ADG for RNDS for those questions.

125. Assistant Director General, Regional and National Development Sector: Referring to the distinguished Delegation of Pakistan, I would like to very briefly say first that the details of the project will be shared upon request, and secondly, we took note of your proposal for making available the template for requesting assistance in this regard. On the COVID-19 support package, I have here with me that so you can contact me after the meeting, the Program Official for the COVID-19 Support Package.

126. Secretariat: There was a question from the distinguished Delegate of Uganda regarding the capacity building project. The question is actually related to the policy for WIPO meetings, where the policy so far states that there is a cap on the contribution at 3,000 Swiss francs at the national level, at 5,000 Swiss francs at the regional level. The question, I believe, was in this context. I am happy to inform you that we have just revised the new policy on meetings, and that those caps have been removed. On the question from the distinguished Delegate of Iran (Islamic Republic of), I believe there was a general question on capacity building. It should be noted that capacity building is implemented throughout all the Sectors of the Organization. It is not only restricted to the Regional and National Development Sector (RNDS). I would just like to say that it is all captured or most of it is captured under Strategic Pillar 4. I am happy to provide the information in more detail bilaterally if that would be helpful. In addition, there was a question on e-Lisbon. If I may hand the floor to my colleague, the Director of the Lisbon Registry, to answer the question from the Delegation of Iran (Islamic Republic of).

127. Secretariat: I am not sure it was a question. I rather understood it was comment made on the fact that e-Lisbon was, in fact, finalized to be developed in the first semester of last year, and we start now to process the transactions with e-Lisbon. If there is another question, I am available.

128. Secretariat: I think there was a clarification on the timeline and where we stand on the processing of the application. On the follow-up question from the distinguished Delegation of China on the cyber security related question, the Secretariat proposes that we work bilaterally with the Delegation and also on the additional question on the budget after transfer.

129. Chair: We have had responses to the questions from the Secretariat. Of course, as has been said, the Questions and Answers document will be updated. Given the exact questions that you put and the responses from the Secretariat, I think you will be able to get specific information, and it also depends on bilateral meetings you might have. The Secretariat will respond to your questions throughout this week, even if some are not directly linked to Agenda Items. Some may have to do with other future aspects of the Organization. I would like to turn

to the decision paragraph, if we could see this on the screen please. This is agenda item decision paragraph for Agenda Item 5, and I am going to read it in English.

130. The Program and Budget Committee (PBC), having reviewed the WIPO Performance Report (WPR) for 2022 (document WO/PBC/35/3 REV) and recognizing its nature as a self-assessment of the Secretariat, recommended to the assemblies of WIPO, each as far as it is concerned, to take note of the positive financial performance and Sectors' progress towards achieving the expected results in 2022.

Therefore, if there are no objections, we will adopt this decision paragraph. Algeria, you have the floor.

131. Delegation of Algeria: Our request for the floor is not in relation to the decision paragraph, but we have asked a question about providing adequate staffing for External Offices in Africa. I think we did not receive any response from the Secretariat in this regard, but we would be glad to receive some clarification.

132. Chair: The Secretariat will respond to your question, but we are asking for some flexibility because a question about the future of the Office's staffing is not directly linked to this Agenda item, which is the WIPO Performance Report 2022. Therefore, I would like to request that we move forward and once again, I am putting up the decision paragraph. If there are no requests for the floor on this, then we can adopt this decision paragraph we have already read out. There are no requests for the floor. That means that we can conclude on Agenda Item 5, adopting the decision paragraph. Thank you very much for your flexibility.

ITEM 6 PRELIMINARY RESULTS FOR THE YEAR ENDED DECEMBER 31, 2022

133. Discussions were based on document WO/PBC/35/INF/1.

134. Chair: We move on to Agenda Item 6, the Preliminary Results for the Year Ended December 31, 2022, document WO/PBC/35/INF/1. In this document, you have the preliminary results for the year 2022 for your information. I am going to give the floor to the Secretariat to explain this document.

135. Secretariat: Thank you very much, and actually, much of the content of this document has already been discussed so I will try to be very brief. This document was prepared in advance of the Annual Financial Statements that will be presented to the Member States in the next session so that you have the background of the financial situation before you examine the Program of Work and Budget. Before going into the details, I would like to share the good news with the PBC that we have actually recently received the External Auditors' Report, and we have an unqualified audit opinion on our Financial Statements and this is a matter of great assurance to us and I'm sure to you as well. The Organization's preliminary results for 2022, as you have heard several times, showed a surplus of 7.7 million Swiss francs, with a total revenue of 492 million Swiss francs, and a total expense of 388.5 million Swiss francs. Of the CHF 492 million, the PCT system fees accounted for 380.8 million Swiss francs or 76.4 per cent, followed by the Madrid System fees, which accounted for 85.3 million Swiss francs, 17.1 per cent of the total revenue. The surplus in 2022 is a reduced one as compared to the surplus in 2021 of CHF 108.9 million Swiss francs. One of the reasons for the reduced surplus can be attributed to investment losses. You have heard Assistant Director General, Administration, Finance and Management Sector already on the losses. I will not, therefore go into the details. These are unrealized losses, and as mentioned by the ADG our investment policies are designed for the

medium and long-term, and we are exercising significant due diligence through the Advisory Committee on Investments and the Risk Management Group. Overall, the net assets stood at 560 million Swiss francs at the end of 2022, which represents an increase of 151.5 million Swiss francs compared to the 2021 figure. The Secretariat had introduced the practice of preparing the preliminary results as an information document in order to facilitate the examination of the Program of Work and Budget, and because the Financial Statements were always available only for the second PBC session in a budget year. But also, because the WIPO Performance Report (WPR) in those days did not contain any financial information. However, since we have now an integrated WIPO Performance Report which includes financial information, and there is significant duplication across these two documents, it is our proposal to eliminate this duplication by rolling into the WPR all of the additional information that is contained in this document so that we can further streamline the agenda, and reduce one document in terms of preparation and overheads. Thank you very much.

136. Switzerland: Group B would like to thank the Secretariat for preparing and introducing document WO/PBC/35/INF/1 on WIPO's unaudited financial situation as of end 2022. We congratulate WIPO on its 2022 financial results which, despite the COVID-19 pandemic and the turbulent markets, are positive. Once again, we note that the Organization has a healthy balance of total assets and total liabilities and is in a sound financial situation. Although COVID-19 no longer qualifies as a global health emergency, the worldwide economic instability remains. Therefore, Group B continues to encourage WIPO to exercise great financial caution and prudence in the coming years.

137. Ghana: Ghana is once again honored to make the statement on behalf of the African Group. The African Group expresses appreciation to the Secretariat for presenting the preliminary results for the year ended December 31, 2022. The Group notes that the report has been prepared in strict accordance with IPSAS requirements. We therefore welcome the preliminary report and look forward to further details in the audited results at the next session of the PBC. With regard to the long-term health of the financial situation of WIPO and the continued increase in the surplus of the net assets, the African Group is pleased with this and believes WIPO has mainly benefited from the continued growth of the applications as well as development of the PCT system.

138. Chair: I do not see any further requests for the floor at this juncture. Therefore, as we have heard from the Secretariat, we have already had a lot of discussion that has already taken place so I would like to put forward the decision point in order to conclude on this Agenda Item 6. Therefore, I'd like to ask the Secretariat if you could share the decision paragraph with us. You can see the decision paragraph for Agenda Item 6. If no delegations have any objections to this simple draft decision paragraph, we can adopt it and conclude this Agenda Item. Apparently, there is agreement. Therefore, we can conclude on Agenda Item 6.

139. The Program and Budget Committee (PBC) took note of the contents of the document (document WO/PBC/35/INF/1).

140. Delegation of Brazil: Brazil requests the floor to speak at its national capacity, not on WIPO's financial performance, breakdown development expenditures, or budget issues that will continue to be treated along this week of work. But on a more fundamental question concerning awareness of the UN's overarching principles, I thank you beforehand for your patience, and I will try to be as brief as the subject allows me, profiting of course of your mandate indulgence. Held every year on January 24, the World Day for African and African descendant culture celebrates the many vibrant cultures of the African continent and African diasporas around the world, reinforcing UN's mandates to promote respect for cultural diversity and human creativity around the globe. That course involves the work of image, and the image of WIPO, as well as its transformational agenda. The World Day for African and African descendant culture was

established at the 40th session of the UNESCO General Conference in 2019, the date coinciding with the adoption of a charter for African culture Renaissance in 2006, with the heads of the state and government of the African Union. Celebration of this day aims to strengthen the role of culture in promoting peace on our continent. UNESCO's Director General recently stated, on this world today it is not simply a single individual culture we are celebrating, but a multitude of cultures of exceptional diversity. We are also honoring artists from every country and every field from film, music, and dance, to fashion and design, all creative industries which sustain artists in order to foster the African cultural renaissance. After this we weekend, allow me to convey a message here in this mandate plenary, supporting every single human being confronted by acts of racism, at any moment, every day, on every field please know that you are not alone in the fight against racism. The hell hound that gnaws at us in every waking moment of our lives to remind us that the lie of our inferiority is accepted as truth in a society dominating us as observed by Martin Luther King. To summarize, there is no room anymore for racism. It is unacceptable anywhere. Our response here is to convey this message supported and promoted in all world stages especially in football fields where the art of played beautifully, is an expression of Brazilian identity and an example of how the forces of creation unites us all as a diverse and unique community of human beings with common principles and values. The legacy of racial discrimination is real and must be addressed by the international community as a form of repudiation, but above all, as a measure to safeguard the living heritage of African and Afro descendant communities, is strengthening our heritage and ensuring its transmission to future generations.

ITEM 7 UPDATE OF THE MECHANISM TO FURTHER INVOLVE MEMBER STATES IN THE PREPARATION AND FOLLOW-UP OF THE PROGRAM OF WORK AND BUDGET

141. Discussions were based on document WO/PBC/35/4.

142. Chair: Good morning, dear delegates. I am delighted to open the second day of work of the 35th session of the Program and Budget Committee of the Organization, after the very productive work that we undertook during day one where we managed to cover six agenda items, that's quite impressive. Let us continue to try and follow the provisional timetable and move onto the next agenda items. I am, of course, supported here by the Secretariat, headed by the Assistant Director General, Administration, Finance and Management Sector and of course with the assistance of the two Acting Vice-Chairs. Once again, my thanks to you for electing them, they join me to the right. Let us continue with our work on Agenda Item seven, Update of the Mechanism to further involve Member States in the Preparation and follow-up of the Program of Work and Budget of the Organization. This refers to document WO/PBC/35/4. This has been available in various languages for a few weeks now. I would like to remind you that at the 34th PBC session in 2022, the Secretariat presented the revised Financial Regulations and Rules (FRR) of the Organization. These were adopted by the General Assemblies of the Organization in 2022, the revised version. Pursuant to Rule 16 of the FRR, involving the Member States in the preparation of the proposed Program of Work and Budget for the forthcoming budget needs to be done in line with rules adopted by the Member States. At that session of the PBC, the Committee requested the Secretariat for an update of the mechanism for further involving Member States in the preparation and follow-up of the Program of Work and Budget. The aim was to reflect current practice and the relevant Rule in the revised Financial Regulations and Rules, all of this is now being put to you under this Agenda Item of the 35th PBC. I would now like to give the floor to the Controller.

143. Secretariat: Good morning, and thank you very much, Chair. The document has been prepared, as mentioned by the Chair in compliance with the decision that was taken in respect of the FRR revision last year, strictly to reflect current practices. This document provides an update of the mechanism to further involve Member States in the preparation and follow up of the Program of Work and Budget, which was approved by Member States in 2008. Since then,

WIPO has moved to a full implementation of Results-based Management, which has resulted in a more consultative and enhanced performance dialogue with Member States during planning, monitoring and performance assessment at the end of the biennium. Some elements of the mechanism that have changed since its implementation include an increased number of informal consultations, informal PBC sessions no longer taking place, and streamlined reporting on past performance. For example, the WIPO Performance Report, consolidates the former Financial Management Report and the Program Performance Report. In response to the decision taken on the Revised Financial Regulations and Rules at the 34th PBC session last year, the Secretariat has updated the mechanism to reflect current working methods. The document provides an updated process for the preparation of the Program of Work and Budget, drawing from lessons learned from the preparation of the Medium-Term Strategic Plan for 2022-2026 and the Program of Work and Budget for 2022/23, including the importance of engaging with Member States to solicit feedback and enhance transparency and inclusiveness. The updated process reflects the preparations for the Program of Work and Budgets for 2022/23 and 2024/25 and is proposed to be replicated and implemented for subsequent biennia subject to Member States approval.

144. Chair: Thank you for your statement. With the further explanation of the content of this Agenda Item, I open the floor for delegations wishing to take the floor. We give the floor first to Group Coordinators, followed by PBC Member States and Observers. I should also remind you that we must carefully keep the allotted time to three minutes for Group Coordinators and two minutes for Member States.

145. Delegation of Switzerland: Group B would like to thank the Secretariat for preparing and presenting the document WO/PBC/35/4. Following the adoption at PBC 34 of some revised articles of WIPO's Financial Regulations and Rules, this document gives us important information regarding the preparation of the proposed Program of Work and Budget for 2024/25. This is the first time we are discussing a Program of Work and Budget under the new arrangement of having the Assemblies in the summer. In our view, the previous arrangement, with the Assemblies taking place in the fall, provided Delegations with more than ample time to prepare for both PBC sessions. This practice had been well established and proved successful. Changing a successful practice, in our view, is only justified if these changes generate further improvements to the benefit of Member States and the Organization. Our Group appreciates the Secretariat's commitment to a dialogue between the Secretariat and Member States on all levels. However, our Group observes that the schedule under this new arrangement remains congested and makes it difficult for Member States to properly prepare for PBC 34, 35 and 36. As a July General Assembly creates time constraints on the Secretariat to create and publish the proposed Program of Work and Budget in advance of the PBC meetings during budget years, we note that it is critical to have all documents published as close to two months in advance as possible before the PBC meetings to allow Member States sufficient time to review and analyze the documents. Additionally, the proposed Program of Work and Budget should be published before the presentation to Member States on how to read it and this should also be reflected in the mechanism. Further, we understand that the timeline in the annex is merely illustrative and does not account for a possibility of moving the General Assembly to a different month as may happen in the future. Importantly, the new schedule complicates some of our Members' preparation for other IP fora considering the overlapping of the PBC session in May with other long-established meetings. Moreover, anticipating the PBC session in May does not allow the Secretariat to include in the documents the latest Chief Economist's forecasts of April. This means that delegations will have to check again all figures a second time when the revised Program of Work and Budget is submitted for the June PBC session. With a rather unprecedented volatile economic situation around the globe like the one we are now experiencing, this shift in the WIPO calendar of sessions seems to be suboptimal. We are asking the Secretariat to revise the document, taking into account our comments about the publication of the proposed Program of Work and Budget, presentations and illustrative nature of the timeline in the annex.

146. Delegation of Poland: The CEBS Group would like to thank the Secretariat for efforts to maximize Member States engagement in the preparation of the Program of Work and Budget, as they are presented in the document No. WO/PBC/35/4. We welcome all the initiatives and actions undertaken with an aim to ensure that the process of elaborating and adopting the Program of Work and Budget of WIPO is based on principles of transparency and inclusiveness. We especially appreciate the concept of ensuring broader involvement of Member States by collecting information through questionnaires. Furthermore, consultations on the document with various stakeholders are helpful to ensure greater and more in-depth understanding of the Program of Work and Budget. In this regards we extend our gratitude to the WIPO Director General for his personal engagement in this process. Concerning the questionnaire, the CEBS Group sees value in distributing it earlier than in October of a non-budgetary year. Taking into account the importance of national inputs and the scope of the questionnaire, allowing more time for work on this document should result in better results in terms of feedback itself and quality of inputs. Therefore we support the concept of sending the questionnaires as early as September of the non-budgetary year. We also emphasize the need of publishing the proposed Program of Work and Budget document to give sufficient amount of time for its analysis. It is therefore necessary that WIPO Members are ensured access to the proposed documents no later than 8 weeks ahead of the Program and Budget Committee. At the same time, the scheduling of the two PBC sessions in the budgetary year should take account of the Director General's decision to host WIPO General Assemblies in the month of July instead of September, as it was the case in previous budgetary years. In this context, CEBS Group does not exclude the need for further review of the proposed mechanism after the current cycle of work on the proposed Program of Work and Budget is concluded.

147. Delegation of Ghana: The African Group thanks the Secretariat for preparing an Update of the Mechanism to Further Involve Member States in the Preparation and Follow-up of the Program of Work and Budget as contained in document WO/PBC/35/4. The Group highlights the importance of strengthening the involvement of Member States in the preparation and follow-up of WIPO's Program of Work and Budget based on the principles of transparency, inclusivity and accountability. While acknowledging the role of the Medium-Term Strategic Plan in guiding the preparation of the Proposed Program of Work and Budget, the African Group recalls that this document is for taking note only, and therefore should not be seen as reflecting the views of the Member States. Furthermore, the Group believes that the questionnaire seeking the Member State's input should not be seen as a mere formality but rather a genuinely consultative process where the views of Member States are taken into account in the preparation of the proposed Program of Budget and Work. In this respect, we note that the document prepared by the Secretariat does not include any information on how the inputs in the questionnaire should be processed and incorporated into the proposed Program of Work and Budget. Furthermore, we request that the questionnaire be annexed to the document prepared by the Secretariat, and that Member States' replies to the questionnaire be published on the website. The African Group also notes that the document does not clarify the deadlines for publishing the proposed Program of Work and Budget. The Group emphasizes the importance of publishing the proposed PoW&B well in advance, at least two months before the PBC's first session to give Member States enough time to study the proposal. We also believe that the presentation to Member States (Experts) on the Program of Work and Budget should not be confined to the structure of the budget given that such a document should be clear and self-explanatory. In the same vein, the Group is of the view that informal consultations should occur before and after the preparation of the proposed Program of Work and Budget to allow the Member States to express their views on priorities and broad guidelines to the Secretariat, especially in the absence of an informal session of the Program of Work and Budget Committee. The African Group looks forward to discussing how to improve the document, taking into account the above comments.

148. Delegation of China: Chair, we thank the Secretariat for the Update of the Mechanism to Further Involve Member States in the Preparation and Follow-up of the Program of Work and

Budget. China welcomed the initiative to bring forward the dates of the PBC and Assemblies because it is conducive to better management of the implementation of the plan of the Program of Work and Budget in each biennium. China fully agrees with the two principles proposed in paragraph 11, which focuses on enhancing transparency and strengthening Member States' participation in the budget formulation and implementation. We noticed that WIPO is working hard to implement the principle of strengthening the participation of Member States through questionnaires and introducing budget proposals to Member States in advance. What are the initiatives this Organization is undertaking or is planning to undertake with regards to improving transparency and efficiency?

149. Delegation of Colombia: Yesterday the distinguished Delegation of Brazil reminded us of the importance of the African heritage that we have inherited and lit up our evening. To enable us to continue to bathe in this light from Africa, I would like to say simply that thanks to the African blood that flows through our veins in Colombia, we play football almost as well as Brazil! It is thanks to our African heritage that Shakira sings and rakes it in as her song goes, "It was our African ancestors whose voices spoke in 100 years of solitude." Under Agenda Item 8, document WO/PBC/35/5, we would like to share the concerns that we have with regard to the structure of the budget itself. We could support the amendment itself proposed for further consideration and review by Member States. The budget document is very valuable, and we thank the Secretariat for structuring it from a number of standpoints, since that makes it easier to understand its scope. That said, it is essential to have a clear definition of the procedural structure following our discussions this week in June. Questions may arise in addition to the informal session questions. I would be interested to know what happens with those questions which were not raised last week and have not been reflected? Do we have a clear view of how these questions will be reflected in discussions? It is an important point.

150. Delegation of the Russian Federation: The Russian Federation thanks the Secretariat for preparing the document, on the Update of the Mechanism to Further Involve Member States in the Preparation and Follow-up of the Program of Work and Budget. From our side, we note that the document reflects current practice, in terms of the preparation of the PBC session, and describes the stages that are involved in getting Member States further involved in this process. Of particular importance in our view, is that the involvement of Member States, in the process of the implementation of the budget should take place on the principle of transparency and visibility. At the same time, we note that in view of the proposed amendments, Member States will have less time for preparation of PBC sessions. The volume and complexity of the documents being presented and the significant volume of statistical data in those documents could complicate the process of preparation on the part of Member States for PBC sessions. In addition, I would like to seek further, more detailed information as to the specific process for updating the mechanism for involvement of Member States, since as we can see, the document does indeed reflect such practices.

151. Delegation of Japan: Thank you, Chair, the Delegation of Japan aligns itself with the statement delivered by the distinguished Delegation of Switzerland on behalf of Group B. This Delegation would like to thank the Secretariat for the hard work in preparing document WO/PBC/35/4. We are grateful to the Director General for his leadership to hold a briefing session on the draft Program of Work and Budget for Member States, including those represented in Geneva and the Heads of national IP Offices at the beginning of May this year, and therefore the opportunity to discuss this matter. We recognize the importance of this process in formulating a transparent and acceptable Program of Work and Budget. While it is commendable by all that the inputs of Member States are received at each stage of the drafting process, it is also important to ensure a sufficient amount of time for Member States to consider the proposed Program of Work and Budget. Consideration of the content of the Program of Work and Budget is particularly important during the period between the first and second Program and Budget Committee sessions, and the subsequent General Assembly. It would

therefore be desirable to schedule the preparation of the draft Program of Work and Budget to provide sufficient time between these meetings.

152. Delegation of China: Thank you, Chair. I would like to make a statement again. It is just a piece of clarification. Just now, perhaps, we didn't have the meaning interpreted fully. We would like the Secretariat to elaborate that under the principle of increasing transparency, under this principle alone, what other specific measures are being planned or are ongoing?

153. Delegation of Iran (Islamic Republic of): Thank you, Chair. We would like to thank the Secretariat for preparing the Update of the Mechanism to Further Involve Member States in the Preparation and Follow-up of the Program of Work and Budget, as contained in document WO/PBC/35/4. My Delegation takes note of the three changes undertaken, to update the mechanism to further involve Member States, particularly including shifting the timelines for the Program of Work and Budget for the Organization due to the advanced calendar for the PPC and Assemblies meetings, and the increasing number of informal consultations with Member States, rather than PBC informal meetings, which were being held previously. We believe the decision of the Assemblies at its 42nd session to establish a mechanism to further involve Member States in the preparation and follow-up of the Program of Work and Budget needs to be given considerable attention. In line with what has been outlined by my Delegation in our general statement, we strongly believe that all WIPO norm-setting activities should be conducted in close consultation with all Member States and their true involvement based on a multilateral spirit to achieve more tangible outcomes. We would like to put the question to the Secretariat on whether the updated mechanism could be enhanced further in terms of more substantive changes in favor of more meaningful participation of all the Member States and in a more transparent way open to all.

154. Delegation of Brazil: In relation to document WO/PBC/35/4, Update of the Mechanism to Further Involve Member States in the Preparation and Follow-up of the Program of Work and Budget, this Delegation praises the efforts of the Secretariat for the preparation of the meeting. In particular, the search for contributions from Member States on the budget program and on the Committee's agenda. This Delegation also supports the adoption of the mechanism proposed in paragraphs 10-16. By expressing full agreement with the key principles listed in paragraph 11 of the document, this Delegation may suggest, in order to contribute to WIPO's efforts to improve the transparency of the Program of Work and Budget which is contained in it, information on the distribution of appropriations and staff by units of the Organization chart. The document, which now is limited to the level of sectors, could specify information at the level of departments and divisions. Because it is included in the annex to the proposed Program of Work and Budget, the possible detailing by units would keep the highlight of the presentation of the budget based on objectives and results, and at the same time, it would facilitate the Member States, the evaluation of the compatibility between means and purposes proposed by the Secretariat. In order to improve the monitoring of the work of the Program of Work and Budget, this Delegation expresses itself in favor of the inclusion in the presentation of the Program of Work and Budget a new metric that quantifies the expenses of the Organization according to Sustainable Development Goals. Given that a single expense can eventually promote multiple SDGs, this metric would aim to provide a fair diagnosis individualized for each SDG that is being invested in for the sake of their achievement. In this way, it would be easier also to evaluate, within the scope of the PBC, the areas of the Development Agenda in need of budget reinforcements or projects specifically aimed at SDGs with impaired implementation.

155. Delegation of the United States of America: Thank you, Chair. The diagram in the annex does not include a review of the Annual Financial Statements in the budget year by the PBC, yet the proposed language suggests this does occur. Could you please clarify if the Financial Statements are referred directly to the Assemblies or if they are reviewed by the PBC in the off-budget year? We otherwise support this document once this is clarified.

156. Delegation of Sweden: First of all, we would like to support the statement from Switzerland on behalf of Group B. Sweden welcomes the necessity to involve Member States in the preparation of the Program of Work and Budget. We also appreciate the information meetings and receiving most of the documents for this PBC well in advance. However, we think that the schedule for the meetings of PBC and General Assemblies according to the new mechanism this spring is too congested. It makes it difficult for the Member States to ensure sufficient time for preparation of agenda items in coordination between meetings. We would like to return to a schedule that ensures sufficient time and preparation to provide an effective opportunity to engage in these important topics.

157. Delegation of Switzerland: Switzerland supports the statement made on behalf of Group B. We commend the Secretariat for the preparation of document WO/PBC/35/4, which makes it possible to have a much greater visibility in preparing the proposed Program of Work and Budget for 2024/25. The question of the date of the General Assembly after 2023 is still open. We understand the scheme produced in the annex is related solely to the Program of Work and Budget for 2024/25. Our Delegation would like to remind you that the examination of the proposed Program of Work and Budget is a complex task which needs time and resources. It also takes time for Member States and Group Coordinators to take positions. That is why we need to have enough time in order to be able to conduct this work in a serious manner. We are asking the Secretariat to circulate the proposed Program of Work and Budget, and all other necessary documents, two months ahead of every PBC meeting. In addition, we note that five PBC 36 documents, some of which are voluminous, will not be published until very shortly before PBC 36, which will take place, it should be remembered, only three weeks after PBC 35. These documents will still have to be studied by the Member States between now and PBC 36. We note that among these documents for PBC 36, the ASHI Study document was not circulated at the time of PBC 35 which means the Secretariat is operating under strong time pressures. It is a tall task to analyze this document and take a position before the PBC 36, so we ask the Secretariat to make more time available. Analyzing and adopting a position on PBC 36 documents in a very short space of time is not a situation that suits us, as explained above. We therefore ask the Secretariat to take this in account for future bienniums.

158. Delegation of the United States of America: We wanted to clarify that the US supports Group B's statement including the request to ask the Secretariat to revise the document, taking into account Group B's comments about the publication of the proposed Program of Work and Budget presentations, and the illustrative nature of the timeline in the annex.

159. Chair: Very well, thanks very much to all the speakers. I'm also thankful to the Group Coordinators obviously for their work and the presentation of the positions. In my capacity as Chair, I can see there is quite a few questions asked under this agenda item, so in order to facilitate an exchange of views, I am going to leave this item open. We will pick it up in the course of the week. Thank you very much all for your interventions and I realize the Secretariat needs a bit more time to study all your proposals in order to look for consensus.

160. Chair: We will come to agenda item 7 and I would like to put forward the following decision paragraph. Here you can see the decision paragraph for this agenda item. I will read it out to you. I will open the floor if there are any delegations who have comments on this proposal. I don't see any requests for the floor. Therefore, we can conclude and this paragraph is adopted.

161. The Program and Budget Committee (PBC) decided to continue the discussion on the "Update of the Mechanism to Further Involve Member States in the Preparation and Follow-up of the Program of Work and Budget" at the 36th session of the PBC, based on document

WO/PBC/35/7 as amended during the 35th PBC session and additional proposals received from Member States.

ITEM 8 PROPOSED PROGRAM OF WORK AND BUDGET FOR 2024/25

162. Discussions were based on document WO/PBC/35/5.

163. Chair: We are looking to item 8, Proposed Program of Work and Budget for 2024/25 which is going to take most of our time during this week. As is our tradition, the Assistant Director General, Administration, Finance and Management Sector also pointed out yesterday that in the budgetary year there are two PBC sessions, precisely with the view to finalizing the necessary work, to be able to flesh out recommendations to the General Assembly (or the Assemblies of Member States), so that they validate the program for the biennium. So the relevant document here, which you have received is WO/PBC/35/5. We will move on immediately to the first reading of the Proposed Program of Work and Budget for 2024/25. Secretariat staff as well as the ADG has had informal exchanges on this proposal with delegations. The entire staff is here to help you work efficiently and to be in a position to complete this first systematic reading of the Proposed Program of Work and Budget for 2024/25. As Chair, I think that would be a good thing to aim for closing agreed items at this session of the PBC so the next PBC in June would focus on the rest of the items that could not reach consensus. We will be able to focus on those outstanding items at the June PBC session. My objective is to try to limit the number of items left for the June session. As we did in the previous budgetary cycle, we are going to try to avoid duplication of work and that would be positive for everybody, for you, for the Secretariat, for myself, and we are not going to reopen those items that will have been closed by the end of the May session. To start, I am going to give the floor to the Secretariat who will present this item of the agenda and I will take the floor again in order to explain my approach to work so that we cover this item adequately. I give the floor to the ADG Administration, Finance and Management Sector.

164. Assistant Director General, Administration, Finance and Management: Thank you very much, Chair, and a very good morning. This Proposed Program of Work and Budget for 2024/25 is submitted to the present session of the PBC in accordance with Financial Regulation 2.20 for “discussion, comments and recommendations, including possible amendments” and pursuant to the Mechanism to further involve Member States in the Preparation and Follow-Up on the Program of Work and Budget of the Organization. WIPO’s Proposed Program of Work and Budget sets out WIPO’s delivery strategy and associated budget for the biennium 2024/25. We have prepared it taking into account the inputs and comments received from Member States in their responses to the Questionnaire issued in September, and the United Nations 2030 Agenda for Sustainable Development. The proposal is anchored in the four Strategic Pillars, the Foundation and the 16 associated Expected Results in the Medium-Term Strategic Plan for 2022-2026. It is underpinned by robust results-based management, with an increased focus on impact, greater transparency and clear accountability for results. The increase in income is estimated at 4.5 per cent based on projections by our Chief Economist in January, with overall income in 2024/25 projected to reach 994.9 million Swiss francs. At the time that we prepared the budget, we were conscious of the economic uncertainty and so we applied a prudence factor of 6 per cent to the forecast, compared to 5 per cent in previous biennia. The latest projections predict an increase in income for 24/25 of 2.2 per cent over the previous biennium. Expenditure is estimated to increase by 8 per cent as compared to the 2022/23 Program of Work and Budget. Personnel costs is projected to increase by 7.5 per cent. This increase is primarily due to statutory increases, salary scale changes and increases in medical insurance costs. No new posts are being requested. The proposed increase in non-personnel costs of 8.8 per cent is driven by the need to continue to invest in the digital transformation of WIPO and to resource adequately improvements in services, including development activities. After

estimated IPSAS adjustments on expenditure, a surplus of approximately 90.7 million Swiss francs is predicted at the end of the biennium. We have decided not to introduce a new Capital Master Plan alongside the Proposed Program of Work and Budget this year. We will focus on realizing existing projects with necessary ICT, buildings and security improvements integrated into the wider budget proposal. WIPO will continue in the 2024/25 biennium to further strengthen the implementation of WIPO's development-oriented activities guided by the WIPO Development Agenda Recommendations and the principles enshrined in the 2030 Agenda for Sustainable Development. An outline of the SDGs to which the Organization contributes is included in Annex IX. SDGs to which Sectors contribute are indicated in the narratives. Development expenditure is estimated at 183.5 million Swiss francs, representing 21.4 per cent of the 2024/25 proposed budget, up from 18.9 per cent over the previous biennium. This includes a total of 3 million Swiss francs specifically earmarked for the implementation of Development Agenda Projects. The development expenditure has been calculated based on the definition approved by Member States. Over the next biennium, we intend to step up our implementation of the MTSP. We will reinforce WIPO's traditional areas of strength by accelerating the digital transformation and improving the customer-focus of the Global IP Protection Services. We will identify and foster new partnerships to address global challenges, including the use of innovation to help us to contribute to the SDGs. Moving forward, we will step up the delivery of impact-driven projects, and transition the Covid-19 Response Package to post-pandemic building back initiatives. Ultimately, WIPO will continue to support its Member States in their use of IP as a tool for job creation, investments, business growth and economic and social development. Thank you very much for your kind attention and support for our vision and mission over the previous two years. My team, and the teams from the Sectors across the Organization stand ready to assist you in your consideration of this proposal. Thank you Chair.

165. Chair: Thank you very much ADG Andrew Staines for your presentation of the proposed Program of Work and Budget. I would like to tell you about my approach to this debate. Today, tomorrow and if necessary, the day after tomorrow as well, so that we could acquit ourselves of our mission, that is to proceed to the first reading of the document, and to try to identify and find agreement on the maximum number of points so that as little as possible is left for the June session. The fact that this document as you are aware is quite complex, it is a bulky document and so it deserves all of our attention. We are going to have to make progress a little bit faster because I have had an occasion to Chair other PBC meetings which focused on the elements of this budget. I am going to structure our work in such a way that we make maximum progress within the document. We are going to start with the first part of the document Financial and Results Overview followed by the Sectors two at a time. I would also like to point out that given the links between Sectors and certain annexes, I propose that when we examine Annexes V and VI under the Patents and Technology and Brands and Designs Sectors and examine Annex IX when we examine Copyright and Creative Industries Sector and the Regional and National Development Sector. When you ask questions and make statements the Secretariat will provide responses. The Heads of Sections, Divisions and Sectors will speak, and I will give the floor to other members of the staff to cover more precise elements. I would like to remind you of the Questions and Answers document. If the Secretariat is not in a position to immediately provide answers, you could refer to that document which is very helpful for various aspects of the discussion. This is how I intend to proceed. I am going to give the floor immediately for general statements on the document as a whole before we move on to the examination of the document in a manner which I have described.

166. Delegation of Switzerland: I will limit my first intervention on behalf of Group B on this agenda item on general remarks, and then intervene again as we discuss Sector by Sector. Group B would like to express our gratitude to the Secretariat for preparing document WO/PBC/35/5 against short deadlines. Despite the simplified format of the Program of Work and Budget that has existed since the 2022/23 biennium, Group B is aware that the preparation of this document represents a very challenging task for the Secretariat and requires close coordination with WIPO Sectors. In this context, we would also like to acknowledge Member

States contributions by having responded to the questionnaire on the proposed Program of Work and Budget for 2024/25. Indeed, the answers provide valuable inputs for drafting the proposed Program of Work and Budget for 2024/25. While WIPO expenditures will increase and are estimated to reach 857.3 million Swiss francs, Group B is pleased to know that WIPO is expected to benefit from a surplus of approximately 90.7 million Swiss francs. Group B takes note that WIPO forecasts an income of nearly 995 million Swiss francs for the next biennium, representing a 4.5 per cent increase compared to the current Program of Work and Budget. We understand that according to latest estimates the increase appears to have been reduced to 2.2 per cent, but note that the 6 per cent buffer to satisfy the prudence concept principle has been applied. We look forward to receiving further updates from the Secretariat. In this regard, we would like the Secretariat to further specify the effects on the predicted surplus. We appreciate the overall prudent approach of the proposed Program of Work and Budget. However, an 8 per cent increase in expenditure seems a lot. Regarding continuing uncertainties of the global economy, we suggest approaching all proposed expenditures with caution. It goes without saying that all reasonable expenditures must be made necessary to maintain WIPO's core business, namely efficient and modern international registration systems. Incidentally, it is important to critically examine expenditures and prioritize well, especially in economically uncertain times. It is important that WIPO is financially sound in the long-term, without having to increase Member States contributions. Moreover, we take note of the increased costs regarding internships and WIPO fellowships, up by 4 million Swiss francs. Travel, training and grants up by 2.3 million Swiss francs, and, contractual services, an increase of 21.5 million Swiss francs. We request the Secretariat to carefully monitor all of these costs, especially those concerning travel, training and grants. Group B attaches utmost importance to ensuring the quality of the international registration systems as the financial backbone of the Organization. One of WIPO's core tasks is to provide high-quality IP services that deliver value to users around the world. This requires services that are technically up-to-date and fit for purpose. Given that climate change is a primary concern for all Member States, Group B strongly appreciates that WIPO GREEN will accelerate its development, as indicated by the Director General in his foreword to the proposed Program of Work and Budget for 2024/25. With regard to IP and Frontier Technologies, we appreciate that WIPO is aware of its role as a global forum on this critical issue. We call on the Organization to continue to allocate sufficient resources to the Infrastructure and Platforms Sector on this issue so that the work program on IP and Frontier Technologies can be further developed. We encourage WIPO to keep members up-to-date with developments and activities in this area. We appreciate WIPO's focus on SMEs, noting the Organization's investment in enhanced services for SMEs and their support institutions. We also welcome WIPO's increased focus on initiatives relating to IP valuation, IP-backed financing and IP commercialization. We look forward to the implementation of bespoke strategies on IP and gender, and disability inclusion, recognizing the importance of building an inclusive IP ecosystem. Compared to the current Program of Work and Budget, we are pleased to see additional information provided through baselines. For example, figures for the number of visitors to the global database systems are given, which constitute useful information. We also believe that some additional information may be required for better understanding the proposed Program of Work and Budget for 2024/25. Group B Members may follow up in their national capacities. Let us assure you, that you can count on the full support and active engagement of Group B to achieve a positive outcome on the Program of Work and Budget for the next biennium. Thank you, Chair.

167. Delegation of Uruguay: Thank you, Chair. At the outset, allow us to thank the Secretariat and all of the delegations as they work together to prepare this complex document. We would also like to express our gratitude for the holding of the informal meetings with the Secretariat to enable us to dispel any doubts, and put forward some of the GRULAC views. I will try to be as concise as possible, to leave time for more substantive debate. Member States will be taking the floor in their national capacity, in addition to the GRULAC statement. In general terms, at the regional level, while we are grateful for all of the references to the WIPO Development Agenda and the Sustainable Development Goals, we believe there is still much to be done as

we look to the proposed Program of Work and Budget for 2024/25, in as much as Member States need to be able to look into and see how much money is being invested into fulfilling these objectives, and what endeavors are being brought to bear by the Organization, in order to fully comply with and fulfil the WIPO Development Agenda. We have no doubts that the effect of this is underway; moreover we are beneficiaries of projects and initiatives in this area, as well as capacity building. But after reading the proposed Program of Work and Budget, it does seem that there are still areas where there is a need to further accelerate works towards the SDGs from a financial point of view. In addition, there is a need to identify those areas where WIPO can continue to support developing countries in the post-COVID context, assisting those members who still find themselves in challenging health situations in terms of IP and health. A third point that we wish to make at the regional level, which we will be dealing with in the Global Challenges and Partnerships Sector, and as we mentioned in our opening statement, it is very important to ensure indigenous peoples and local communities be properly involved in the course of special and regular sessions of the Intergovernmental Committee on IP, Genetic Resources, Traditional Knowledge, and Folklore. In the Preparatory Conference for the Diplomatic Conference on Genetic Resources and IP, we will be working to ensure the involvement of these Groups in the Diplomatic Conference. Chair, I make these comments in a general nature and we will then be in your hands to go Sector by Sector in due course.

168. Delegation of Poland: Poland speaking on behalf of the CEBS Group would like to thank the Secretariat for preparing the draft Proposed Program and Budget for 2024/25 contained in the document WO/PBC/35/5. As the Proposed Program and Budget is fully aligned with the four Strategic Pillars set out in the Medium-Term Strategic Plan 2022-2026, the discussions ahead of us are perceived by CEBS Group as strategically important for sketching a common vision and directions of WIPO development. The draft proposal should serve as a good basis for further discussions. We note with satisfaction the fact that despite geopolitical challenges, which have also impacted economic stability globally, the budget proposal shows increase in comparison to the previous budget horizon. Forecasted rise in the updated income estimates as well as planned growth of revenues from investment is also a positive sign, taking into account the downwards trends in the global financial markets, as a consequence of post-pandemic recovery and global geo-economic instabilities. Therefore, the differentiated income increase of various systems should correspond with a relevant increase of the budget dedicated to WIPO's activities. We note the planned 8 per cent increase in WIPO's expenditures. This should contribute to strengthened activities and projects, supporting development of balanced and effective IP systems in Members States and creating favorable conditions of evolution of global innovation ecosystem. For CEBS countries it is important that the proposed budget takes a balanced, demand-, result- and development- driven approach. We emphasize the need for the budget programming process to reflect high dynamics of the economic environment, growth of innovative sectors and development of new technologies that drive progress of IP ecosystems. It is therefore necessary for the budget to ensure maximum accountability vis-a-vis the needs and expectations of the stakeholders of the global IP ecosystem. In this regards, let me once again emphasize that for CEBS countries, the success of WIPO will be measured by the level of engaging in cooperation and delivering concrete support to business communities, SMEs, academia, universities and civil societies, especially those representing the sectors characterized by high level of innovation, but at the same time high risk of operations. Addressing the issue of risk mitigation and access to finance, which has been a challenge for young innovators and creators, should be in focus of WIPO' future operations, and hence needs to be reflected in the budget. In this respect, expanding of WIPO's activities in Strategic Pillar 4 aimed at providing effective support to governments, enterprises, communities and individuals is of paramount importance for CEBS members. The CEBS Group acknowledges the important role of the Brands and Designs Sector, with its potential growth. They are an important source of market power and thus are central to economic growth and development. We therefore fully support the development of various initiatives toward the promotion and marketing of different systems, systematic upgrade of IT infrastructure, as well as activities to provide legal and technical assistance. We also take note

of the provision of budgetary resources with regard to Convening a Diplomatic Conference for the Adoption of a Design Law Treaty, planned for 2024. The Copyright and Creative Industries are an essential component of sustainable development and have been dynamically growing across the CEBS region. The increased digitalization of industries and broader exposure of our societies and economies to new challenges related to Artificial Intelligence dictate the need for WIPO's enhanced efforts in ensuring effective response to these changes. Balanced copyright frameworks and development of tools related to copyright development, management and digital outreach continues to be a priority for CEBS Members. We therefore welcome increased budgetary resources allocated for this purpose. CEBS supports intensification and broadening of the scope of operations within the Regional and National Development Sector, which leverages the unique knowledge of and engagement with Member States. The 9 per cent budget increase for this sector reflects CEBS Members' expectations of a demand-driven approach in WIPO activities. Development of cooperation between WIPO and Member States, also through improved communication with relevant stakeholders, is necessary for better understanding all aspects of creativity and innovation ecosystems. This in turn is critical for ensuring more effective use of IP for growth and development. We count on that all regions can enjoy strengthened cooperation through the increased resources allocated to this sector. While discussing this topic, we kindly ask the Secretariat for more detailed information regarding the budget planned for operations and activities of External Offices. We appreciate the information about the budget for individual WIPO's External Offices. Nevertheless, further clarification on what envisaged activities correspond to the budgeted personnel and non-personnel resources would be helpful. Activities within the Global Challenges and Partnerships Sector, envisaged in the discussed document, have CEBS' support. WIPO should actively engage in global efforts addressing contemporary challenges. Technology, creativity and innovation provide solutions to these problems and thus should be promoted. We note that 10 per cent budget growth for this sector corresponds with the intensified work within this sector, in particular related to holding a Diplomatic Conference on GRs and Associated TK, planned for 2024. Likewise, we support the development of the IP and Innovation Ecosystem Sector, the work of which is key to delivering adequate assistance to start-ups, entrepreneurs and to leveraging IP effectively as tool for economic growth. Greater focus on development of sectors representing intangible assets is of a great value for CEBS. Monitoring trends and dynamics of changes within the IP ecosystem through various reports and performance assessments is important and supported by CEBS. In this regards we would welcome development and cooperation with national partners, on specific region- and sector- focused analysis. CEBS countries support the development of various Infrastructure and Platforms initiatives designed to make IP more accessible and understandable for innovators and creators. Further digitalization, digital transformation and broader use of technologies for administration, information and systems is key to obtaining improved results and ensuring optimum resource management. As the proposed budget envisages a 7.5 per cent growth in personnel costs in 2024/2025, it is important that geographical diversity of staff and adequate gender balance are ensured. We also support encouraging young talents to engage in WIPO activities. We support the notion of retaining the personnel/non-personnel cost ratio as 60/40. To conclude, let me reiterate CEBS commitment to engage in discussions aimed at reaching an agreement on the Proposed Program and Budget, which is essential to continuing WIPO's activities and addressing the needs and expectations of Member States. Thank you very much.

169. Delegation of China: Thank you, Chair. The Chinese Delegation would also like to comment on pages 3 to 20 of the Proposed Program of Work and Budget for 2024/25. First, we thank the Secretariat for preparing the Proposed Program of Work and Budget for 2024/25 and we thank the ADG, Administration, Finance and Management for his presentation. We would also like to thank the Director General, Mr. Daren Tang, for his briefing on the Proposed Program of Work and Budget for 2024/25 this month for Heads of IP Offices. China also notices and thanks the Secretariat for their written replies to Member States' questions on the budget raised yesterday. As mentioned in the foreword by the Director General, WIPO should accelerate the digital transformation of global IP services and its client centric focus, by

strengthening the Organization's traditional advantages. At the same time, WIPO's work should bring actual benefits to the whole world, in particular to developing countries. China noticed that the total expenditure of this Organization for the next biennium amounts to 860 million Swiss francs, representing an increase of 63.5 million Swiss francs, and a year-on-year increase of 8 per cent. By contrast, the past two biennium budgets registered an increase of 3 to 4 per cent. According to the estimation of WIPO, the increase of income in 2024-25 will be 0.4 per cent. We would like to understand that under the condition of almost no increase in income, what is the reason for the considerable increase in expenditure? On page 16, its external providers are exposed to risks arising from cybercrime or other breaches of cybersecurity, leading to...

170. Chair: The Delegate of China, I would simply like to remind you that you may talk about specific elements from pages 4 to 20 any time, but this is the segment for general statements, so any questions from pages 4 to 20 you raise will not be answered now but during a second round of statements covering all of those specific points under pages 4 to 20, do please continue.

171. China: Thank you, Chair, I think I concluded my general remarks, thank you very much.

172. Chair: My apologies for interrupting. I think in view of the complexities of this item, the best way to organize the debate is as I set out. You can feel free to make your specific points at the appropriate time. My apologies for any misunderstanding I might have given rise to in terms of the Organization of the work.

173. Delegation of Ghana: Ghana is honored to make this statement on behalf of the African Group. The African Group thanks the Secretariat for their tireless effort put into preparing the Proposed Program of Work and Budget. We commend the subsequent initiatives to meet with the Group Coordinators, Heads of IP Offices of Member States, and the various Groups to address specific issues associated with the Program of Work and Budget for 2024/25. Chair, although the Group appreciates the effort and time put into this preparation, we could not help but notice how tedious it is to dissect and fully comprehend the document. Despite the information session to explain the document laid out, the Group's concern has not been entirely alleviated as some details are still impossible to infer from reading the document. The first of such details is the allocation of the activities related to attaining the SDG's under a division. It is necessary to clearly state under which division SDGs are placed to avoid confusion concerning allocating and utilizing funds. The Group has come to notice that many activities and programs that do not seem to be directly linked to, or have a direct bearing on such SDGs are categorized on par with the efforts towards achieving the SDGs. We request the activities of the SDG attainment efforts be aligned in specific SDGs identified for transparency. Secondly, the Group would like to highlight the need for more representation of Africans in WIPO, particularly in senior positions. It is quite evident that other geographical regions are more represented in WIPO. This does not cast a good light on the Organization giving inclusivity, fairness and balance. We also request opportunity for career advancement for Africans in the Organization. It has been observed that some Africans in WIPO have remained in the same position longer than usual. This is discouraging and demotivating for the staff, since one of the main driving factors for performance in any institution is anticipating opportunities to progress. In the previous budget, there was an allocation of 1,917,000 Swiss francs for capacity building, technical assistance and training on IP and TK TCEs and GRs. However, this item, and its allocated funds are absent in the Proposed Program of Work and Budget for 2024/25. As a contribution towards finding a solution to the complexity of the budget, the African Group kindly requests that an annex be attached to the document, detailing development expenditure by activity and by each of the Sectors for ease of reference. We further ask that a breakdown of personnel and non-personnel resources allocated to the Development Agenda Coordination and Regional Divisions also to be annexed to the document. The African Group proposes that WIPO facilitates an annual high-level dialogue and knowledge sharing among Member States and other stakeholders on IP and SMEs.

174. Chair: I thank the honorable delegate of Ghana, speaking on behalf of the African Group. The next on the list of speakers is the Russian Federation. Before that, I would however like to make a comment that is in view of the technical complexity of the majority of the topics under this item, we would like to request in order to ensure the most accurate interpretation possible for statements to kindly deliver your statements a little more slowly. I speak quite fast as Chair; I will do my best to slow down a little so that we can all understand one another better and make full use of our linguistic rights. Can I ask you to use a measured speech so the interpreters can work?

175. Delegation of the Russian Federation: We would like to offer our general observations under this agenda item. We thank the Secretariat for preparing this report and for its active work with the Member States in the run-up to this PBC session. We are particularly grateful for the use of the questionnaire for preparation of the Proposed Program of Work and Budget, and the reflection of this in the document. We trust that this level of involvement with Member States will be pursued in the future. With regards to the document itself, first of all I would like to draw the attention of the Secretariat of the need to include the level of expected inflation as well as the source of that information. The Secretariat document only refers to the effect of the inflationary processes and it does not actually provide any figures. Also, in view of the events and practices we would be grateful to the Secretariat for information on the level of staff and the type of contract involved. We see in Annex III, a reference to the figures involved, although it does not actually show the levels. In addition, we also think there might be a need to improve performance indicators that require some fine tuning. In particular, in order to make that type of table easier to understand, we propose that the sources of the baselines be cited to make it easier to understand the relevant baselines. It is quite easy to show the year for the baseline. It is quite hard in the absence of this to understand the annual average used by the Secretariat for its work in preparing the information. Against that backdrop, we would be grateful to the Secretariat if they could include in the document the sources that you used for your assessment, the means of verification and the source of information in order to monitor implementation of the program. A good example here is the budgets of the ILO. In table 1 of the relevant ILO document, you can see a good example of how this is done. In conclusion, we would like to make reference to the planned increase in the budget for regional development. This is the lowest in WIPO and we are a little surprised by this and would be grateful for clarification from the Secretariat on the executive budget. We also trust that the resources put into joint work with the UN will be sufficient to finance the JIU in line of the relevant UN General Assembly resolution.

176. Delegation of Mexico: The Delegation of Mexico welcomes the efforts of the Secretariat to align the Proposed Program of Work and Budget for 2024/25 with the Strategic Pillars for each Sector and the Medium-Term Strategic Plan 2022-2026. We acknowledge the Director General's commitment to ensuring that one-fifth of the budget could be allocated to cover development expenditure, which is an increase over the previous biennium. We note the disaggregated information in Annex XI, which indicates that work for national and regional development will receive 42 per cent of the development earmarked funds which we deem to be positive. Mexico acknowledges that the approach to development is appropriate in showing that IP can reach everybody. Ensuring that all stakeholders which use IP include the innovators, creators, women, young people and indigenous people *inter alia* can tap into it. We believe that the IP and Gender Action Plan is a crosscutting approach, but it does not always have the necessary indicators. We consider that there is a need to provide further information as to the progress in all Sectors and Strategic Pillars in terms of WIPO performance in terms of Organizational culture. We wish to express our concern that in the Proposed Program of Work and Budget for 2024/25 there is no reference to preventing sexual harassment. As had been done with gender equality and women's empowerment and disability inclusiveness, we invite the Secretariat to reflect a commitment to zero tolerance with regard to sexual harassment as a core part of the Organization's culture. We also invite the Organization to work within the Chief Executives Board to address sexual harassment. Lastly, I should mention that in 2024, we will

be embarking on a significant time in history of the Organization, Diplomatic Conferences, *inter alia* on Genetic Resources and Traditional Knowledge. We will reserve the right to address the specific topic at the appropriate time. We would like to flag the importance of the topic for Mexico and the need for budgetary resources to be allocated to facilitating participation by delegations from Member States and representatives of Indigenous Peoples Local Communities in these important conferences.

177. Delegation of Spain: The Spanish Delegation wishes to align itself with the statement delivered by Group B. We thank the Secretariat for the preparation of the Proposed Program of Work and Budget for 2024/25 taking into account the input from Member States in the replies to the questionnaire. In the second round, we may raise some specific questions with regards to certain elements of the budget, and program activities, but before that, we would like to say that when it comes to the figures, the budget for the forthcoming 2024/25 biennium have been prepared on the basis of a prudent approach. This is something that we support. However, there is a forecast overhead of 90.7 million Swiss francs and we would like to make clear that in view of the challenging economic situation internationally and volatility, we would invite the Member States to observe particular prudence in the coming biennium.

178. Delegation of Jamaica: As this is the first time my Delegation is taking the floor, Jamaica joins others in congratulating you and the Vice-Chairs on being appointed to lead the work in this important Committee. My Delegation would like to express our appreciation for the judicious efforts of the Secretariat for the logistical and administrative preparations and for the engagement with Groups and Delegations ahead of this meeting. We thank the Secretariat for the preparation of the Proposed Program of Work and Budget for 2024/25 as contained in WO/PBC/35/5. The work of the PBC is important in assessing the Organization's program of work and ensuring that the budget is oriented towards the proper functioning of the Organization and the needs of Member States. We commend WIPO for its prudent financial management and the commitment towards development. In this connection, we welcome the increase in the total development share. Jamaica values the implementation of the WIPO Development Agenda as well as the contribution of WIPO in the achievement of the Sustainable Development Goals and associated targets. As we seek to get back on track in successfully implementing the SDGs in a post COVID-19 pandemic context, the support of WIPO will be invaluable in unlocking the full potential of the orange economy, and the IP ecosystem in developing countries, like Jamaica. We note that priority will be given to SMEs and look forward to initiatives which will focus on IP management, IP valuation, IP-backed finance and IP commercialization. As we continue to work towards two Diplomatic Conferences to be held next year, it is important that adequate resources are made available for the successful hosting of these conferences, and the participation of developing countries. We therefore noted that provision has been made for both conferences, and look forward to further updates on this matter. It has also been noted that there has been an increase for the Regional and National Development Sector which covers the Division for Latin America and the Caribbean. We encourage the continued support for countries in the Caribbean region as we seek to boost our IP ecosystem. Jamaica looks forward to our deliberations.

179. Delegation of France: Our Delegation would like to congratulate the Chair and Vice-Chairs for their designation to this PBC session. France is grateful to the Secretariat for the presentation of the Proposed Program of Work and Budget for 2024/25. We also support the statement made by Switzerland on behalf of Group B. We note that despite the increase in expenses to 857 million Swiss francs, we are also expecting a significant increase in revenue, even if it has been revised to 2 per cent, and we would like to receive clarifications concerning that. The French Delegation welcomes the choice by WIPO to reorient our expenses towards sustainable development, particularly through assistance to women and micro-enterprises, which would make it possible for WIPO to play an important role in the implementation of SDGs in 2030. We note with interest new allocations for the filing systems, which would make it possible to re-establish balance between various Sectors.

180. Delegation of Japan: The Delegation of Japan aligns itself with the statement delivered by the distinguished Delegation of Switzerland on behalf of Group B. We would like to commend the Secretariat for the hard work in preparing the Proposed Program of Work and Budget for the 2024/25. The Proposed Program of Work and Budget anticipates an increase in the number of international applications based on the PCT, Hague, and Madrid Systems. We believe this is very important, since it means that WIPO services are expected to be increasingly used as the global IP ecosystem continues to develop further. In allocating the budget, WIPO should give priority to maintaining and improving the quality of its services, given that more than 90 per cent of its income is derived from PCT fees and other international applications and registration systems. From this perspective, it is commendable that nearly 300 million Swiss francs have been allocated for the item, improved productivity in the service quality among WIPO's global IP systems, services, knowledge, and data, under item 3.2 on page 10. The development of the Proposed Program of Work and Budget for 2024/25 is an important matter for WIPO's future initiatives, and Japan would like to participate actively, and constructively, in these discussions.

181. Delegation of Italy: The Italian Delegation joins the statement made by Switzerland on behalf of Group B. In our view, the document contains the realistic framework of the future expected incomes and expenditures by Sector following a prudent approach. At the same time, it reflects the needs and expectations of the global IP system. In particular, we share the need to be rather cautious and conservative in the estimations due to the persisting difficult situation in international markets and in light of the future economic outlooks. We believe that the proposed activities and goals across Sectors reflect the new vision of WIPO as an agency for promoting innovation and creativity that sees intellectual property as a vehicle for improving the lives of everyone, everywhere and we share this vision. We are also convinced that the strategic pillars identified in the program will contribute to build a new pragmatic strategy to achieve WIPO's goals in a sustainable manner for the digital transformation and the people transformation. In this particular moment, it is essential to work in the most efficient manner in order for WIPO's activities to achieve the greatest impact across different geographical regions to benefit the widest possible range of public and private stakeholders, including SMEs, start-ups, young people, and women. In this regard, we appreciate the reinforcement of activities under the IP and Innovation Ecosystems Sector and the Regional National Development Sector, which contribute to the growth of a balanced and effective IP ecosystems in Member States. In this regard, we confirm our continued interest and support for the wider development of the global IP system. We would like IP to become everyone's business. Therefore, we take this opportunity to commend WIPO management and its staff for their ongoing support to governments, enterprises, communities, and inventors to use IP as a tool for economic growth, competitiveness, and sustainable development. We are also pleased to take note of WIPO's efforts for the development of a new performance management framework to foster commitment and accountability towards effective people management. A modernized Human Resources framework where policies and programs are fit for purpose is necessary to ensure an agile Organization with a dynamic and clear vision. Last but not least, it is very important to acknowledge that, despite the ongoing challenging times, the Organization is overall in a sound financial situation, and that a tangible profit is expected in the next biennium.

182. Delegation of Germany: As this is the first time Germany takes the floor, I would like to congratulate you, the Chair and the Vice-Chair, on your election. Germany aligns itself with the statement made by Group B. We would like to thank the Secretariat for preparing document WO/PBC/35/5. Understanding the challenge that the preparation of such a document poses, we particularly appreciate the fact that it was made available to Member States by end-March. In our view, the draft is comprehensible and well founded. We appreciate the overall prudent approach of the Proposed Program of Work and Budget for 2024/25 and note that WIPO expects a surplus of approximately 90.7 million Swiss francs in the original draft. However, an eight per cent increase in expenditure, as proposed in the document, seems a lot. Especially as the latest income estimates show that the increase has been reduced to 2.2 per cent, compared to 4.5 per cent as set out in the current document. In this regard, we would like the Secretariat

to further specify the effects on the other figures, especially on the surplus, ideally by presenting an updated document reflecting the complete calculation on the basis of the latest estimates so that Member States are able to assess this new development in the overall context. Regarding continuing uncertainties of the global economy, we suggest to take a cautious approach towards all expenditures, to examine them critically, and to prioritize well. It is important that WIPO is financially sound in the long term, without having to increase Member States' contributions.

183. Delegation of the United States of America: We support Group B's general statement, and Group B's forthcoming additional comments under each of the Sectors of the Proposed Program of Work and Budget for 2024/25. The United States welcomes the Proposed Program of Work and Budget for 2024/25 and we appreciate the effort that went into its preparation, particularly given the time constraint. We strongly support the important work that WIPO does, and we value the contribution that the PBC makes to the Organization by providing an opportunity for Member States to agree upon priorities for work for future years as well as performance metrics for the proposed work. The Proposed Program of Work and Budget document prepared by the Secretariat aids members in this process whilst also serving as guidance for the Organization. As we have noted many times in the past, the United States places the utmost importance on the principles of transparency, accountability, and good governance in UN Organizations, including in WIPO. While we appreciate aspects of the streamlined version of the Proposed Program of Work and Budget over prior biennia, approximately 120 pages, compared to 240 pages, fewer key performance indicators, and budget allocation by Sectors instead of 32 programs, we note that some important aspects of the Organization's Program of Work and Budget are not described in detail in the streamlined format, putting the onus on Member States to request that additional detail be published as part of the Q&A document. This Delegation believes it would be helpful as a matter of normal practice to include the budgets for WIPO's External Offices as an annex moving forward. In any case, this Delegation appreciates the opportunity to discuss the initial proposal for the Proposed Program of Work and Budget for 2024/25 and we look forward to having a constructive dialogue. While we are still carefully studying the document, we would like to offer the following preliminary observations. We note that the fees from the global IP systems represents 95.8 per cent of the total income of the Organization. Furthermore, as reflected in table 2 on page 5, we note that PCT representing 76.7 per cent of the Organization's total revenue is forecasted to increase only 0.3 per cent in the 2024/25 Program of Work and Budget estimates, compared to 2022/23. Madrid fee income, representing 17 per cent of the Organization's total revenue, is forecasted to also only slightly increase by 0.4 per cent in 2024/25 compared to 2022/23. These two largest unions, which are growing slowly, currently are burdened with 100 per cent of the indirect union and indirect administrative expenses under the current allocation methodology. In addition, we recognize that the other two fee funded union's incomes are expected to increase modestly or remain the same in the 2024/25 biennia. However, these two unions represent a very small fraction of the Organization's total income, less than 2 per cent. Moreover, these unions are still running at a deficit when only direct costs are applied without consideration for the additional indirect cost incurred by the unions. They continue to be subsidized by PCT income, despite their treaty obligations to be financially sustainable. We also note that non-fee income sources, such as publications and miscellaneous income, are expected to decline in the upcoming biennium by 2.1 per cent. We also note that WIPO's overall income in the 2024/25 biennia is projected at a level of 994.9 million Swiss francs, an increase of 4.5 per cent, compared to the Program of Work and Budget for 2022/23, and an increase of 0.4 per cent compared to the 2022/33 updated income estimates. At the same time, expenses are increasing, including projected new hiring in the upcoming biennium, as well as inflation. This Delegation observes that there is a significant proposed increase for the Administration, Finance and Management Sector. We understand that a large portion of that budget, amounting to 161,514,000 Swiss francs will be focused upon Expected Result 5.2, digitally enabled, secure and sustainable operating environment services. We further understand that at least a portion of these funds are planned to be dedicated to the registration

systems. We would like more information about how the centralized IT for the registration system operates, and whether a breakdown could be provided regarding the portions of these funds that would be dedicated to aspects of the various registration systems, both for personnel and non-personnel costs. We are living in uncertain times with an unstable global economic situation, and thus increases in expenditure should be undertaken only with great prudence. This Delegation looks forward to further discussion on the Proposed Program of Work and Budget for 2024/25 and we call on the Members of this Committee to be faithful to our governance mandate to ensure that our decisions moving forward for those which are right for the long-term health of the Organization.

184. Delegation of the Republic of Korea: The Republic of Korea would like to express our gratitude to the Secretariat for preparing this document. Despite the uncertainty and complex crisis of the global economy, PCT applications, which accounts for more than 75 per cent of WIPO's revenue, continues to increase. We believe that this achievement is possible because WIPO has implemented various policies to make intellectual property accessible to SMEs, youth, and women, and has led global discussions to protect and utilize innovative technology, such as artificial intelligence through IP. The Republic of Korea actively evaluates the Proposed Program of Work and Budget for 2024/25, which aims to generate concrete benefit worldwide through the practical registration of increasing IP, and we will actively cooperate with WIPO for its successful implementation. For the smooth execution of the WIPO Medium-Term Strategic Plan 2022-2026 as well as the specific implementation activities detailed in the Proposed Program of Work and Budget for 2024/25, it is essential to have sound financial support. Most of WIPO's revenue comes from the fee for international application services such as PCT, Madrid and Hague. As the Republic of Korea has been the top registered PCT applicant in the world since 2022, the quality of international application services is important to users in the Republic of Korea. In this context, the Republic of Korea actively supports WIPO's efforts to improve the quality of its service. As one of the key functions of the External Offices is to improve WIPO services, we urge the WIPO Secretariat to make stronger efforts to promote discussion on establishing new External Offices. My Delegation has reviewed the roadmap for strengthening the execution of the MTSP. In particular, we support the plan for WIPO to continue playing the role as a global forum for innovative topics such as IP and frontier technology and intangible assets and finance. The Republic of Korea can provide knowledge and know-how on this issue. We are happy to actively share our experience and to continue to provide our support in the future. Furthermore, the Republic of Korea has noticed that development-related expenditure is to be increased in 2024/25 compared to the previous biennium. The Republic of Korea is the second largest contributor to WIPO's Funds-in-Trust for supporting capacity building on IP in developing countries and assisting in the establishment of a national IP strategy for Middle Eastern countries. We hope that our experience can be widely shared through WIPO.

185. Delegation of Nigeria: Nigeria supports the statement on behalf of the African Group. Whilst we express gratitude for the Proposed Program of Work and Budget for 2024/25 and appreciate the Q&A prepared by the Secretariat, we have a belief that the Sector-wide approach in the drafting of the budget has not been very helpful. We believe a budget should always abide by a number of principles such as transparency, accountability, flexibility, and room for amendments regardless of the accounting technique. My Delegation underscores the great value in the previous program forecast method considering it elaborated and a detailed analysis. Furthermore, my Delegation takes note of the breakdown provided by the Secretariat on the budget for WIPO External Offices under the Regional and National Development Sector. On this note, my Delegation wishes to highlight the need for the augmentation of the workforce in the WIPO External Offices in Africa, specifically Nigeria and Algeria, to be at par with other External Offices. This is with a view to optimize the work and improve the output of these Offices. My Delegation would come back with further information at an appropriate time.

186. Vice-Chair: I see no other speakers on the list. We finished the initial exchange of general views and comments on the document. All the questions and comments have been duly noted by the Secretariat. We now move on and start to examine the Financial and Results Overview section of the Proposed Program of Work and Budget for 2024/25.

187. Delegation of China: I would like to make a statement with regards to the organizational risks. The external service providers are at risk of accidental or illegal destruction, loss, alteration, unauthorized disclosure, or acquisition of data. China agrees with the risks raised by the Organization. We notice that in the risk response, the Organization emphasized the need to strengthen supervision on external service providers by carrying out an internal audit review and other measures. We think that currently the Organization is increasingly using emerging technologies such as cloud services in various service systems and service architectures. However, the data on patents, designs and arbitration and mediation cases in the possession of this Organization all involve significant commercial and technical interest for users, applicants or parties concerned. It is undeniable that many incidents have already shown that cloud technology has a great risk of leakage. The United Nations Treaty on Privileges and Immunities has not been fully observed in some countries. Therefore, we suggest that in addition to the existing risk response measures, the following measures should also be added: WIPO should carry out independent external assessments for various cloud projects such as the PCT Resilient and Secure Platform Project. Member States should select an external assessment expert and formulate its terms of reference. The Assessment Report shall be submitted to the 37th PBC session in 2024, or in other meetings of 2024, for the discussion of the Member States. China requests that the above-mentioned proposal be included in the revised Proposed Program of Work and Budget for 2024/25.

188. Delegation of Spain: We would like to draw attention to the explanations given in the document about individual contractual services. We note an increase of 13.1 per cent and 8.9 per cent, respectively. At the same time, we encourage WIPO to monitor certain areas of expenditure which, albeit not significant in the overall picture, need to be monitored and kept under control. For example, operational overheads where the increase is 17 per cent in the biennium. Here we have doubts as to whether this part refers to software licenses, audio-visual support for meetings, or whether this is other types of expenditure. We seek details on that point. Further, we would like to know the reasons for the 16.6 per cent increase in the personnel section. Could you give us an estimate of the numbers of new temporary posts and their Sectors? Moving on from specific figures to the program, the Spanish Delegation supports the Medium-Term Strategic Plan 2022-2026 for the implementation of a balanced and effective international IP system allowing for innovation and creativity to benefit all. However, we are surprised that one of the four strategic pillars, specifically Strategic Pillar one has an estimated allocation of 21.6 million Swiss francs out of the total annual budget of WIPO, representing 2.5 per cent of the budget. Our Delegation estimates that awareness-raising and dissemination of IP is fundamental. With this in mind, I would like to ask whether the Organization considers that this strategic pillar has a forecast budget which is in proportion to the importance of the topic. Further, we encourage WIPO to continue offering high quality services that are attractive to users. We welcome the fact that in view of the 2022 results that we have seen, mediation and arbitration are giving useful results for the system as a whole. Lastly, we would encourage and support WIPO in ensuring that the various crosscutting approaches be bolstered. First, through a user-friendly approach across the Organization, particularly for users who face barriers to accessing IP. This includes SMEs, artisans, and individual creators. Second, the implementation of the IP and Gender Action Plan. We have been staunch defenders of this to ensure a more inclusive society for all. As part of these cross-cutting approaches, the Spanish Delegation offers forth its experience and stands ready to implement the forthcoming biennium budget.

189. Delegation of Colombia: I would like to address two topics under this agenda item. Firstly, the way in which the budget is structured. I realized that expected results are reflected

and this methodology is positive in my view since I get the impression that the Organization is working towards those results. I would like to express some concern inasmuch as this may allow undue flexibility in terms of possible changes to programs, and we consider that means things can risk going out of the control of Member States. Secondly, I would like to echo what was said by Spain with regard to the balance in terms of the allocated budget for the various strategic pillars. As Spain said, I consider that there is a significant concentration on one single pillar. I understand that because it is the IP services pillar, but I think it would be desirable to reconsider this lack of balance between this and other pillars. I would like thirdly to refer to the Sustainable Development Goals. The diagram that we see in the budget document contains various SDGs, but it does not include quantification and that means that there may be a misunderstanding on the part of people around the world who may be reading this document. Because if we do not quantify these issues, it seems that we cannot really be including these references to the SDGs. My country has spearheaded the development of the SDGs. We very much value the efforts this Organization is making in this regard, but for the time being, we do not think that these SDGs should be used and referenced across all of these pillars if we lack a quantification mechanism.

190. Delegation of Nigeria: I wish to address matters between pages 4 to 21. On Strategic Pillar 3, my Delegation would very much like to enquire on the strategy of WIPO for the 2024/25 biennium on knowledge transfer and technology adaptation projects. We are of the view that activities in these areas could be one of the yardsticks to measure the Organization's contributions and outreach to the SDGs in developing economies, particularly SDG 3. And in this regard, it would be good to seek clarifications on WIPO's technological transfer projects, in the area of health and access to IP licenses, notably supported by WIPO's global health initiatives for the next biennium. On page 15, we wish to seek clarification on the modernized human resource results framework on Expected Result 4.5, bullet point 5. The first appearance of which was made in the Program of Work and Budget for 2022/23. My Delegation believes that the new framework may have been inspired by the current human resource strategy between 2022-26, which since adoption, has made no reference whatsoever to geographical diversity in both the current and the next biennium. Whereas copious note was made to promote only gender diversity in the document. This unprecedented omission may frustrate the sustained effort to improve the geographical diversity within WIPO, and this is an observation we think requires more clarification to avoid drawing unnecessary inference or conjecture. I have documents to support this and I would very much appreciate clarification on this matter. On Strategic Pillar 3, bullet point seven, the evolution of strategic initiatives in the climate change and health space, we believe the proposal on this strategic pillar may be inadequate to properly address the pressing issues of climate change as there is an urgent need to share knowledge and increase access to technology covered by green or clean technology patents for mutual wider social benefit. Therefore my Delegation wishes to kindly request that the Secretariat reviews and includes suitable and tailored projects under this pillar. The Secretariat is further requested to include in the performance indicator, particularly in Expected Result 3.3 of the same page under reference, "rising patent registrations for green technologies, and an evaluation of the volume of information on open and affordable knowledge on green technologies available to technological seekers."

191. Delegation of the Russian Federation: The Financial and Results Overview show that the Organization is predicting a stable financial situation and a good pace for the implementation of its objectives, including when it comes to achieving the expected results. We think that the results-based budget approach is a positive one. We should also note the high percentage of implementation of the results established in comparison with previous years. At the same time, we would like to draw attention to the imbalance in the allocation of the outcomes and the achievement thereof in terms of the strategic pillars of work. These strategic pillars are differently prioritized and it would appear that there is some discrepancy. I would like to draw the Secretariat's attention to possible avenues for achieving a more balanced distribution of workload in terms of achieving expected results. I would also like to note that the Organization

is successfully undertaking the functions imparted in it pursuant to the budget and the Sector-based allocation of expenditure. The Organization is undertaking its functions within the agreed upon budget. Of course, certain Sectors are of particular interest to all Member States. For example, the Regional and National Development Sector is of particular importance for all Member States and regions. Naturally, we welcome the efforts of WIPO in order to accelerate work in this Sector. That said, we would like to seek more detailed information with regard to projects being undertaken in these Sectors and possible expenditure in terms of regional Groups. I would like to recall that at the previous session of the PBC that we also made a request to the Secretariat for an audit to be undertaken on a regular basis of the IT systems and services in order to ensure appropriate levels of cybersecurity, and to provide to Member States with a report of that audit.

192. Delegation of Algeria: With regard to Expected Result 5.1, we notice that there are no performance indicators on geographical balance compared to gender balance. We would like to know why there are no performance indicators on geographical balance? For Strategic Pillar 4, as stated in the African Group statement, in the Program of Work and Budget for 2022/23 there was an allocation of 1,917,000 Swiss francs for capacity building, technical assistance and training on IP and TK, TCEs and GR. However, this item and its allocation are absent in the Proposed Program of Work and Budget for 2024/25. We would like to receive clarity on the resources allocated to undertake activities in relation to TK, TCEs and GR and we recall that the previous program and budgets were based on programs and there was a standing program related to traditional knowledge. So, we would like to know why this allocation has been deleted from the current proposed budget.

193. Delegation of Jamaica: My Delegation would like to seek clarification on a few points, starting on page 12. We note in the priorities that one of the last priorities speaks to actively contributing to the UN system program for LDCs, landlocked countries and SIDs and we just want to get some clarity as to what would be the expected results and what would be the performance indicator? It is also noted that there will be facilitation of discussions on issues pertaining to the intersection of climate change and green technology, IP and food security and IP and global health. It would be useful to have an indicator to indicate the number of engagements, so we would be able to assess how much we would have discussed these issues. In the Program of Work and Budget for 2022/23 there was a line focused on the national IP strategies. We note that that is not there in this document, so we would like to get some clarity on that. On initiatives which focus on IP management, IP valuation, IP backed finance and IP commercialization, it is noted that there isn't a clear performance indicator and it will be useful for us to assess how much persons or beneficiaries would have benefited from these initiatives.

194. Delegation of Sweden: We would like to support the statement made by Switzerland on behalf of Group B. We also would like to thank the Secretariat for the presentation of the Proposed Program of Work and Budget for 2024/25 and the work for the upcoming biennium. The PCT system is the backbone of the Organization's economy with an operating surplus of 128 million Swiss francs. We think that the union is over financed and that a fee decrease should be considered, which is something interest Groups in Sweden has been asking for.

195. Vice-Chair: As there are no other speakers on my list, I propose that in order to allow the Secretariat to address all the issues raised by the Delegations that we break for 20 minutes.

196. Secretariat: I will start with a few general questions that came up a number of times. First of all, I would like to thank the Delegations for your diligent work in reading the document and engaging. We have heard several very important points from across Groups and Member States. We will try our best to go from the general to the more specific. The one question we note several times was on the income estimates and indeed it is correct that based on the January forecast of our Chief Economist, the estimated increase in income is 4.5 per cent, as

presented in the document. Subsequently, the Chief Economist's forecast of April reveals that that increase would have been 2.2 per cent instead of 4.5 per cent. The first and most important question that came up is that there is no impact of this on the expenditure budget. As such, what would happen if the 2.2 per cent materializes is that the surplus, which has been quoted by several of you of approximately 90 million Swiss francs, would reduce by approximately 20 million Swiss francs and the surplus would reduce to 70 million Swiss francs if the 2.2 per cent increase in the forecast materializes. In this context, I would like to share that our Chief Economist is not able to be here right now, but he is available later today and later in the week to provide any more insight into the economic forecasts. We heard several times about the increase in expenditure and words of caution which we very much welcome and the Director General and the Secretariat are very focused on being prudent and cautious about the outlook for the 2024/25 biennium and this obviously means monitoring expenditure on a very close and tight basis. The increase in expenditure being seen as high is something that we need to monitor. While it is high compared to previous increases that you have seen, we are living in a very different environment today. We have had to take into consideration inflationary pressures on both personnel and non-personnel cost categories. One example is contractual services where we have very recently negotiated long-term agreements with several of our external service providers and the range of increases that we are having to absorb are in a very high range of 15 to 20 per cent. It is understood that our procurement and travel department is always taking up negotiations, but the fact of the matter remains that our external service providers have to survive in this inflationary environment. They will pass on some of those costs to us and therefore inflation counts for a lot of the increase, but there are also increases in personnel costs. There are increases in medical insurance related costs. There are statutory increases in personnel costs and of course the demand for our services, both in the IP systems and across all our development services is on the rise and this is a measure of success. We need to adequately resource the work being carried out to achieve the results across the Organization, as set out in this document. Those are the explanations for the expenditure increases and I would like to assure the members of the Committee, that the word of caution is highly welcomed and we have a very strong risk management process established within the Organization. The Risk Management Group is chaired by the Director General and we have members across the different Sectors including the Chief Economist. The Group closely focuses on any evolving or new changes to the economic environment, and closely monitors the expenditure of the Organization across the different Sectors. Further to that, we heard several comments on the structure of the Proposed Program of Work and Budget for 2024/25. In that context, the structure is no different from the Program of Work and Budget for 2022/23. The biennia 2022/23 and 2024/25 are the first two biennia under the Director General's Medium-Term Strategic Plan 2022-2026 that was endorsed by Member States in 2021. The structure of the document was also welcomed by Member States in the last cycle and this has been also reflected in your own decision paragraph that you took at the end of the PBC. I believe that there have been some difficulties in getting to the level of detail that you wish to get to in certain areas. We have heard questions and requests for an annex on the details for External Offices. If there is a consensual decision on adding an annex then we will add the annex. We have a running Questions & Answers document which we first issued a week ahead of the PBC, which we have since updated. And just to recall, is that even in the previous program structure, there were elements of detail that were not in the Program and Budget that was presented and as in the past we continued to provide you with those questions and answers in the Questions & Answers document. The structure of the document is in four different views – Results organized by Strategic Pillar, Sector, Union and Cost category. Today we heard several interventions on an SDG budget and we do not have in the current structure an SDG view of the budget. We have also connected with several UN specialized agencies and we do not find any of our counterparts providing an SDG- budget. However, in that context what I would like to share is that we are very much part of the UN system data cube. I do not know if you are familiar with this, but just to make you aware that the Secretary General has a data cube initiative and this is collecting information from all UN system entities in an organized fashion to be able to report to

the Member States and the SDGs. We are fully compliant with the UN data cube dimensions and requirements and we have in fact only recently last week provided our submission to the CEB. One of the dimensions on the Secretary General's data cube is the SDGs. We are very much involved in engaging with this exercise to see how we can categorize our expenditure in our underlying ERP systems and then to be able to provide that SDG-based expenditure reporting, but this is not going to be possible immediately. This is planned as with other agencies for the 2024/25 biennium and we will be very happy to report back to you on how we are progressing on that. There was a question on how we are reflecting the SDGs in the document. Our contribution to the SDGs in the 2024/25 biennium is summarized both from a results and Sector perspective, as was the case in the 2022/23 biennium. Our contribution from a results point of view is summarized by the strategic pillars in the strategy house on page 8, which many of you have referred to. All our work contributes to four crosscutting SDGs, which are mainstreamed into every one of our strategic pillars. The four crosscutting SDGs are SDG 5, gender equality, SDG 10, reduced inequalities, SDG 13, climate change, and SDG 17, partnerships. Our contribution to SDGs by Sector can be found in section II, financial and results - by Sector and the main SDGs to which Sectors contribute are then further highlighted at the top of the Sector narratives, which you see later in the document. Lastly, Annex IX shows how we contribute to the different SDGs. With that, may I pass the floor to ADG, Global Challenges and Partnerships Sector to share a bit more detail on the SDGs.

197. Assistant Director General, Global Challenges and Partnerships Sector: In respect of the SDGs, WIPO has consistently sought to support the implementation of the SDGs since they were initiated in 2015 and before that, the Millennium Development Goals in 2000. In WIPO, we have a special representative on the SDGs, and everything is coordinated through him. Depending on the subject matter he is working on, he collaborates across the Organization with various colleagues. To give an example, on climate change the special representative on the SDGs would work with the Global Challenges Division on issues relating to climate change. On global health, he would again work with the Global Challenges Division. On quality education, he would rope in the WIPO Academy responsible for the educational aspects. On gender equality, he would bring in the Organization's IP and gender focal point. We work across sectors to make sure we are coordinating the Organization's work in respect of the SDGs. He works not just internally, but externally as well. For example, for SDG 17 on the partnerships, WIPO works with other intergovernmental Organizations. An example would be working with the Food and Agricultural Organization of the UN on food security, or sustainable agriculture. Another example would be working with ITU across the road on communications and digital issues, or with UNESCO in the area of education, science and culture. In respect of the Organization's work on SDGs, it is coordinated centrally by the Organization's special representative on the SDGs and it is coordinated internally with colleagues, as well as externally with other intergovernmental Organizations. I hope that helps to supplement what the Secretariat has explained.

198. Deputy Director General, Regional and National Development Sector: I would like to briefly inform delegations of RNDS' contribution to the SDGs. There are 76 projects across RNDS delivered by the Regional Divisions, the RNDS Project Team and External Offices that are closely related to several of the SDGs. For example: SDG 4, quality education, we have projects related to universities; SDG 5, gender equality, we are undertaking projects with a specific focus on women and there has been recent work on economic growth projects related to labor and WIPO IP services; SDG 9, industry innovation infrastructure, there are projects for SMEs and innovation-related projects; SDG 10, reduce inequalities, we have a project on IP and migration; and SDG 14, life below water, there is a project on plastic waste in the Caribbean. Our work also impacts secondary SDGs where applicable, particularly with respect to SDGs 2, zero hunger, we have a project on women in agribusiness in Africa and with respect to SDG3, good health and well-being, we have a project on traditional medicine practitioners in Ethiopia.

199. Secretariat: I will start with a follow-up to the intervention from the Delegation of Mexico on the lack of reference to sexual harassment in the proposed Program of Work and Budget for 2024/25. I would like to state that WIPO has zero tolerance for sexual harassment. Every case will be investigated and from that perspective, IOD is the lead stakeholder, however sexual harassment impacts people and as the new HR Director, I am committed to work on this issue together with other stakeholders, such as the Chief Ethics Officer, the Ombudsperson, Human Resources Staff Counsellor and HR Business Partners. Up to last year, WIPO had no case of sexual harassment which is not a good thing because it does not mean that there are no occurrences, but rather they are not reported. Our recent priority has been on building a safe environment to support victims and to raise awareness on various channels to get support. Next, I would like to address the questions from the distinguished delegates of Nigeria and Algeria on the treatment of geographical distribution. In the proposed Program of Work and Budget for 2024/25, HR work is articulated around three key performance indicators. One on engagement, one on gender and one on geographical distribution, all three being at Organizational level, under Expected Result 5.1. This demonstrates the high level of focus on the matter of geographical representation. The HR strategy is largely internally focused to capture what we will do to support our people in achieving the expected results of the Organization. It includes reference to enhancing diversity and inclusion, which implicitly covers gender equality and geographical diversity, while neither is mentioned explicitly. In the proposed Program of Work and Budget for 2024/25 gender balance and geographical diversity are included as KPIs. A large part of the work on geographical representation falls under the recruitment area where we now have a resource dedicated to outreach. Following the restructuring of the Human Resources Management Department in early 2022, the Gender and Diversity Specialist whose work had been essentially focused on gender including external work that has now been taken over by the Gender and IP focal point, is now located within the employee experience area together with recruitment. Her objectives are now balanced on gender, geographical representation and other forms of diversity and inclusion. In the proposed Program of Work and Budget for 2024/25, two indicators have been added to align with UN system-wide efforts. UN Swap on gender and UNDIS on disability indicators. As a side note, since the SDGs have been mentioned, I would like to note that, for example, on gender, UN Swap incorporates gender-related SDG results. It allows to incorporate targets of the SDGs, including SDG 5 on gender. The addition of these indicators is not an indication of a lesser interest of geographical diversity, but reflects our efforts to align with UN system-wide efforts. Finally, in follow-up to the Coordination Committee in July 2022, WIPO has been working with representatives of Member States to develop the data and reporting in order to monitor the impact of different measures to improve geographical distribution. The ongoing effort will be captured in the HR Annual Report.

200. Secretariat: If I may just complement what has already been said about increases in expenditure. On pages 17-19 of the Proposed Program of Work and Budget for 2024/25, you have an overview of the increases for both personnel and non-personnel costs. It goes into detailed assumptions for the cost increases. In response to the specific question from Spain on the increases in representation and other operating expenses, the increase is 288,000 Swiss francs. Approximately two-thirds of that is for the provision that we have made for the two Diplomatic Conferences and one-third is for other operating expenses for the fees of the External Auditor. In response to the second question from the Delegation of Spain on the increase in the cost on temporary staff, I would like to clarify that the number of temporary posts that has been created in the 2024/25 biennium is 11. Some of them have only been costed for one year, not the full biennium. Three of these temporary positions were created to support the preparation of the two upcoming Diplomatic Conferences, and the rest are distributed across the Sectors. Concerning the question from the Delegation of Algeria about the budgetary provision for the capacity building on TK, TCEs and GRs that were not in the budget, that information is encapsulated in the sixth bullet on page 13, and the amount is 2.1 million Swiss francs for 2024/25. The total budget amounts to approximately 40 million Swiss francs, out of which 2.1 is specifically for the capacity building for Indigenous and local communities on TK,

TCEs. Likewise, on the question from the Delegation from Jamaica relating to national IP strategies, the national IP strategies is included in the second bullet on page 13 with a budgetary provision of 1.4 million Swiss francs, compared to the budgetary provision in 2022/23 of 600,000 Swiss francs.

201. Delegation of Colombia: As we understand it, this Organization has decided to change the structure of the budget. In exercising that decision it has retained last year's model. The approval last year should not have any legal impact upon the process for approving this year's budget. There is an unquestionable right for the Member States to speak to the budget, including its structure. It is May 2023 and many things have changed in Latin America and in the world.

202. Delegation of Nigeria: I appreciate the Secretariat for providing the document on the 1975 Accord which is part of the Questions & Answers document. I really appreciate the further explanation from the Director, Human Resources Management Department. My Delegation's request was based on the omission of the geographical diversity in the Proposed Program of Work and Budget for 2024/25. We had mentioned that this could have been as a result of the human resources strategy 2022-2026 on the modernized human resource framework. The same thing is reflected in the current biennium and I have a document I can use to argue this matter. If I may refer the Secretariat to page 15 on the part in the priorities under Expected Result 4.5. The sixth bullet point talks about promoting gender equality and diversity, whereas there is no mention of geographical diversity in the document. The Program of Work and Budget for 2022/23, Expected Result 4.5, bullet 8, mentions modernized human resource framework, including the revision of performance management, but there is no mention of geographical diversity. It is in view of the omission that my Delegation had asked why this has become a trend and how could we have a budget that would not take into consideration the pertinent matter that Member States have been raising and demanding for a very long time. It is a fact that this has been omitted. I do not know what response can be given to address this matter. Probably a review of the draft document maybe. It is within this framework that my Delegation has mentioned this matter earlier. I would probably ask for further clarification on what can be done forthwith.

203. Vice-Chair: Thank you very much for these reactions to the explanations given by the Secretariat. If it is a decision of the Committee to introduce amendments to the text of the Proposed Program of Work and Budget then the revised draft will be distributed at the later stage of our deliberation. The Secretariat is ready for this. Therefore, amendments are possible, provided that the Committee agrees to such amendments being introduced.

204. Delegation of Algeria: We thank the Secretariat for providing some clarification on traditional knowledge, traditional cultural expressions and GR. As we have stated previously, in the previous biennium, this issue was cited as priority under Strategic Pillar 4. That is why we would like to invite the Secretariat to revise the document in order to include this as a priority and to bring back the same language from the previous biennium.

205. Vice-Chair: I have been advised by the Secretariat that it is possible. It will be done and reflected in the decision at the end of the session.

206. Delegation of Iran (Islamic Republic of): I would simply like to support what has been said by my colleagues from Algeria and Nigeria because these two issues have been outlined by my Delegation previously in our general statement and in the different interventions that we provided for the Committee.

207. Vice-Chair: I have been told that in fact we have to stop our deliberations right now and reconvene in this room in the afternoon.

208. Chair: A very good afternoon, delegates. I am delighted to open this afternoon session to resume our work as per the agenda. My thanks to the Secretariat for their dedicated work this morning and also to the Acting Vice Chair who carried out his functions while I was otherwise engaged. Let us carry on where we left off. Before that, as per this morning, I would ask you the following. In order to facilitate the interpretation offered by the high quality interpretation service we have here at WIPO, could I please ask you that in view of the technical nature of most of your statements and in view of the importance of accurate interpretation, please deliver your statements slowly in order to guarantee the highest possible quality of interpretation. If you do not do so, you will not be fully understood by your colleagues and that is worse than having to say it a bit more slowly than you might have liked. Let us continue our discussion of item 8. I would like to give the floor to the Secretariat to respond to the various questions that emerged from the morning session on the Financial and Results overview.

209. Secretariat: We answered some of the questions this morning before the break and we have noted other questions. I would like to start with the question from the Delegation of China on cybersecurity related risks and their mitigation. We have listened carefully. We also have a follow-up discussion with you tomorrow. So therefore, I would ask that we clarify all of the points related to cybersecurity with the Delegation of China tomorrow and then bring it back to you in the plenary. We also had a question from the delegate of the Russian Federation related to audits of cyber security. I would like to start by saying that cyber security and ICT is a subject of significant interest to all audit and oversight bodies in particular in this Organization because it is central and important to our mandate. However, in that context, I would like to draw upon our Chief Security Officer to share some more information related to the cyber security audit processes.

210. Secretariat: Cyber security auditing is something that happens quite frequently within WIPO because of the critical nature of many of the systems and the information that we are custodians of within those systems. WIPO has in fact been certified against the ISO 27001 standard for information security management since 2011. The globally recognized international standard covers the definition, implementation, and governance of an Organization's information security program, and is based on a three-year audit cycle. The first year being a full certification audit and the two subsequent years being surveillance audits to ensure continuing improvements in the security program. The audit looks at multiple facets of those security programs, including the policies and standards that are in place in the Organization. With the implementation of approximately 100 different technical and procedural controls across multiple security domains, WIPO has achieved a certification every year since 2011 with no nonconformities to the standard, either major or minor. WIPO has extended the scope each year to cover different areas of the Organization's activities. The current scope statement from the certification in 2022 reads: "The protection of information and IT systems used to administer patents, trademarks, industrial design applications, arbitration and mediation services, the hire to retire, procure to pay and finance processes, WIPO's safety and security coordination service, digital time stamping service, medical unit and global databases." The 2023 audit will take place between October 9 to 12, 2023 and will be the second surveillance audit for this cycle with the full certification or recertification audit occurring in 2024. The scope this year will be extended to include the privacy program to address recent updates in the 2022 version of the ISO standard. I would be happy to provide a copy of the ensuing audit report, which is likely to be provided mid-November 2023. I hope that this addresses the request from the delegate from Russia.

211. Secretariat: There was a question from the Delegation of Russia on the budget for the JIU requesting a reassurance that the budget was sufficient. I confirm that the budget for the JIU is sufficient in the Proposed Program of Work and Budget for 2024/25. In case we receive invoices which exceed what we have budgeted, we will pay them as always, also in case they revise the budget on an annual basis in the UN. We always pay the invoices which are being sent to us. So that is a reassurance. We had a question from the Delegation of the United

States of America on the budget in AFMS for IT related to the global IP systems, and the breakdown of Expected Result 3.2. We introduced the new Expected Result 3.2, which refers to the operation of the global IP system. We introduced that expected result in AFMS. It was not there before. The reason for that was to make sure that all the IT related expenditure which relates to the global IP systems can easily be identified, tracked and monitored during implementation. We can provide that information in the Questions & Answers document if that is ok with the Delegation.

212. Secretariat: I would like to thank the distinguished Delegation of Spain for raising this question which is, as you know, dear to our hearts. The requested budget, I assure you, is in line with the work program to meet our expected result for the next biennium. The work plan has been established taking into account that our mission is to support the realization of Strategic Pillar 1 in the MTSP, reaching out worldwide to explain the potential for IP to improve the lives of everyone, everywhere. We use the full range of tools that are available to reach our audiences. We have shifted our externally facing communication to target those that have been traditionally underrepresented in the global IP system, such as SMEs, women, youth, while at the same time, increasingly highlighting the human impact of WIPO development work. We continue to communicate on our corporate activities giving special attention to our flagship reports such as the Global Innovation Index, which, in itself, has become a global brand. You may have seen that our staff body is much more active on social media. We have a new social media policy that encourages our colleagues to be more active. We are capitalizing on the power of amplification that social media provides. This is an important way for us to find efficiencies in delivering our work program to capitalize on our staff body as our amplifiers. We are also increasing our partnerships with likeminded Organizations including setting up a network of communicators within IP Offices. We have been encouraged by the membership of several IP Offices, and we encourage those that have not joined us yet to do so. We would welcome them with open arms. The global media landscape is in continuous evolution and our plan is to keep a close eye on this evolution and always tap into the best tools for effective communication.

213. Assistant Director General, Innovation and Ecosystems Sector: In response to the Delegation of Nigeria regarding the work that the Innovation and Ecosystems Sector is conducting in the area of knowledge transfer and technology transfer in general. As indicated by the distinguished delegate of Nigeria, the main activities that are developed in terms of knowledge and technology transfer are related to providing tools and means to different TISC centers all over the world to provide information to different innovators that benefit from the availability of this information. At the same time, we are working with technology transfer officers and universities in building IP policies and, in providing capacity building needed to get benefit from the IP system. In order to do that, we have strengthened our work in the available platforms that allow these different actors to work better. We have been revising the different manuals and publications in order to incorporate elements related to life science, keeping in mind the particular interest after the COVID-19 pandemic crisis in the field of technology transfer in the life science Sector. This in general terms describes the work of the Technology Transfer Section that was created two years ago.

214. Assistant Director General, Global Challenges and Partnerships Sector: On the proposal from the Delegation of Nigeria on a KPI. The problem with the KPI he proposed is that it would be difficult for WIPO to make an assessment and to evaluate that KPI. That is the reason why we have proposed the KPI here listed, as that is something we can control and assess. The KPI suggested by the Delegation of Nigeria would be pretty much impossible to assess. I am happy to go through this with him bilaterally, but hopefully this explanation will meet his concern.

215. Secretariat: I would like to provide some additional information on WIPO activities for LDCs. As you know, WIPO has developed and launched in 2022, two major support initiatives for LDCs. To contribute to the relevant goals of the whole program of action for LDCs for 2022

to 2031 these include WIPO deliverables for LDCs and WIPO's graduation support package for LDCs. WIPO deliverables set the overall framework for our Organization to contribute to the relevant goals as set out in the new Doha program of action for LDCs. The rationale is to provide assistance for LDCs for the next decade in a focused, well-coordinated, and proactive manner on the priority need areas identified by LDC members. This framework initiative was formally considered and adopted in 2021 by the LDCs Group at the WIPO pre-conference forum for preparation for UN LDC 5. In other words, WIPO deliverables provide a list of priority need areas where WIPO and the LDCs can collaborate in a focused manner to create a necessary ecosystem for innovation and creativity, and to build the required skills for using IP for growth and development. More specifically, it includes a range of specific projects and technical assistance activities to create impact on the ground, namely support for national IP and innovation policies and strategies and capacity building for universities and research institutions on IP policy and management. It also includes IP skills building for IP stakeholders at the grassroots level, and using IP for product branding and design, in particular in food, textile, artisanal hospitality and tourism industries. Furthermore, it includes capacity building activities on management of IP assets for start-ups and SMEs and LDCs and activities for fostering the creative industries and LDCs, including through strengthening collective management Organizations (CMOs). It also includes activities on technological capacity building, namely, the use of patent information for research and development. It also includes support for IP office digitization and automation to enhance the efficiency and accessibility of their services. Finally, yet importantly, it also includes various forms of assistance concerning the use of IP for holders of traditional knowledge, cultural expressions and genetic resources for the protection, preservation and the use of tradition-based innovation. Concerning implementation, we have in place in-house coordination and reporting mechanisms. Furthermore, we organize briefing sessions for the LDCs Group twice each year to provide updates on the progress of the implementation of the WIPO Deliverables.

216. Delegation of Nigeria: I appreciate the intervention and clarification by the Assistant Director General, Global Challenges and Partnerships Sector on the substantive question asked by my Delegation. I wanted to clarify the request to include the suggested performance indicator under Expected Result 3.3. It is to find a way to analyze and critically assess the performance of Strategic Pillar 3. I think WIPO being the depository of patent and trademarks and other matters within this context would be a good place, and I think to incorporate this proposal and to measure the impact of this project within this framework, should not be very difficult. Of course, my Delegation is willing to engage with the ADG bilaterally, and hopefully, we could come up with a concrete decision. Something that we can work with subsequently.

217. Delegation of Brazil: This Delegation would like to express its gratitude to the financial health of this Organization. The PCT, Madrid and Hague systems are proven sustainable, balanced and effective international IP systems that enables innovation and creativity for the benefit of all Member States. The Madrid system, for example, to which Brazil has recently acceded, is a convenient and cost-effective solution for registering and managing trademarks worldwide as brand owners, big or small, need -support to realize the full value of their assets serving as a gateway to new markets and good jobs. Concerning, more specifically, the Program of Work and Budget, in this context, one must abide by what the world of finance knows. Never let your business get ahead of the financial side of your business. We all must know the numbers and accounting, of course. In this sense, the results are impressive, but improvements, especially in terms of transparency, are of the essence since it will extend WIPO's credibility and accountability to areas in which IP could serve as a tool to sustaining communities, catalyzing growth and encouraging companies to incur the necessary research and development costs that is stimulating long-term innovations. Brazil would like to stress the importance of seeking to enhance transparency and accountability within WIPO by recommending, in line with the spirit of GRULAC, the African Group, and many other delegations' interventions in this plenary, report on the quantification and breakdown of the development expenditure activities financed by WIPO in alignment with the SDGs. Despite the

limitations of underlying systems, operationally, this could be done and delivered by an additional and specific realm of analysis to the budget format submitted to Member States. I guess such information, with the help of the UN's Data Cube for example, would be easily gathered by the Secretariat given the deep and welcomed involvement of WIPO in the SDG agenda as we could infer by the Sector Lead's interventions yesterday and today, which were highly appreciated by this Delegation. On that, if this Delegation may, it would be very interesting to know what would be the necessary and adequate administrative, operational and budgetary structures in place at WIPO in order to cope with the challenge of aligning WIPO to SDGs. Especially in view of key moments over this and the next year, starting with the Lisbon conference next week, the summit in Paris on June 22 and 23, 2023 to revitalize global development and financing and continuing the momentum to the G-20 summit in New Delhi, the SDG summit in New York, the 2023 World Bank Group and International Monetary Fund annual meetings in Marrakesh, the G-20 Compact with Africa conference in Berlin, just to list a few. However, not all events are with a focus committed to SDGs and development issues. The inclusion of IP and its transformation of possibilities will be highly appreciated. Running the risk of repeating myself but also sharing effective communication, quantifying and breaking down development expenditure activities by respective SDGs will provide us with a comprehensive overview of WIPO's contributions towards specific targets and WIPO's own Development Agenda recommendations. This granularity and level of transparency and accountability is essential for evaluating the effectiveness of WIPO's actions and assessing their impact on fulfilling its new vision of IP as a tool for global inclusiveness. This open sharing of information and experiences will contribute to more effective and efficient utilization of resources, and no doubt about it, accelerate the achievement of the Sustainable Development Goals, recognizing, for the benefit of all members, that reducing poverty and tackling the climate and nature crisis go hand-in-hand.

218. Delegation of Algeria: We expect that we would have the second round of questions on the first part of the document. With your permission, I would like to come back to Strategic Pillar 4. We would like to receive a breakdown of the expenses concerning the coordination of the Development Agenda and the South-South and Triangular Cooperation because these two elements are put under the same bullet, so we would like to receive a breakdown about this. We would like detailed information on how personnel and non-personnel resources are allocated to the coordination of the Development Agenda in the Questions & Answers document. Under the same Strategic Pillar 4, page 14, we see the enumeration of some activities to support SMEs. We think that the lacking component is to implement a dialogue and sharing experiences among Member States and other stakeholders when it comes to IP and SMEs. We would suggest that under this bullet, we introduce a new paragraph facilitating high-level dialogue and experience sharing among Member States on IP and SMEs, so that we expect that there will be an annual forum where Member States and other stakeholders can come together to share their experiences and perspectives on how to support SMEs. We see that there is enough money, 23 million Swiss francs which allows and accommodates such an annual forum on IP and SMEs, which by the way, was the practice at WIPO in the past.

219. Chair: Thank you very much for your statement. The Secretariat is taking note and will provide replies, in particular, of an amendment to the page that you have mentioned. With this, we can conclude our discussion on the first part of the Program of Work and Budget and we will move to the Patents and Technology Sector and the Brands and Designs Sectors.

220. China: With regard to the Patents and Technology Sector, in the section on Patent Cooperation Treaty it is mentioned that WIPO will promote the submission and exchange of full text data in standardized formats and it will also support and develop the International Bureau Receiving Office and the International Searching Authority processing and data exchange services. While processing application documents in full text XML format and exchanging data with end-to-end services compared to the original format, these can improve the timeliness, efficiency and quality of international application processing. Currently, the Chinese bureau is

like many International Bureaus, in that it is cooperating with the International Bureau in the fields of XML and the M2M and we have achieved some quite good results. We suggest to further promote this good practice in the PCT system. China noticed that the expenditure on representation and other operating expenses for this Sector has increased from 7,000 Swiss francs to 106,000 Swiss francs, representing an increase of more than 10 times. I would like to stress that we also noted that the representation costs of several divisions under the Sector's responsibility have been low in the past. Therefore, we would like to ask for the clarifications from the Secretariat vis-à-vis the reasons, purposes and the necessity of such a significant increase in representation costs. With regard to the Brands and Design Sector on page 24, paragraph four, it is mentioned that WIPO will continue to facilitate the development of balanced and effective international normative frameworks in the areas of trademarks, industrial designs and geographical indications. It also supports international cooperation under several WIPO treaties. China supports this. We believe that as more new users around the world begin to use the Madrid and Hague Systems, it is necessary to re-examine whether these two systems are sufficiently flexible and inclusive in WIPO's entire global intellectual property service system. There is a broad consensus that the PCT System is relatively flexible and user-friendly in terms of procedures, currencies, language, *et cetera*. China thinks that the Madrid and Hague Systems should be more active in formulating rules and should learn from the PCT System to make these two systems more flexible, more user-friendly and more coordinated to better meet the needs of users in different countries. In order to ensure the smooth running of the Diplomatic Conference on the Design Law Treaty in 2024, China suggests that WIPO allocate sufficient resources for this purpose. Thank you very much, Chair.

221. Delegation of Switzerland: In our Sector-by-Sector analysis of this document, we will mainly focus our interventions on certain questions for the sake of brevity. Regarding the Patents and Technology Sector, Group B would like to congratulate the Patents and Technology Sector for its good health, which contributes greatly to the smooth running of WIPO. Regarding the Expected Results of the Sector, we observe that certain baselines present scores slightly lower than in 2021/22, such as the baselines related to the performance indicators of the number and percentage of Member States satisfied with the legislative and policy advice, and the level of satisfaction of participants in capacity building and training activities on patent law and related matters. We would appreciate more details regarding these numbers, especially how many responses were used for these baselines. Group B in this context would prefer a more robust indicator and would appreciate a more concerted effort to engage more Member States in surveys on legislative and policy advice. Regarding the Brands and Designs Sector, Group B welcomes very much the fact that the IP global systems under the Brands and Designs Sector continue to grow across different geographical areas. Despite the fragile and uncertain economic environment, filing rates and renewals for all the systems are planned to increase. For the benefit of users and Member States, our Group reiterates that the Sector needs to continue to be well managed, including from a digital, operational and financial perspective. To ensure its efficiency, it is essential that the Sector continues to work closely with the Administration, Finance and Management Sector, as well as the Infrastructure and Platforms Sector.

222. Delegation of Poland: Thank you very much, Chair. For the sake of saving our time, we will be very brief and focus our statement on the Brands and Designs Sector. The CEBS Group acknowledges the important role of the Brands and Designs Sector with its potential growth. They are an important source of market power and thus essential to economic growth and development. We therefore fully support the development of various initiatives towards the promotion and marketing of different systems, systematic upgrade of the IT infrastructure, as well as activities to provide legal and technical assistance. We also take note of the provisions of budgetary resources with regard to a Diplomatic Conference for the adoption of a Design Law Treaty Plan for 2024.

223. Delegation of Peru: Thank you very much, Chair. We speak on behalf of a trans- regional Group of countries. We recently celebrated the accession of the African Intellectual Property Organization (OAPI) to the Geneva Act of the Lisbon Agreement. The Lisbon System now comprises 40 contracting parties offering protection in up to 70 countries. In our view, the recent inclusion of 17 African countries under the Geneva Act, as well as further accessions to be expected this year, sends a strong political signal of the increasing attractiveness of the Lisbon System at a global level. This particularly displays the growing interest of Member States in the different regions of the world to use intellectual property rights as a tool for economic and sustainable development. Geographical Indications holds an important potential to benefit in particular, micro, small, and medium size enterprises and communities in rural areas. GIs illustrate how IP can be an engine for economic empowerment, and value creation for everyone, everywhere, in line with the WIPO Medium-Term Strategic Plan 2022-2026. For this potential to unfold, WIPO's Lisbon registry must increase its capacity to absorb the needs of a quickly growing membership. In particular, we attach great importance to the fact that the Lisbon registry ensures an efficient and smooth functioning of a modern electronic system of registration, notification, and publication, so that the participation in the Lisbon System does not result for the contracting parties in avoidable administrative burdens and backlogs in filings and decisions of protection. An efficient and effective management of the Lisbon System, in particular, as regards electronic tools and the updating of online information, is in the interest not only of GI beneficiaries and the competent administrations of the contracting parties, but also of trademark owners and applicants. In addition, the Lisbon registry needs to ensure the capacities for legal and technical advice for the implementation and administration of the Lisbon System in favor of contracting parties that would request such support, in particular developing countries and transition economies. We note with great concern that the Lisbon registry is currently underfunded, understaffed, and consequently underperforming. We welcome the planned increase of the budget for the Lisbon System. However, the proposed Program of Work and Budget for 2024/25 does not in fact provide the Lisbon registry with sufficient additional resources to address the current and potential future backlogs in GI filings and other deficiencies. We are facing long delays between the filing of applications and the notification of such filings to other Lisbon members. This creates periods of legal uncertainty during which competitors do not know if their GI or trademarks applications are cut by previously filed GIs. We need a more effective Lisbon System to facilitate the digital registration as well as an up-to-date Lisbon express database to publish notifications of new registrations and other changes made in the international register. We need more staff who know how to manage the software and who are familiar with the Lisbon System. With newly acceding contracting parties, the problem of the inefficiency of the registration system will be further aggravated. There will be more demand but hardly more resources to process those requests. At the same time, contracting parties would still have to publish new international registrations on their own to ensure a due process of public consultation. This is at odds with the priority expressed in the Proposed Program of Work and Budget for 2024/2025, which states "special focus in the biennium 2024/25 will be on ensuring no backlog..." in processing filings. From an institutional point of view, the Lisbon registry does not enjoy the same standing as the Madrid and Hague registries. While the institutional setup of this Organization remains within the prerogative of the Director General, we should bear in mind that the structure of an organizational chart may be read as carrying a judgement of value. Characterizing one registry as inferior to others sends a questionable political message to its growing membership. A multilateral coalition of African, Asian, Latin American, and European countries has come together to request important changes to the administration of the Lisbon System by WIPO. First, in line with the priority expressed in the Proposed Program of Work and Budget for 2024/25 to address the backlog in registrations, we propose a substantial increase in resources, including adequate staffing to improve capacities to urgently address the current backlog, as well as the anticipated workload resulting from the growing membership and the delivery of technical assistance, as well as the full deployment of the functionalities of the new IT platform, eLisbon. Second, with the intention of ensuring an appropriate political signal to the Lisbon membership, our coalition is

encouraging the Secretariat to find solutions regarding the institutional arrangement that could be made for the Lisbon registry. We are counting on the Secretariat's commitment for WIPO to deliver for all its members and look forward to following up in the 36th session of the PBC.

224. Chair: I would like to remind speakers not to speak for more than two minutes per Delegation in accordance with the rule you are all familiar with. The objective is to be able to move forward with our debates constructively.

225. Delegation of Colombia: We would like to congratulate the Patents and Technology Sector for the Program of Work and Budget for 2024/25. We see that around 92 per cent of the results are addressing IP services, which are of high quality. We would like to know specifically how it is determined that support for development of normative IP frameworks is balanced.

226. Delegation of Japan: Regarding the Patent and Technology Sector, as we recognize that almost 77 per cent of WIPO's income is PCT free income from applicants, the activities of this Sector are very important. We welcome the allocation of nearly 300 million Swiss francs to ER 3.2, Improved Productivity and Service Quality of WIPO's global IP systems, services, knowledge and data, as we believe that maintaining and improving the quality of such international filing services should be a priority. We also commend the Sector's effort to work with WIPO's Customer Experience Section to develop strategies that enables the PCT service stakeholders to receive more and more benefit of its service. We look forward to continuing activities to make the service more convenient for PCT users.

227. Delegation of Italy: The Italian Delegation joins the statement made by Peru on behalf of a trans-regional Group of Lisbon members. Now that the Lisbon System is finally becoming more global, we encourage WIPO to take credible action to manage the Lisbon Register in an efficient and appropriate manner in line with WIPO quality standards and members' expectations. We would like to highlight again the role that agri- and non-agri geographical indications can play nowadays at a business' strategic level, in particular, for small businesses in developing and disadvantaged areas. We are convinced that an adequate international production and valorization of GIs will contribute to bringing economic benefits at the local level, and promoting economic and sustainable development. Indeed, GIs can be seen as a powerful tool for local culture and traditional skills to be preserved and valorized in the interests of both producers and consumers worldwide. Consequently, taking into consideration the reason and the potential for further expansion of the Lisbon membership, we now expect WIPO to take swift action to implement a more effective management of the Lisbon Register, including key aspects, such as the update of the Lisbon express database, and eLisbon. In particular, we expect that GI applications will be processed without undue delay in the interest of all international stakeholders involved, including trademark owners who also require legal certainty and transparency. Moreover, at the same time, outreach and support activities, as well as training, capacity building, and the legal and technical assistance should be made available by WIPO to respond to the members' needs in this field. In short, considering the expected results and performance indicators for the Lisbon System in the Proposed Program of Work and Budget for 2024/25, we believe that the allocated resources are not sufficient to achieve those goals in due time, and therefore, we call for revision in this regard. We would like to recall that the Lisbon System should be offering its users the same level of quality, timeliness and productivity already offered to patent, trademark and design applicants.

228. Delegation of Cambodia: I take the floor in my national capacity. My Delegation associates itself with the statement made by the Delegation of Peru on behalf of the trans-regional Group of countries. Since it is the first time that my Delegation takes the floor, I would like to begin by congratulating you, Chair, and Vice Chairs, on your election. My Delegation has full confidence in your leadership to guide us through our deliberations and assure you of our full support throughout the entire week. My Delegation extends its appreciation to ADG Staines for his opening remarks and to the Secretariat for its tireless efforts in the preparation and timely

delivery of working document for this PBC. As an LDC member of this Organization, Cambodia places great value in geographical indications to bring intellectual property benefits to micro, small, and medium enterprises, and the grassroot community for the economic development and job creation toward poverty reduction in the rural areas. This is achieved through the successful registration and brand building of geographical indications and collective trademarks, for example, “Kampot pepper”, “Kampong Speu palm sugar”, “Koh Trung pomelo”, “Mondulkiri wild honey” and “Koh Kong Crab”, under the technical assistance provided by WIPO and development partners. During the recent World Intellectual Property Day in 2023, Cambodia launched three GI products which will generate further economic empowerment, improve the livelihood for concerned communities and strengthen supply chain development for those products. In alignment with the rectangular strategy phase four of the Royal Government of Cambodia, we are in the process of filing more applications for registering geographical indications in the Lisbon System. In this connection, my Delegation appreciates all the support. Being part of a multilateral coalition, Cambodia encourages the Member States and the Secretariat to find solution to address the current challenges and backlogs of the Lisbon System. This is crucial if we want the Lisbon System to be effective, efficient, and responsive to the filing needs of members. For Cambodia, we believe that the improvement will only facilitate our upcoming applications to register in the Lisbon System smoothly, and in a timely manner.

229. Delegation of the United States of America: As this Delegation noted earlier, the United States believes that increases in expenditure should be undertaken with great prudence given the current economic climate. On that note and regarding the Brands and Designs Sector in particular, we understand that the Proposed Program of Work and Budget for 2024/25 proposes an increase to the Lisbon Union’s budget in the amount of 769,000 Swiss francs, an approximate 30 per cent increase over the Program of Work and Budget for 2022/2023. This also includes a proposed increase of 391,000 Swiss francs for Lisbon Union promotional activities, which is approximately a 46 per cent proposed increase compared to the 2022/2023 figures. We also note that the promotional budgets for the other three fee financed unions – the Hague, Madrid and PCT – have decreased as compared to their 2022/23 figures. The proposed increased budget for the Lisbon Union is very concerning to this Delegation given that the Lisbon Union continues to run at a deficit. Specifically, we note that the Lisbon Union’s projected deficits for the 2022/23 and 2024/25 biennia are respectively 1,945,000 Swiss francs, and 2,879,000 million Swiss francs. In other words, the deficit would only be growing larger if this Committee were to approve this proposed increase. The proposed increase for funding for the promotion of the Lisbon System is particularly concerning giving that the Lisbon System continues to run at this deficit and WIPO and its Member States have not charted a path forward that will allow all fee funded unions to reach financial sustainability. The United States will continue to urge all Member States to ensure that all fee-funded unions abide by their treaty obligations and collect income sufficient to cover each union’s expenses including their fair share of the Organization’s common expenses. On the issue of the program of work, the United States encourages WIPO to undertake a balanced and fair approach in its programmatic work on GIs.

230. Delegation of the Russian Federation: The Russian Federation notes that WIPO is a complex Organization in terms of its structure. In essence, under its umbrella, it brings together several autonomous unions. We underscore that the Lisbon System is the youngest of these unions and is in a development stage. The Lisbon System faces ambitious challenges such as active popularization of the Lisbon System through the Geneva Act and broadening of that participation, as well as technical assistance and capacity building to Member States. Pursued modernization and simplification of the basic legal framework in this connection, the shortfalls in financing of the Lisbon System may have a negative impact on the overall development of the system. As of May this year, the Russian Federation deposited its instrument of accession to the Geneva Act of the Lisbon System. The Russian Federation will continue to support WIPO in enhancing the Lisbon System and stands ready to make a substantive contribution to this work. In addition, WIPO can count on us in terms of strengthening the unity of the Organization

overall. In this connection, we consider that the question of sufficient funding for the Lisbon System of the utmost importance.

231. Delegation of France: The French Delegation aligns itself with the statement delivered by Peru in support of the Lisbon System. As many have already said, the clear interest that exists in the value of protecting agricultural and artisanal products through the GI system has led, in recent months to a significant increase in the number of accessions to the Geneva Act, and the system being extended to a broad range of parts of the world. The decision by the WIPO Director General to accord additional resources to the Lisbon System is therefore fully justified and we welcome this first step. We are pleased to see that more countries are choosing the system of geographical indications. This is a valuable system, and it is to the benefit of territories and populations throughout the world. We are also pleased to see that WIPO supports this movement. It therefore seems appropriate for WIPO to make up for shortfalls in the system in terms of resources allocated to the Lisbon System.

232. Delegation of Hungary: This Delegation aligns itself with the statement delivered by Peru on behalf of the trans-regional Group of Lisbon members. Hungary has always been a committed supporter of the Lisbon System of appellations of origin and geographical indications. We note with great satisfaction, the expansion of this global IP registration system, which now offers protection in up to 70 countries. After many silent years, a few years after the reform of its legal framework, we see the Lisbon System as dynamic as ever before. It goes without saying that the huge amount of work behind this performance required enormous efforts and without sufficient capacities the high level of performance cannot be maintained in the future. We welcome the planned increase of the Lisbon System's budget. However, we believe that the system would need even more resources in order to address challenges in the legal, administrative and IT fields, and thus make the system as efficient and effective as possible.

233. Delegation of Algeria: My Delegation would like to emphasize the need to provide the adequate staffing and resources to all WIPO registries, particularly the Lisbon registry because we believe the Lisbon System is expanding with the membership covering wide regional coverage. We also believe that measures should be taken to address the backlog that is noticed within the system and to allow more staffing and resources to avoid any future backlog within the system. That being said, we call upon the Secretariat to continue improving the functioning of the system and to address the understaffing of the system by taking concrete measures in this regard.

234. Delegation of Iran (Islamic Republic of): With regard to the very important issue of the budget allocation of the Lisbon System, we are of the view that we need to ensure that financial sustainability of the Lisbon System is to be set out due to the utmost importance that should be given to protection of geographical names, geographical indications and appellations of origin and corresponding applications. Therefore, we fully support the increase in the budget allocated to the Lisbon System and we urge all Member States to do the same.

235. Delegation of Nigeria: The protection of intellectual property rights is not in itself conducive to development. If IPR regimes lack safeguards, such as exceptions and limitations, this can hinder development goals. My Delegation observed that development activities in the Proposed Program of Work and Budget for 2024/25 have hardly explored the use of TRIPS flexibilities to its maximum. On strategic pillar four, Expected Result 4.1 we propose to add "a balanced" after "More effective use of...." and delete "including flexibilities" just to ensure that we strike the balance in the use of IP.

236. Delegation of Switzerland: Our Delegation would like to speak with regard to the Brand and Design Sector as well as the Patent and Technology Sector. On the Brands and Designs Sector, we would like to recall the importance we attach to geographical indications and the Lisbon System. Consequently, we fully support the statement delivered by the multilateral

coalition of countries of Africa, Asia, Latin America, and Europe for supporting this system. We count on the Secretariat to bring about the changes sought by this coalition and to report on this at the 36th PBC session. With regards to the Patents and Technology Sector, we have a number of questions for the Secretariat with regards to its desire to move PCT Offices toward outward-looking roles. Assuming this emanates from the HR strategy 2022-2026, our Delegation notes that the relevant references included in the Proposed Program of Work and Budget for 2024/25 for Patents and Technology are quite general. We would like to know how many staff numbers are concerned by this change for the 2024/25 biennium. What will their new outward-looking functions involve? What about the PCT posts which maybe affected by this very technical roles that require significant experience and training? Bearing in mind that the proper development of the Lisbon System is crucial to the future of the Organization, it is crucial to our Delegation for the PCT system not to be adversely affected by the new planned organizational model. We would therefore ask if the Secretariat could include the information my Delegation has requested in the revised version of the Proposed Program of Work and Budget for 2024/25.

237. Delegation of Pakistan: My Delegation supports the proposal made by the distinguished Delegate of Nigeria regarding IP and flexibilities.

238. Delegation of Ghana: This statement is made in our national capacity. We would like to indicate our support for the statement delivered by Peru on the Lisbon System.

239. Delegation of the Czech Republic: As this is the first time we are taking the floor in this session, let me congratulate you and your Vice Chairs on your appointment. The Czech Republic would like to reiterate its longstanding interest in the development of the Lisbon System. In this context, we share the concerns expressed by a number of Delegations regarding the insufficient capacity of the Lisbon registry to administer the increasing number of GI filings, as well as to absorb the needs of the quickly growing membership of the Lisbon Union. As we will continue to monitor the situation, we expect that these concerns will be swiftly addressed to ensure a smooth and efficient functioning of the Lisbon registry for the benefit of its users and the IP community overall.

240. Chair: As there are no further requests for the floor at this time and to give the Secretariat an opportunity to answer your questions, we will take a 10-minute break and resume at 4:30 sharp, thank you.

241. Chair: We will pick up where we left off. I would like to give the floor to the Senior Director, PCT Services Department in the Patents and Technology Sector. He will also give the floor to other colleagues in this Sector in order to respond to questions. After that, I would give the floor to the Deputy Director General, Brands and Designs Sector and she too will give the floor to other members of her team.

242. Secretariat: Thank you, Chair for giving us the opportunity to respond to the questions from the distinguished delegates. With respect to the question from the distinguished Delegate of China regarding the budget for representation and other operating expenses, the budget is primarily linked to anticipated retirement-related activities within the Patents and Technology Sector. In addition, other hospitality foreseen in the context of promotion of gender and IP-related programs in 2024 and 2025 is included. Even though the budget has increased, the amount is very small compared to other items. On the questions from the Delegation of Switzerland on behalf of Group B, Colombia, and Switzerland in its national capacity, with your permission Chair I would like to ask my colleagues to respond to those questions.

243. Secretariat: Thank you very much, Chair. In respect to the question from the Delegate of Switzerland on behalf of Group B regarding the performance indicators under Expected Results 4.2 and 4.3, I would like to provide a couple of clarifications. The baselines that the questions

are firstly targeting were taken from the WPR. With respect to ER 4.2, No. and % of Member States satisfied with the legislative policy advice provided, this baseline was based on 16 responses, based on assistance provided to 17 Member States. Not all Member States responded to the questionnaire as they were sent out. With respect to ER 4.3, level of satisfaction of participants in capacity building and training activities on patent law and related matters, the baseline in the WPR was created based on 159 responses. Another asterisk there, the baseline here is not measuring Member State feedback but the feedback of the participants in the seminars that were held in the framework of these activities. I would like to draw attention of the distinguished delegates of this Committee that we have been working on a new evaluation questionnaire and a new method of collecting feedback from Member States relating to ER 4.2 that we are deploying from this year onwards. That will result in a more robust feedback framework that the delegate of Switzerland on behalf of Group B had requested.

244. Secretariat: In respect to the Delegate of Switzerland's question concerning the transformation of the PCT formalities examiners, this is a continuation of a pilot project on the transformation of the PCT operations workforce from a PCT application driven to a PCT user driven approach. We are changing our focus from the processes and the dossiers, to the users' needs and behavior, in order to proactively intervene with the users to advise them on how to use our PCT tools. The goal and objective of the transformation is to provide value-added service to the users and to enhance the productivity and efficiency.

245. Deputy Director General, Brands and Designs Sector: Thank you for your attention to the development of the Lisbon System, which is the youngest in terms of Registry and the least developed system. We have been working very hard to make sure that the System is operationally effective, but we did encounter certain difficulties in 2022. Nevertheless, we have been doing our best in close consultation and cooperation with other Sectors, with the support from the Director General, and with Member States, and we have made progress. I would like to pass the floor to the Director of the Lisbon Registry, to give you an update on how we are managing to make sure that the Lisbon System will be developing in a healthy way.

246. Secretariat: I would like to provide information concerning the work that we have undertaken with Lisbon Registry colleagues in this biennium. Concerning the treatment of Lisbon transactions, as you have heard yesterday, we have now at our disposal a new IT system that is meeting state-of-the-art platform standards for managing registration systems internationally. You had demonstrations of the IT platform during the last two sessions of the Lisbon Working Group. The crucial need for developing that IT system had as a consequence that the Lisbon Registry had to allocate its human resources to the development of the IT system. This was done mainly in 2022. Since we now have a new IT system at disposal, the members of the Lisbon System have seen that we have resumed, since November 2022, the notification of Lisbon transactions more or less on a weekly basis. Since then, Lisbon members have been receiving on a regular basis several transactions to examine. We are now trying to be back to normal speed for the treatment of Lisbon transactions, thanks to the support received from FIT China and FIT France that enabled us to have new colleagues helping us with the treatment of Lisbon transactions. With these resources, we are hopeful that, within this year, we could be fully on track with the treatment of Lisbon transaction that we have received to date. Of course, with the increasing number of countries joining the Lisbon System, it will mean an increasing number of transactions in the future. However, be reassured that we are consistently reassessing the priorities and allocating available resources to the treatment of Lisbon transactions. We do our best also to assist acceding members during the process of accession, as well as during the implementation phase of the Lisbon System at domestic level. That part of the Lisbon Registry work should not be forgotten. To summarize, we do our best to allocate the resources that we have at disposal, based on the different tasks that we have to do, and taking into account the comments made and priorities set by WIPO Member States.

247. Chair: Thank you very much, Deputy Director General, Brands and Designs Sector and thank you to the rest of the Brands and Design Sector for your replies. At this juncture, I would like to remind you, as I said this morning that in looking at the document we have available to us, we are not just looking at a review of the two Sectors as such but also review of the annexes which are tools for looking at these Sectors, which are annexes V and VI. Therefore, I am going to open up the floor for anyone who has any comments to share with us on these two annexes. I am going to open up the floor, so that we can have comments on these two annexes, which I say, are complementary to the discussion we have had on the questions you have already raised about these two Sectors. There are no requests for the floor, however, I am going to pass the floor to the Secretariat because they have received proposals and therefore they would like to make comments about some general points that have come up in questions from delegations.

248. Secretariat: On the question from the Delegation of Nigeria related to the modification of wording for Expected Result 4.1, I just wanted to remind again all delegations that the expected results come from the Medium-Term Strategic Plan 2022-2026. However, we are definitely in the hands of the Member States, should you wish to make any changes. These changes would need to be reflected as part of the decision paragraph at the end of the session and we will follow those instructions.

249. Delegation of Nigeria: I did not quite get the response from the Secretariat so I request the floor to get better clarification on Nigeria's request, which I know that some member countries are also in support of.

250. Secretariat: The wording on the expected results comes from the Medium-Term Strategic Plan 2022-2026, which has been used for the Program of Work and Budget for 2022/23, and for the Program of Work and Budget for 2024/25. Should there be agreement by the PBC to modify the wording of the expected results it would need to be reflected as part of the decision that the PBC takes at the end of the 35th PBC session. We would then follow that decision to prepare the Proposed Program of Work and Budget for 2024/25 for the 36th PBC session.

251. Delegation of China: I have a follow-up question to the previous speaker from the Patents and Technology Sector. We really thank the Director for his explanation on representation cost. The Secretariat's responses tell us that such increase comes from retirement-related expenses or some other scaling up expenses. Well, we just want to know how do we distribute such expenses in those two areas? Furthermore, we would like to know, according to previous WIPO budgets over 10 or even 20 years, if such expenses have always been low? Does that mean that the Patents and Technology Sector does not really have such demands? We would really like to know about the promotional activities, and in what countries are they carried out? Why do such activities need such a huge amount of resources?

252. Secretariat: I mentioned that the budget is primarily linked to retirement-related activities because it is governed by the provisions therefore we would like to have bilateral discussion with the Delegation of China in order to clarify on the kind of activities. I also mentioned that the other hospitality was included in the budget in relation to the promotion activities of gender IP programs in 2024. The hospitality is also governed by the internal rules. I would also like to share the information bilaterally with the Delegation of China.

253. Chair: I open the floor now for the next two Sectors as of page 31 of the Proposed Program of Work and Budget: the Copyright and Creative Industries Sector and the Regional and National Development Sector. The floor is open for statements, Switzerland you have the floor.

254. Delegation of Switzerland: Regarding the Copyright and Creative Industries Sector, Group B follows with great interest the activities undertaken in this important Sector. We would

be interested to obtain more information regarding the performance indicators on the number and percentage of Member States satisfied with the legislative and policy advice provided. The current Program of Work and Budget for 2022/23 refers to 19 responses as constituting 100 per cent. In the Proposed Program of Work and Budget for 2024/25, the number of responses is not provided to allow for comparison. Regarding the Regional and National Development Sector, Group B appreciates that figures are now provided regarding the implementation of topics on intellectual property and development discussed in the Committee on Development and Intellectual Property as well as on national, sub-regional and regional projects. This useful information helps Member States obtain an overview of the volume of implemented projects. We would like to understand why the PCT system is no longer mentioned under Strategic Pillar 3.1 - Wider and more effective use of WIPO's global IP systems, services, knowledge and data.

255. Delegation of Poland: The Copyright and Creative Industries Sector is an essential component of sustainable development and have been dynamically growing across the CEBS region. The increased digitalization of industries and broader exposure of our societies and economies to new challenges related to Artificial Intelligence dictate the need for WIPO's enhanced efforts in ensuring effective response to these changes. Balanced copyright frameworks and development of tools related to copyright and development, management and digital outreach continues to be a priority for CEBS Members. We therefore, welcome increased budgetary resources allocated for this purpose. The CEBS Group supports the intensification and broadening of scope of operations within the Regional and National Development Sector, which leverages the unique knowledge of and engagement with Member States. The 9 per cent budget increase for this Sector reflects CEBS Members expectations of demand-driven approach in WIPO activities. Development of cooperation between WIPO and Member States, also through improved communication with relevant stakeholders, is necessary for better understanding of all aspects of creativity and innovation ecosystems. This in turn is critical for ensuring more effective use of intellectual property for growth and development. We count that all regions can enjoy strengthened cooperation through the increased resources allocated to this Sector. While discussing this topic, we kindly ask the Secretariat for more detailed information regarding the budget planned for operations and activities of External Offices. We appreciate the information about the budget for individual WIPO's External Offices. Nevertheless, further clarification on what envisaged activities correspond to the budgeted personnel and non-personnel resources would be helpful.

256. Delegation of Colombia: We would like to thank the Copyright and Creative Industries Sector for the Proposed Program of Work and Budget for 2024/25. Page 34 indicates the nine Expected Results and outcomes for 2024/25. We are struck by the fact that out of the nine, only two, E.Rs 1.1 and 4.1 account for 63 per cent of the budget allocated to this Sector. Previously, the sum of these two items amounted to 57 per cent. In other words, there is an increased concentration of the budget on these two Expected Results. At the same time, only 3 per cent of the budget is allocated to emerging topics and the so-called intellectual property challenges area. We have some 24 million Swiss francs for intellectual property potential developments as well as work with innovators, entrepreneurs and academia. We would only have a little over 1 million Swiss francs to address challenges deriving from intellectual property by our calculations. With this in mind, I have three questions. What is the reason for this distribution with such a small budget allocation for challenges and what are the challenges? From what I have observed, musicians receive insufficient remuneration on platforms such as Spotify and authors whose contribution to well-known TV series on platforms such as Netflix, for example, need to be recognized. Secondly, I would also like to refer to Contractual Services on page 35 - why do we have this duplication? Thirdly, what about the budget for intellectual property flexibilities pursuant to objectives 14, 16, 17, 19 and 20 of the Development Agenda, i.e. the Sustainable Development Goals?

257. Delegation of the United States of America: My comments are on the Regional and National Development Sector. Our Delegation would like to address the issue of funding of

WIPO External Offices. Firstly, we would like to thank the Secretariat for providing the breakdown of the External Offices budget as part of the Questions & Answers document. As we mentioned earlier, it is important to provide such information in advance of the Committee meeting as a part of the Program of Work and Budget document. We request specifically that this information be included as one of the annexes moving forward as a matter of regular practice. While we were reviewing the Questions & Answers document, we would like to make the following initial observations: we note with concern that the budget proposed for the External Office in the Russian Federation is five times larger than what was utilized in 2022. The WIPO External Office network is an integral part of the Organization, and as such, operates under the same mandate, goals, priorities and principles. Since its unjustified invasion of Ukraine on February 24, 2022, Russia has passed legislation and issued decrees which undermine the protection and enforcement of intellectual property rights for foreign rights holders. These actions do not align with WIPO's mandate and prevent Russia, the host country of one of the WIPO External Offices, from contributing to the achievement of WIPO's mission, vision and objectives. In view of the inability of this particular External Office to fulfil its role and contribute to the Expected Result 4.3, and other relevant expected results, we question its proposed budget for the next biennium.

258. Delegation of the Russian Federation: Once again we would like to raise a point of order and ask you to call for delegates to please respect the agenda and mandate of our Committee, thank you.

259. Delegation of Japan: With regards to the Regional and National Development Sector, in collaboration with WIPO, Japan has been providing assistance to developing countries, through the Industrial Property Global Funds-in-Trust, namely FIT/ Japan IP Global since 1987. We would like to continue our efforts to make our assistance programs more productive and therefore we have been focusing on project-based programs in the recent years. The Japanese Government, in cooperation with WIPO, is committed to further improving its cooperative initiatives, to ensure that the 5th Japan Industrial Property Global is used more efficiently and effectively.

260. Delegation of Ukraine: Dear Chair, honorable delegates, Ukraine fully supports the statement made by the distinguished Delegation of Poland on behalf of the CEBS Group and I am honored to deliver this statement in my national capacity. The Ukraine Delegation would like to thank the Secretariat for preparing the Proposed Program of Work and Budget for 2024/25, as presented in document WO/PBC/35/5. Ukraine acknowledges WIPO's continued efforts to promote and protect intellectual property and to encourage creativity across the world. Ukraine is still confident in WIPO's potential and does believe that WIPO's first task under the Convention establishing WIPO is to contribute to better understanding, and cooperation amongst Member States for their mutual benefit on the basis of respect for their sovereignty and equality. We call on the international community to respond to Russia's war of aggression against Ukraine, as it is prescribed in the United Nations General Assembly Resolution (A/RES/ES-11/1) Aggression against Ukraine. The international community should be united and strong to preserve the capacity of basic morals and principles of International Law. We align with the CEBS Group point regarding the need for more detailed information on the budget allocated to operations and activities of External Offices. Additionally, we emphasize that it is impossible to fund and promote projects in the countries that blatantly violates Article 2, paragraph 4 of the UN Charter. Russia has no right to shape further the international agenda. It was ousted from more than 25 International Organizations and other forms of multilateral cooperation. In response to Russia's role of aggression against Ukraine we call for the termination of funding for projects in the Russian Federation, specifically - financing of the External Office in Moscow, financing of all the development projects, including the TISC network, and the national ITTC and financing the participation of delegates from the Russian Federation in WIPO's Assemblies, Standing Committees and Working Groups, at WIPO's expense. Finally, we would also like to draw the attention of distinguished delegates and the

WIPO Secretariat to the World Health Organization decision to close WHO NCG office in Moscow and relocate it to Copenhagen. It is an excellent example for other international organizations, including WIPO, of how to end Russia's negative influence and show that those who break the rules will be punished. The Delegation of Ukraine firmly believes that timely and comprehensive evaluation of budgeted personnel and non-personnel resources allocated to the Russian Federation would enable Member States to make decisions regarding the future of the network.

261. Delegation of the Russian Federation: We would like to note that as we have said in the course of the general statement segment, we consider it absolutely inappropriate, any attempt by a series of Member States to politicize the process of discussion of the questions to be considered in the course of the Program and Budget Committee. We note that the intellectual property system of the Russian Federation continues to function effectively with careful observance of international obligations, pursuant to international treaties, the TRIPS Agreement and the various WIPO administered treaties and the equivalent on trade-related aspects of Intellectual Property of the TRIPS Agreement administered by the World Trade Organization. The Russian Federation is pleased to note the effective operation of WIPO's External Offices. We are convinced that the External Offices are an important instrument for achieving WIPO's objectives and promoting global services in various regions. External Offices play an important role in cooperation with national administrations and agencies, the academic community, as well as applicants from those regions and countries, including the users of the international registration system. In this connection, we consider inappropriate politicizing this issue. We request that Member States observe the mandate of the Committee and the Organization, keep to the agreed agenda and avoid destructive steps in the course of discussions.

262. Delegation of Algeria: I would like to address the Regional and National Development Sector. With regards to Development Agenda Coordination, on page 37, we would like to introduce some inputs that reads as follows:

- (i) "The Development Agenda sits at the core of what WIPO does. It establishes an ethos central to ensuring an inclusive IP system that benefits all." We want to replace "inclusive" with the term "balanced";
- (ii) "...implementation and mainstreaming of the DA recommendations in the substantive activities of the Organization..." to be replaced by "...in the various areas, operational Sectors and substantive programs of the Organization";
- (iii) "...based on the work of Member States..." to be replaced by "...supports the implementation of the work of Member States in the Committee on Development and Intellectual Property";
- (iv) "...to reinforce DA importance", to be replaced by "...DA effective implementation";
- (v) "...through..." to be replaced by "new impact driven initiatives"; and
- (vi) "...the use of support for IP and growth development," to be replaced by "...support the use of IP and development.

These are our comments; we can share them with the Secretariat. Concerning External Offices, my Delegation appreciates the work of the network of External Offices to bring WIPO services closer to Member States. We highlight the fact that the External Offices in all regions should be given adequate staffing to ensure efficient and effective program management and improve their performance in line with WIPO's results-based management framework. We once again call on the Secretariat to provide WIPO External Offices in Africa with the required staff to ensure the good functioning of those offices.

263. Chair: I would like to remind all delegations that any proposal to amend or add to the document will be more than welcome in writing, to the Secretariat, thus ensuring the correct reflection of your proposals and facilitating our work. Therefore, if delegations wish to seek any modifications in addition to announcing them here in the session, please send an electronic copy to the Secretariat. The delegate of Algeria has indicated that he will share an electronic copy of his proposal which is the right thing to do.

264. Delegation of Poland: I take the privilege to speak in my national capacity. Discussions about our future budget take place in the vulnerable geo-economic and geopolitical situation, and the post-pandemic struggle, amplified by consequences of the Russian war of aggression against Ukraine. In terms of this instability and entailed economic constraints effective and result-oriented allocation of resources is even more important than before. The currently proposed budget for the WIPO External Office in Moscow deserves our attention and requires revision, against the backdrop of its limited, instead of enhancing efficiency, product delivery, as well as capacity to address specific needs of the countries it serves. As requested earlier in the CEBS Group statements we would ask the Secretariat for more detailed presentation about the results achieved by the Moscow External Office in 2022, against the results defined for this period, as well as providing us with further justification and the criteria for this budget allocation for the 2024/25 biennium, which has been significantly increased in comparison to 2022.

265. Delegation of Pakistan: We would just like to request that the written proposals from Member States should also be circulated amongst all members in track changes in the revised document, when ready.

266. Chair: The Secretariat pursuant to the final decision point and with the view of ensuring the necessary consensus will endeavor to circulate the revised version to facilitate our work. We have no further requests for the floor at this juncture. Therefore, to enable the Secretariat to prepare their replies we will take a brief 10 minute break. We will resume in 10 minutes at 5:40 pm.

267. Delegation of the Russian Federation: Certain delegations requested an assessment of the work of WIPO's External Office in Moscow. I would like to draw attention of the Secretariat and Member States to the fact that the issue of such an assessment goes beyond the framework of this particular Agenda Item and will be covered under Agenda Item 11. At the same time, we consider it absolutely unacceptable any attempt to politicize the process of assessment of the work of a specific office. In line with the decision of the Assemblies, the PBC is tasked with preparing and agreeing upon a mandate for the work of the network of External Offices. The mandate at this stage has not yet been agreed upon. In this regard, we call upon Member States to restrict themselves to the agreed agenda.

268. Delegation of China: Member States should focus on the Agenda Item under discussion and facilitate the discussion in a non-politicized and constructive manner. Regarding this Sector, we have two points to raise. Firstly, China is of the view that WIPO's External Office network across the world is an important extension of WIPO's work and its smooth functioning is of great importance to this Organization. Additionally, taking into consideration the fact that Africa is an important region for WIPO's development work and that WIPO will continue to expand its expenditure on development in the next biennium, we suggest that WIPO consider increasing resources in the existing two African External Offices. This will help them play a greater role in promoting the use of intellectual property to drive economic development in the region. Secondly, China also noticed that the expenditure of fixed term and temporary staff have both increased significantly, with the overall personnel resources increment of 4.22 million Swiss francs. We would like to request the WIPO Secretariat to elaborate on where these positions will be in the Regional and National Development Sector.

269. Chair: The Secretariat needs to prepare the responses to your questions, especially those concerning the relevant Sectors. However, given the time, I am going to give the floor to the Deputy Director General, Copyright and Creative Industries Sector for her to respond to your questions. We will then adjourn and tomorrow, we will hear from Deputy Director General, Regional and National Development Sector about his Sector. I think it is very important that we do keep to our allocated time. I give the floor now to Deputy Director General, Copyright and Creative Industries Sector.

270. Deputy Director General, Copyright and Creative Industries Sector: Thank you very much, Chair. In our Sector we received two questions, the first is to do with Strategic Pillar 1, Expected Result 1.1. My colleague, Director, Information and Digital Outreach will respond to this question.

271. Secretariat: I am delighted to respond to the question about digital outreach raised by the CEBS Group and Colombia. Firstly, let me give a little background. In the last biennium we decided it was appropriate to pilot the potential significant increase in our digital outreach activities and in particular, we piloted search engine optimization of our website and search engine advertising. Search engine optimization is a method by which we improve the keywords on our webpages, in order to generate free web traffic and search engine advertising is campaign focused. These pilots were especially successful and so they have been mainstreamed this year and they will continue at a higher level in the next biennium. To give you an indication of the impact so far this biennium, we have generated 1.3 billion Wikipedia page views, 122 million search engine-advertising impressions, and the World IP Day campaign alone generated 15 million impressions. This year, we have focused on one brand, one navigation, and the universal look and feel for our website recently launched and this will also carry forward into the next biennium. The early results so far this year have indicated a significant number of new users, which is especially successful. In the next biennium, we will have additional activities relating to the tone of voice, and by this, I mean we will have a more friendly and open way of approaching users of our website, less institutional, and less legalistic, reaching out to new users, and we will be mainstreaming the new functionalities of our new content management system. An example here is the ability to share our content. So all of these pilots and tests and new activities will be mainstreamed in the new biennium. In addition, there will be two significant new projects, one of which will be the digital publishing platform, and in terms of outreach, this will be especially effective, because it will enable us to publish simultaneously in multiple digital formats, to multiple channels and platforms, but it will have significant internal impacts, in terms of improved digital workflow. The second new project for the new biennium is an intranet site, so this is an intranet site for the sharing of content amongst WIPO staff to improve our various human relations activities and to improve communication internally.

272. Secretariat: In response to the question concerning the baseline used to set the target of 90 per cent "satisfied" or "very satisfied," under Expected Result 4.2 under Strategic Pillar 4 - we can find that information in the WIPO Performance Report 2022, based on 7 survey responses. The satisfaction rate was 100 per cent from these seven out of the 27 countries that received legislative advice. There is sometimes a delay in receiving the survey responses, so it is possible that more will be received. We also have been working very hard to try to increase the number of survey responses that we receive.

273. Chair: I thank the Secretariat for the responses provided. We are very punctual, it is 6 pm. As planned and in order to observe the rest times for our interpretation team, and also to respect the time of delegates here and those who are joining us in hybrid format I would like to finish for today. We will begin tomorrow by addressing questions concerning the Regional and National Development Sector. Let us resume tomorrow, have a very good evening.

274. Chair: We are going to resume our work in this Program and Budget Committee today, Wednesday, and we will continue with the main item on our agenda which is Agenda Item 8: Proposed Program of Work and Budget for 2024/25. This is a complex and long process, as it is inevitable that we receive different information at different times for instance we have different departments dealing with specific aspects of the Proposed Program of Work and Budget for 2024/25 which will be addressed. We discussed yesterday the Copyright and Creative Industries Sector and the Regional and National Development Sector.

275. Delegation of Uruguay: I am asking for the floor to make a general comment. It is a point of order. We are seeing a process of Questions & Answers going into a high level of detail, meaning that we need expertise and in-depth technical responses from different areas within the Organization. Against this backdrop, I would say that it is a valuable exercise here in this room to have these Questions & Answers. Therefore, I would like to say that GRULAC and the other Regional Groups would like to know if it is possible, especially in terms of transparency, to receive these technical responses to the document during the session and published online. We are requesting this given the limited time for this PBC session; this would allow us to progress on this item and on the other agenda items.

276. Chair: As you know, traditionally in this Committee and throughout the budgetary process, we have worked using a Questions & Answers document and we get very detailed responses working in that way in the meeting room. Your proposal is an instance of a good practice and the Secretariat is ready and willing to collaborate with you. Therefore, I would like to ask the other Regional Group Coordinators for their opinion regarding Uruguay's proposal, which I think is a very good one. If there is an agreement or at least a broad consensus about this proposal, I think it could be very useful in terms of moving our work forward in the coming days. Therefore, I am going to open the floor to the Regional Group Coordinators. I see no comments on the proposal; therefore, I understand that it is accepted by the Regional Groups. I would like to say that yes, you can ask any questions that you have and in order to get a more thorough reply, we will use this system of Questions & Answers. It is a document you have available to you; can the document be displayed on the screen? In that way, you can see the document, it is a living document, and we will continue to update it as we have more questions during the week. I think it is a very useful document and process, and there are already some of your questions in it and there are detailed responses for your review. This Questions & Answers document is going to be updated on an ongoing basis by the Secretariat throughout the week therefore please consult the document regularly. We have the GRULAC's Coordinator from Uruguay, who is requesting the floor.

277. Delegation of Uruguay: Chair, we would just like to clarify one thing, regarding replies in the Questions & Answers document – they do not replace verbal replies given here in the meeting room. The Questions & Answers document is just an additional source of information in the interest of providing more details in writing. The document does not replace replies given verbally here.

278. Chair: Yes, I agree, the idea of the Questions & Answers document is to facilitate debates and to provide more detailed responses to some questions, which you have correctly pointed out are quite complex.

279. Delegation of Colombia: It would seem that there was a misunderstanding yesterday. The three questions that I asked yesterday were not clear, therefore, I will repeat them today. The first question concerns copyright - what is the reason and why is there such a redistribution in the copyright budgets and so little resources for global objectives? Who determines what these global objectives are? My second question - why has there been an increase in Contractual Services? This is indicated on page 25 where there is a doubling up. My third question is the following - in the budget on Copyright, where are the provisions to cover

flexibilities? I understand that the Development Agenda and points 14, 16, 17, 19 and 20 require this.

280. Delegation of United States of America: I was going to seek clarifications concerning responses given in the meeting room and those provided in the Questions & Answers document. However, our colleague from Uruguay has already clarified that.

281. Delegation of Nigeria: My question is related to the proposal by the GRULAC Coordinator, and my colleague from the US has also touched on the subject. I recall yesterday Chair that the Delegate from Pakistan had requested that after this exercise, if possible, the Secretariat reflect in the document to be provided the proposals in track changes. I heard that it was agreeable to the Plenary yesterday. Therefore, I just wanted to know, when the amended version of the document would be displayed for us to reflect on and to ensure that our concerns have been captured. Bearing in mind that we are still in session, questions are still being asked and there have been numerous bilateral meetings between Members States and the Secretariat.

282. Chair: In order to respond to the questions, I am going to give the floor to the Secretariat. After that, I am going to give the floor to the Deputy Director General, Copyright and Creative Industries Sector to respond to your questions. Since we need some time, we will begin with responses from the Secretariat.

283. Secretariat: Thank you delegation of Nigeria for the question. Indeed, I confirm that we have been working to ensure that we have correctly captured your proposals from the bilateral meetings also. The practice is that proposals will be reflected in the track-changed version of the document, this has been done and we are ready with the first set. With the Chair's approval, we can circulate the document to the Group Coordinators shortly.

284. Chair: Thank you very much, Secretariat for that reply. Please give us a two to three-minute break, this is not an official break – this will allow us to hear the reply prepared by the Copyright and Creative Industries Sector. The session is resumed and I am going to give the floor to the Deputy Director General, Copyright and Creative Industries Sector and then to others in the Sector to respond to questions.

285. Deputy Director General, Copyright and Creative Industries Sector: I am going to respond to the three questions from the Delegate of Colombia. The first question if we have understood correctly is – why is the allocated budget low for major objectives? Regarding this first question, as far as we are concerned all of our objectives are significant. We do not have minor objectives. If an objective is a project and it does not get the same allocated budget as another, this is not a reason to think that that project is less important to us. We are certainly going to still invest all of the time and attention that that project deserves. For further clarity, for instance legislative assistance or support for political measures in countries to be implemented to support copyright and creative industries are all projects that are very important. Despite this, as you know, currently the tendency is to work on legislative assistance and to address this through our own means. We have excellent lawyers amongst our teams and these top-class lawyers provide legislative assistance. This is an inexpensive method and the Organization should be happy with this. The work is being done well by these lawyers who were recruited by the Organization to address specifically these questions. Furthermore, there are some projects with specific features, which mean that there is a need for expenditure on infrastructure. I will give the floor to my colleague, for detailed explanations. Generally, the ABC Project, for instance, provides a lot of support to different countries for them to develop their own ways of implementing software for their own use. The idea being that the beneficiaries of the ABC Project should have access to works in their own languages in their countries. However, the accessible format is a very costly process and we have all accepted the price that goes with that objective. There are also other projects where there has been an increase. I would like to

address your second question, regarding the reason for an increase in certain categories. You made reference to the budget for Contractual Services, indicating an increase, the accurate figure is 40 per cent, however the percentage is less than that, but there has certainly been an increase due to the fact that some projects, as I have just mentioned require significant financial investments. Some examples are developing the internet, the intranet, developing SEO advertising on the internet, and the online publishing platform which requires a technical investment. Another example is the WIPO for Creators project that requires a considerable investment, since we aim to have one accessible platform globally and this requires tremendous technical work. Regarding the third question on flexibility – Flexibility is an important objective and priority for us. My colleague from the Copyright Law Division will address this bearing in mind that this is also addressed through legislative assistance, which is not free but less costly than the SCCR. As you know at the last session we presented a Toolkit on the Preservation of Cultural Institutions, Museums, Libraries and Archives. Member States have access to this tool, which enables their cultural institutions to have the necessary tools for preservation activities. This is some of the work that covers flexibility. Additionally, at the last Committee on Development and Intellectual Property (CDIP), a project on data mining was adopted. This type of flexibility is inherent in copyright. Data mining is an activity that we have been conducting with our CDIP colleagues, particularly in Africa, since it was a project presented by Africa, to develop the necessary capacity. The text on data mining will be accompanied with all the necessary measures to guarantee the required flexibility. I believe I have answered all the questions, we can continue if needed bilaterally with the Colombian Delegation.

286. Delegation of Colombia: Thank you very much, Deputy Director General, for those replies. They were very helpful, thank you.

287. Delegation of Iran (Islamic Republic of): We appreciate the work being carried out by the Regional and National Development Sector. We would like to commend the honorable Deputy Director General's team for their efforts towards making significant progress in development projects and for bridging the existing gaps between developing countries and developed countries. We appreciate the excellent work they have done to strengthen WIPO's leadership in data research and analysis, specifically regarding the role of women in the IP and innovation environment. We would like to encourage the Regional and National Development Sector to continue its initiatives in the same direction, and in close consultation with Member States at the regional and national levels. We fully support the team's work to develop new partnerships and build up existing external collaborations to pilot new sustainable capacity building projects and networking opportunities for developing countries. We believe that the work of the Regional and National Development Sector is interlinked and intertwined directly with the realization of Sustainable Development Goals and the Development Agenda. These goals and recommendations must be approached in a holistic manner, and on an equal footing. WIPO's contribution to building resilient infrastructure, promote sustainable industrialization, and foster innovation is very crucial in this regard. We believe that bringing the development dimension into WIPO's activities strengthens the credibility of the intellectual property system and encourages its wider acceptance as an important tool for promotion of innovation and development. Technical assistance and capacity building activities should always be development oriented. As women-led entrepreneurs and inventors continue to face challenges, discrimination, and inequalities, especially in the developing countries, we reiterate that all countries should continue their efforts and endeavors to reduce the existing gender gap to the utmost extent possible, in order to support women innovators and inventors from developing countries, specifically in line with the Development Agenda and Sustainable Development Goals. We encourage WIPO to continue its work in this direction. We would like to request the Secretariat to allocate a more appropriate budget to the Regional and National Development Sector, specifically to develop its financial, technical, and sustainable substantive support to women-led entrepreneurs, innovators, and inventors and specifically small and medium-sized enterprises. We look to work constructively, listening to the Secretariat's answers or any comments in this regard, should there be any.

288. Chair: Thank you very much, Iran (Islamic Republic of). I am sorry, you said 'RND' and there was a misunderstanding there. I had understood research and development, so my apologies, I thought you were going to be talking about a different Sector. So apologies for that, it was a misunderstanding. We have taken note of what you have said, and I now open up the floor and we can proceed with responses to questions from yesterday. I give the floor first to Assistant Director General, Administration, Finance and Management and then to the Deputy Director General, Regional and National Development Sector.

289. Assistant Director General, Administration, Finance and Management: Excellencies, there were several questions yesterday with respect to the information in the Proposed Program of Work and Budget for 2024/25 concerning External Offices, and I want to make a few general observations about the budgeting process and then I will hand over to my dear colleague, Deputy Director General, Regional and National Development Sector. Firstly, just for transparency, we have shared in the Questions & Answers that was displayed on the screen earlier on the breakdown of the personnel and non-personnel resources for each External Office for the 2022/23 and 2024/25 biennia, and we have taken very good note of the suggestion that in the future we might include this information as an Annex to the Program of Work and Budget Document. If you compare the two biennia, you can see the proposed changes, the personnel resources, and the non-personnel resources. With respect to personnel resources, most of the movements are driven by factors such as the statutory pay increases and the impact of issues such as vacancy rates in particular posts. We are very happy to provide more information on staffing numbers in the next biennium if Member States so desire. Secondly, the Secretariat has to make assessments around the allocation of resources which take into account the Organization's Results Framework, the operating environment of the individual Offices and how that environment may evolve, and the overall resources at our disposal. These assessments are reflected in that table in the Questions & Answers document. As we have noted in respect to other lines in the budget, we do not map out at this stage all the individual projects, rather, that is done subsequently through a detailed workplanning exercise. Of course, external factors do affect operations, they affect our ability to deliver, and we would always consider those when we go into that workplanning exercise. Thirdly, the Secretariat will continue to closely monitor the performance of all External Offices, as it does with all of our work programs, all of our work units, and will make adjustments throughout the biennium as circumstances, or the conditions at the time, may dictate. In general, and I think this is true across the budget, it is typically more straightforward to not spend the budget allocation, if the circumstances do not allow projects to be delivered, than it is to increase a budget if our ability to deliver suddenly improves. In case of an increase during the biennium, the budget would have to be transferred from somewhere else. Finally, all of this is about good stewardship of funds and, of course, as we consider adjustments, as we consider adjustments to any area of our work during the biennium, we would of course always follow the applicable staff and financial rules.

290. Deputy Director General, Regional and National Development Sector: I just would like to respond to the intervention from our colleagues from Algeria and Nigeria on our two External Offices in Africa. I note that the Delegate of Algeria and previously Nigeria requested increased personnel resources for the two External Offices in Africa. It was also referred to by the Delegate from China yesterday. As you know, these two External Offices in Africa are our newest additions to the network and they were established just prior to the onset of the pandemic. Algeria was established in 2019, and the Nigeria Office was established in 2020. Personnel resource allocations to External Offices are based on assessments as to what we need to implement the mandate of the External Offices. I note that last year the entire External Offices network spent only 52 per cent of its allocated non-personnel resources. The two External Offices in Africa spent only some of their allocation of non-personnel resources. WIPO's Algeria Office was at 59 per cent, and the WIPO Nigeria office was at 37 per cent. Therefore, we have to take a measured and prudent approach to planning for 2024/25, including with respect to personnel resources to support activities and projects and as reflected in the non-personnel resources. I would also note that External Offices are working closely and

assisted in their work by their respective Regional Divisions. In the case of the Algeria Office, it works closely with the Division for Arab Countries, and our Nigeria Office works closely with the Division for Africa. At this stage, we utilize non-personnel resources through contracting resources with UN agencies, in the case of the WIPO Algeria Office, and contractual or ICS services in the case of the WIPO Nigeria Office, to flexibly meet the needs of those External Offices. Again, rest assured, that we will continue to closely monitor the performance of External Offices, as we do with other units and programs in the Regional and National Development Sector, and we will make the necessary adjustments throughout the biennium as circumstances may dictate. I would like to refer to the statement made by the Delegate of Iran (Islamic Republic of). First, I want to thank you very much for your kind words and rest assured that we will continue to deliver all impactful projects on the ground, in particular projects to assist women innovators and entrepreneurs.

291. Delegation of Nigeria: Let me express my appreciation to the Deputy Director General, Regional and National Development Sector for the extremely useful response regarding the question we asked about the External Offices of Nigeria and of course Algeria. We appreciate your leadership and we have seen clearly how involved your office has been and the numerous projects that have been carried out in the Nigerian Office. We are very confident in your ability and we look forward to all the promises you have made.

292. Delegation of Ghana: The African Group notices that the Secretariat has missed the Group's question on career progression for African staff members at WIPO. We would kindly request a response on the matter.

293. Secretariat: With respect to the question by the Delegation of Ghana on career progression, having looked at the data, the issue of career progression is a problem across the Organization and not specific to one geographical region. The Organization is looking at various initiatives, notably on mobility. We understand the point made by the Delegation of Ghana on some employees staying in the same roles for long periods of time, but this is actually a problem for the broader staff population and there is absolutely nothing in the data that points out that Africa is worse off than other geographical regions. In fact, Africa is faring better than a few other geographical regions.

294. Delegation of Algeria: Thank you, we would like to thank the Deputy Director General, Regional and National Development Sector for his answer and for expressing his commitment to improve the staffing in the two External Offices in Africa. We believe that to ensure that we are functioning in the two External Offices, at least there should be two permanent staff members so that when the Director is absent or on a mission someone can lead the work and conduct the operations effectively. Nevertheless, we trust that the Development Sector will ensure that this request will be met, taking into account of course the workload within the two offices. We look forward to working with the Secretariat to improve the delivery and performance of the offices in Algeria and Nigeria. Thank you.

295. Chair: We turn to the next two Sectors that we have in our document. Page 42 in the English document, the Infrastructure and Platforms Sector as well as Global Challenges and Partnerships Sector. I now open the floor for these two Sectors.

296. Delegation of Uruguay: I am going to refer specifically to the implementation strategies in the Infrastructure and Platforms Sector that starts on page 42. I make this statement on behalf of the members of GRULAC. First of all, we would like to acknowledge the work that WIPO has carried out, which has been led by the gender focal point in the Organization, Deputy Director General, Patents and Technology Sector, and especially her efforts in regard to the IP and Gender Action Plan. We are aware of the progress made in terms of gender in this Organization. We would like to refer to the way gender equality is dealt with in the document we are working on currently. We note that this topic has been taken into account under Strategic

Pillar 4. In the document, it is acknowledged that this is a crosscutting issue that affects the entire Organization. Our group of countries would like the Secretariat to bear in mind this crosscutting nature in this budget and in all future budget-related documents. We acknowledge the fact that the IP and Gender Action Plan is used as an indicator for more effective use of intellectual property and in accordance with Expected Result 4.1, and we understand that said indicator will work for all Sectors of WIPO. We believe that it would be desirable that under implementation strategies of the budget, we include gender equality alongside youth. We believe that this inclusion would improve the way in which this matter is dealt with within the Organization. We believe that gender equality should also be a part of the work program, and specifically under justice, governance and monitoring or surveillance. We believe that gender equality should play a major role. We feel that WIPO is called upon to play a major role in building a more equitable world with greater participation by women. This is why we remain fully available to work with WIPO on coordinating the initiatives carried out by the entire United Nations system. You can count on us to ensure that the final document reflects gender equality as a crosscutting concern.

297. Delegation of Switzerland: Group B comments on the Infrastructure and Platforms Sector. Group B commends WIPO for the success of the Conversations of IP and Frontier Technology, which attract large audiences from diverse backgrounds. We welcome their continuation, and request the Secretariat to go a step further and include certain tools for policy advice in their future iterations. Group B equally notes the planned expansions of WIPO's global databases- PatentScope, the Global Brand Database and the Global Design Database. Regarding the Global Challenges and Partnerships Sector, given that the world is facing many challenges notably of environmental and socio-economic nature, Group B considers this Sector very important to demonstrate that IP can address these issues. It is key to us to ensure the continued development of WIPO GREEN, and we ask the Secretariat to provide sufficient resources to do so. As WIPO Re:Search does not exist anymore, we also request the Secretariat to continue working on creative solutions to address challenges related to innovation in the Health Sector. In this regard, we would appreciate if the Secretariat could provide more details about its future plans. Finally, Group B looks forward to obtaining information about WIPO's work on the future of IP during the biennium. In particular the results of WIPO Pulse. We believe that the future of IP is a significant opportunity for WIPO to seek to prepare for both challenges and opportunities for IP and its future role in innovation and creativity.

298. Delegation of Ghana: Ghana has the honor to make this statement on behalf of the African Group. The African Group welcomes the initiative to focus on the IP Offices business solution's intention of promoting the digital transformation of IP Offices in developing countries and LDCs, and supporting their ability to provide services online using the WIPO IP Offices suite. The Group looks forward to the planned activities and efforts to upgrade the services being provided by the IP Offices already using the WIPO Offices suites, and meeting IP Offices' needs at different levels of maturity in developing countries, countries where economies are in transition and least developed countries. We welcome the focus on empowering the IP Offices in developing countries, countries in transition and LDCs to enable fully digital registries, and improving the overall functioning of the Offices. Including timelessness, completeness, and validity of published IP data, and the automation of linkages between national IP systems, and the global and regional IP Offices, such as PCT, Madrid and Hague, as well as ARIPO, EPO, URIPPO, OAPI, respectively. The Group also welcomes the development of the new functionality within the WIPO Offices suite to support IP offices with other forms of IP registrations, including voluntary copyright registration and traditional cultural expressions. On Global Challenges and Partnerships, the Group welcomes the focus of WIPO's work on the Diplomatic Conference on Intellectual Property, Genetic Resources and associated Traditional Knowledge. In addition, the Group welcomes WIPO's work on facilitating the effective participation of indigenous people and local communities and activities relating to GRs, TK and TCEs. Given that Africa is a young continent and interested in developing in all areas, the Group commends the Organization's youth engagement efforts. The Group would appreciate some clarity on the difference between

the work on reporting and participating in UN System meetings, and the work done on implementing SDGs, in particular planning and following-up on evaluation of such activities.

299. Delegation of China: With regard to the Infrastructure and Platforms Sector, China thanks this Sector for its work over the last year. We would like to recall that WIPO mentioned in its previous documents that mirror websites of Patentscope and databases have been set up in some countries. We would like to seek clarification from the Secretariat on whether there are any further plans to set up mirror website of Patentscope in different countries. With regard to the Global Challenges and Partnerships Sector. We also thank the Sector for the huge amount of work carried out in the previous 2 years. China attaches great importance and greatly supports the work of the IGC. We believe that next year's diplomatic conference provides an excellent opportunity for the international community to develop international rules on genetic resources and associated traditional knowledge. China also notes that the Secretariat is actively working to promote the study of the text, including the establishment of two expert groups on the disclosure of sources of genetic resources and databases, as well as the expert group on traditional knowledge and folklore, and the ad hoc expert group on related issues. The Regional Groups are also conducting extensive intragroup consultations. Given the complexity of the IGC text, these efforts will certainly continue until next year's diplomatic conference, or even beyond. Furthermore, the Traditional Knowledge Division continues to provide capacity building, including providing legislative advice and technical assistance. All of the above-mentioned efforts will require the Secretariat to be provided with adequate personnel and other resources in the next biennium. We note that this Sector, in terms of personnel costs, internships, fellowships, and Individual Contractual Services, the Sector has witnessed an increase in the budget, however we didn't see the breakdown of the distribution. As I mentioned before, considering the importance of the IGC, we would like to ask the Secretariat to provide more details, *vis-à-vis* the breakdown of the budget for this Sector. We suggest that the Secretariat should positively consider increasing resources in the IGC area.

300. Chair: I thank the distinguished Delegate of China for this statement. Indeed, I will answer the question. Any Committee Chair seeks to keep a balance between an orderly process and a participatory one. I will do my best to establish this balance. Regarding your question, I would say that any delegation that has a question about one of the Sectors that is already being worked on can ask that question in the end of the last round, and we can then give time to the Secretariat to answer these questions. Unfortunately, I have to remind you, for example, if you wanted to ask about Brands and Designs Sector, the people in charge of that Sector are not in the room right now so would not be able to answer your question, but yes, definitely at the end when we have finished the entire review of the text, you can ask those questions.

301. Delegation of Poland: Activities within the Global Challenges and Partnerships Sector, envisaged in the discussed document, have CEBS support. WIPO should actively engage in global efforts addressing contemporary challenges. Technology, creativity and innovation provide solutions to these problems and thus should be promoted. We note that a 10 per cent budget growth for this Sector corresponds to the intensified work within this Sector, in particular related to holding the Diplomatic Conference on GRs and Associated TK, planned for 2024. Likewise, we support the development of the IP and Innovation Ecosystems Sector, the work of which is key to delivering adequate assistance to start-ups, entrepreneurs and to leveraging IP effectively as tool for economic growth. Greater focus on development of sectors representing intangible assets is of a great value for CEBS. Monitoring trends and dynamics of changes within the IP ecosystem through various reports and performance assessments is important and supported by CEBS. In this regard, we would welcome the development, with the cooperation with national partners, of specific region- and sector- focused analysis. CEBS countries support the development of various infrastructure and platforms designed to make IP more accessible and understandable for innovators and creators. Further digitalization, digital transformation and broader use of technologies for administration, information and systems is key to obtaining improved results and ensuring optimum resource management.

302. Delegation of Uruguay: I would like now to refer to the item on Global Challenges and Partnerships. GRULAC explained in its opening statement and repeatedly at other times, the IGC. The fact that we are faced with a problem related to the lack of fulfilment of the General Assembly mandate in 2019, which instructs us to facilitate the participation of indigenous peoples and local communities in the ordinary sessions of the Intergovernmental Committee on TK, TCEs, and Genetic Resources - the IGC. The participation of these players is an extremely important component of the daily work of this Committee given that they are the final beneficiaries. They have a voluntary Fund, which depends on the generosity of many donors of this Organization's Member States whom we thank and acknowledge their commitment to the cause- which is to have an equitable representation of the players at the IGC. This fund has 200 Swiss francs, and the Secretariat of the IGC is facing major issues in getting sufficient funds and in carrying out the mandate of 2019, and it seems that it will be difficult to improve the situation. In 2014, there was an attempt to work on this issue in this same Committee, and GRULAC submitted a working document. Several developed countries, country members and Group B worked on it. The issue was solved because several donors transferred funds to this voluntary fund. Now, this is a time in which we want greater predictability and transparency for the participation of these indigenous people and local communities in the IGC. In principle, it is two committees per year. There is a draft mandate for the General Assembly in July, so it would potentially be three per year, six for the biennium. Given that we are talking about money matters, I shall do so. This 2019 mandate is around 100,000 to 120,000 Swiss francs for the biennium. Every representative cost some 5,000 Swiss francs per participation per session. 4 to 5 representatives multiplied by three sessions, times two because it is two years, we are looking at 100,000-120,000 Swiss francs per biennium. Those are the figures we have discussed with the PBC Secretariat in informal meetings in the weeks prior to this session. We would like to ask the other Regional Groups and the members in general to please take into account the fact that we must comply with this 2019 mandate, in addition to complying with a moral and ethical mandate, which is to include those players that are not members of this Organization so they can be observers and take part in the work carried out by this Committee. We are putting forth some wording to be included on page 48. The Secretariat have already been informed of this reading, we drafted it in English and this wording is very open to improvement. We remain flexible as to changing verbs or style and as well regarding its location. We suggested it to be the third bullet on page 48 where we speak of Traditional Knowledge and Genetic Resources. But our objective is to fulfil the mandate, and also ensure that, at the forthcoming Diplomatic Conference which will be taking place in the first semester next year, we can be rest assured that those local communities and indigenous peoples will be represented in a very clear manner, and in a manner which will not run counter to the work of this Diplomatic Conference. We know that the work is set out in the preparatory committee, in the preparatory session, but what I would like to say clearly today is that the 1.5 million Swiss francs that the Secretariat is making available for Diplomatic Conferences should be sufficient to cover this request in particular. Now, I would like to end my statement as a GRULAC representative because I would like to hear other voices speak about this 2019 mandate, and also how we can resolve this problem which, if it is not resolved within the PBC, will be hanging over us for a further two years. It is a serious, very serious matter for GRULAC. Thank you for much, Chair, I know I have gone over my three minutes but it is a key matter for GRULAC, and from what I understand, for other members too.

303. Delegate of Pakistan: My Delegation endorses the implementation strategies for two Sectors under discussion. We are heartened to know that the IP Innovation Ecosystems Sector is experiencing steady growth in demand on key aspects of its work. We also believe that analytical research, global innovation and technology trends are extensively utilized by policymakers to make informed decisions, including in supporting the development of national IP strategies and innovation policies. On the intangible asset financing, Asia has been an important contributor to this latest innovation. In my own country, the innovation ecosystem is taking shape through active gain and support, especially for SMEs, start-ups and women entrepreneurs. We have a budding start up ecosystem particular in the areas of e-commerce

and IT. However, the academia industry linkages remain weak, along with intangible asset financing well below its true potential. While technology innovation support centers, TISC networks, continue to expand in Pakistan, the provision of services by the majority of TISCs remain at a bare minimum. We request the IP and Innovation Ecosystems Sector to take into account the following priorities for my country. The need to upgrade the existing TISC network, facilitate academia industry linkages, including through TISCs, to help bring ideas to market, liaison with national incubation centers in order to sensitize them on the importance of IP and help them scale up their market. In this regard, we have the following textual proposal on page 60 under the performance indicators for TISCs. We propose to add an additional performance indicator that is "Number of TISCs with level of maturity upgraded". This is also in line with the previous indicator in which the level of maturity and the number of sustainable TISCs are combined in one. We request to divide them into two. Secondly, I would also like to talk about the Global Innovation Index, a flagship report by WIPO. We fully acknowledge the usefulness of the index for investors as well as national policymakers. First of all, detailed information on Global Indexes is missing from the budget document. There is only one performance indicator, which does not capture the potential performance indicators that could be considered here. Like many other countries, we have faced chronic issues of missing or outdated datasets in the index. While we understand that WIPO does not directly collect the data from Member States, there is still room for timely coordination with Member States prior to the collection phase so that Member States can make timely interventions to make the data available. Secondly, with regard to two main classifications of the types of indicators used in the index- that is input indicators and output indicators. My Delegation is of the view that too much emphasis is put on input indicators than on actual innovation through the output indicators. We are of the view that the Global Innovation Index should mirror the actual output innovation, and countries should be ranked accordingly. Otherwise, despite excellent performances *vis-à-vis* output innovation, the input indicators tend to bring down the overall ranking for many developing countries. We request the Secretariat to shed some light on the distribution of input and output pillars weightage in the overall ranking. We just want to understand how much weightage is given to each type of input and output indicators. Is it 50-50 or is there some other formula? We also request the Secretariat for information on the outreach activities of the Secretariat to WIPO Member States prior to the data collection phase. Lastly, we have the following textual proposal. On page 59 under Strategic Pillar 4.2, in addition to number of unique visitors to the Global Innovation Index in the performance indicators, we propose an additional indicator as follows "Percentage of missing and outdated data".

304. Chair: I thank the distinguished Delegate of Pakistan. The Secretariat has taken due note of what you mentioned. We do have one question. We thought you were referring to the Sector led by the ADG for IES. We have not reached that Sector yet. So I would like to remind you that what we are discussing right now is Infrastructure and Platforms Sector and Global Challenges and Partnerships Sector. The Sector Leads here and the Secretariat have taken note of your comments, but I just wanted to draw your attention to the fact that these are the two Sectors that we are working on right now. I can give you the floor at a later stage if you wish for me to do so to discuss those two matters. I now continue with my list and I give the floor to the Russian Federation.

305. Delegation of the Russian Federation: The Russian Federation would like to point out its satisfaction with the performance of the Infrastructure and Platforms Sector, and welcomes the high result of the performance of the Sector. We assess positively the amount of attention devoted to issues of development and implementation of international classifications and standards as well as to global databases. For our part, we believe that the proposed increase of the budget for this important Sector is quite justified. With regard to the Global Challenges and Partnerships Sector, we welcome the efforts put in place by WIPO to expand cooperation and interaction between countries and organizations aimed at improving the IP ecosystems at global, regional and national levels. As well as for the resolution of global challenges which is particularly important in the run-up to a Diplomatic Conference. We would also like to point out

the positive contribution by WIPO to ensure respect for intellectual property. The involvement of youth, women, and SMEs as well and the regular holding of international events in that area. Separately, we would like to note the attention being devoted to IP financing, including using IP as collateral for credits, and the use of IP as an efficient tool to promote economic growth and development. We hope that the work of these areas will continue in an active and constructive manner.

306. Delegation of Mexico: My comment will be based on global challenges and partnerships. 2024 will be an important year for WIPO when there will be two Diplomatic Conferences. One on Intellectual Property and Genetic Resources and the Proposed Program of Work and Budget establishes the fact that the work of WIPO will be based on facilitating the effective participation of local communities and indigenous peoples in the work of WIPO on Genetic Resources, TK and TCEs. There will be active cooperation with Member States and interested parties to facilitate and create an environment that will allow for the objectives of the conference to be met. We believe that in this budget we should take into account the decision of the 2019 Assemblies in which the importance of the participation of indigenous peoples and local communities in the work of the IGC was acknowledged. This should also apply to the Diplomatic Conference on Genetic Resources and IP, given the lack of funds in the Voluntary Fund and the forthcoming Diplomatic Conference. We encourage WIPO to think about including a budget line to allow for balanced and equitable participation of local communities and indigenous peoples as key actors in the works of the Committee. In our opinion, this will be a concrete solution and approach found to the issue we are faced with. We look forward to hearing from the Secretariat about measures that will be taken to deal with this matter.

307. Delegation of Iran (Islamic Republic of): We support the Secretariat on global challenges and partnerships for its contribution to promote global partnership and tackle global challenges. We would like to especially acknowledge the achievements being accomplished through the meetings of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge, and Traditional Cultural Expressions. This process has been at the center of our attention, and we look forward to having the results from this very important and significant activity. We assure the Traditional Knowledge Division and the entire Sector that they have our full support and collaboration in their work, particularly on organizing and facilitating the Diplomatic Conference on GRs and associated TK to be held in 2024. We strongly believe that WIPO and its Member States should recognize the need for striking a balance in the development of national IP systems and greater attention to historical imbalances, the development of international rules to include issues of key importance, mostly to developing and least developed countries. The Sectors' work definitely contributes to assisting all countries to apply international rules by promoting preservation of existing policies in this space and policy-making activities, particularly in critical areas such as protection of genetic resources and traditional knowledge. The Global Challenges and Partnerships Sector could further help to strengthen technical cooperation to empower countries, especially indigenous peoples and local communities and other marginalized communities or societies, to use the IP system as a contributing factor for achieving the Sustainable Development Goals and increasing the levels of innovation in the local economy. Against this backdrop, we would like to seek clarification, whether the allocated budget would be sufficient for the work of the Sector to accomplish its significant goals of truly tackling existing global challenges, especially in terms of combating environmental and climate crisis.

308. Delegation of Canada: Canada is grateful to the Secretariat for the preparation of the Proposed Program and Budget for 2024/25. With regard to the Global Challenges and Partnerships Sector, and more particularly, on page 48, Canada values the supportive role that WIPO plays in the norm-setting and policy-making activities of its Member States. To this end, Canada would appreciate more information about what activities the Secretariat plans to undertake to promote ratification of, and accession to, the international legal instrument likely to

be adopted at the 2024 Diplomatic Conference on Genetic Resources and Associated Traditional Knowledge.

309. Delegation of Pakistan: As we have already made our statement on the issue, we will raise it in the relevant section.

310. Delegation of Japan: With regards to the Infrastructure and Platforms Sector, we recognize the importance of the following five responsibilities of this Sector listed in the Proposed Program of Work and Budget for 2024/25, and we believe it is necessary to continue securing sufficient budget for such activities. The first aspect, international classification standards, will enable IP information to be handled under uniform international classification standards, which is an essential structure for IP offices and the users. The second aspect, global databases, are highly convenient tools for IP Offices and users to simply access IP information worldwide, and its active use of new technologies such as AI is also highly valued. The third aspect, IP Offices, business solutions to provide IP business systems, are playing a crucial role in terms of the developing countries and LDCs participating in a global IP system. It is also highly valued to promote the transformation of the IP Offices as a continuous effort to improve services in response to the needs of the IP Offices in various countries. Regarding the fourth aspect, IP and frontier technologies, WIPO has taken the lead in providing a forum for users in the IP Offices around the world to share information and discuss new technologies through the WIPO conversation since the social implementation of new technologies such as AI and the metaverse is attracting more and more attention. It is highly valued that WIPO has taken the initiative to promote activities among global users in the IP Offices to utilize these new technologies. The fifth aspect, customer experience, is very important from the viewpoint of improving service quality through the customer-centered approach, and efforts to improve the customer experience by using new technologies and automation are commendable. With regard to the Global Challenges and Partnerships Sector, the Delegation of Japan appreciates the ongoing activities, in particular WIPO GREEN, in addressing various global issues. The Japan Patent Office has been a WIPO GREEN partner and has high expectations for WIPO GREEN's future activities to help solve global environment issues. With a growing interest in solving social issues through utilizing IP, we believe that the necessary budget should be secured for WIPO GREEN's further development. In the Proposed Program of Work and Budget for 2024/25, there is a target to achieve 12 additional matches through WIPO GREEN in the next biennium. In order to achieve this target, we would like to continue cooperating with WIPO and actively supporting its project so that more and more matches will be established in the future.

311. Delegation of Colombia: Firstly, we would like to underscore the important work of the Global Challenges and Partnerships Sector. In addition to what GRULAC has said, I would like to underscore how important the role of women is. We cannot understand, among global challenges, how we would not include women, because they make up half of the global population. We cannot understand addressing challenges without involving women. Secondly, we think that traditional knowledge is very significant when it comes to addressing these global challenges facing humanity, and we would like to endorse the statement that was just made by Japan along these lines. We are coming back to look at how our indigenous people grew things in the Andes, and we are moving away from what others who came to our continent replaced as opposed to what we have been doing for many years. I would like to mention that regrading medicines used in the context of the pandemic, we think it should be mentioned that 10 per cent of the medicines used to treat COVID were traditional medicines. We think that is important to underscore, therefore as far as Colombia is concerned, it is very important that our indigenous peoples and Afro-descendant peoples be participants in the session. It is important that we value the wisdom of indigenous peoples and Afro-descendant communities. We need for them to be involved in this negotiation process. We trust therefore that in the Program of Work and Budget measures will be included in order to ensure that they can participate.

312. Delegation of Ghana: The African Group has shared the proposal with the Secretariat on the current topic for discussion. To introduce the proposal, we would like to highlight suggested amendments to the text, which can be found on page 50 under implementation strategies of the Global Challenges and Partnerships Sector. The Group proposes the following textual amendments and additions. The topic, Sustainable Development Goals, should read, “2030 Agenda for Sustainable Development and SDGs”. Also, the paragraph should read, “WIPO’s work for the implementation of the 2030 Agenda for Sustainable Development responds to the evolving needs and priorities of its members and stakeholders, and contributes to addressing global challenges, such as climate change, poverty and inequality. By contributing to the implementation of the 2030 Agenda for Sustainable Development, WIPO seeks to demonstrate the value and relevance of IP in promoting economic, social, and environmental progress. The SDGs also emphasize the need for partnership and collaboration across different sectors and stakeholder groups including governments, international organizations, civil society, and the private sector. As a specialized agency of the UN, WIPO has a unique role to play in facilitating these partnerships, and providing a platform for dialogue and cooperation on related issues that impacts sustainable development. In the 2024/25 biennium, WIPO will continue its active and multifaceted engagement to support the implementation of the 2030 agenda for sustainable development. This work will consider the broad scope of the SDGs and the crosscutting impact of the Organization through: (i) preparing reports and facilitating the discussions on the SDGs as they relate to intellectual property and innovation; (ii) engaging with other IGOs and UN agencies on the SDGs, including within the framework of the UN Sustainable Development Group; and (iii) reaching out to members states, partners, stakeholders, with relevant information on the potential of IP for achieving the 2030 agenda for sustainable development, and on WIPO’s work programs and activities that contribute to that objective.” The African Group further proposes the following additional paragraph, under this subject topic: “As the specialized UN agency for innovation and IP, WIPO has a unique role in achieving the SDGs. Through its technical assistance for development programs, WIPO seeks to ensure that developing countries and least developed countries can benefit from the use of intellectual property to achieve the SDGs. By stepping up its efforts to create a balanced and effective global IP system, WIPO will assist Member States and stakeholders in using the IP system to stimulate the innovation, competitiveness and creativity they need to achieve those goals. WIPO will ensure that IP and development policies reflect and reinforce the implementation of each of the SDGs.”

313. Delegation of Nigeria: On page 49 of the Proposed Program of Work and Budget, particularly on IP and global health, Nigeria appreciates and supports the work of the Global Challenges and Partnerships Sector, especially in the scaling-up of innovation-driven solutions that address global challenges and improve people’s lives. Apart from the strengthening of the bilateral cooperation between WIPO and the WHO with the focus on global health, we believe attention should be paid on the intersection between the IP and global health innovation with a focus on supporting cutting-edge approaches to expand access to health technologies. Ideally, my Delegation believes this should include a clear support to the full implementation of TRIPS flexibilities, and recognition of the need to access available research tools. In this regard, my Delegation would very much like to enquire on the strategy of WIPO for the next biennium on technological transfer projects in the area of health or how access to IP licensing will be supported by WIPO’s global health initiatives in the new biennium. My Delegation is keen on knowing the number of specific activities during the 2024/25 biennium as a strong foundation of working with its Member States on health and IP issues.

314. Delegate of Uganda: Uganda would like to contribute to the participation of indigenous people and rural communities as has been highlighted by GRULAC and other Member States. We would also like to observe that the current mechanism through which funding is being made for participation of these important people is not sustainable because the Voluntary Fund is out of funds to enable participation of these important people. We are hoping that WIPO could find

a sustainable funding mechanism for participation of these people for purpose of inclusivity as we prepare for the Diplomatic Conference in 2024.

315. Delegation of Jamaica: My Delegation welcomes the implementation strategies for both Sectors under deliberation. As we continue to witness rapid digital transformation and the emergence of new global challenges, the work of both Sectors will be invaluable. With regards to the Infrastructure and Platforms Sector, my Delegation would be keen on hearing more on possible plans of the Sector to support developing countries, especially small island developing states like Jamaica in areas such as AI, big data, blockchain, and genetic engineering. In relation to the Global Challenges and Partnerships Sector, my Delegation appreciates the work of the Sector under the leadership of the ADG for the Global Challenges and Partnerships Sector, and applauds the Sector for its achievements in 2022. It has been noted that one area of focus for the Sector for the 2024/25 biennium is youth. My Delegation, on numerous occasions, has indicated the importance of youth, and would like to reiterate the need to ensure adequate and necessary budgetary allocation for activities related to youth. As we have expressed in our general statement, the convening of the Diplomatic Conference on Genetic Resources and associated TK is of high priority, and in this connection, we would also like to stress the need for necessary allocation for the conference, as well as overall work of the IGC. In closing, my Delegation would like to seek clarification on Expected Result 3.3 on page 54 of the document. It has been noted that the amount dedicated to this particular expected result has been reduced and we would welcome an explanation for this reduction.

316. Delegation of Brazil: Firstly, allow me to extend my warm greetings to the Acting Vice-Chair. It is a pleasure and honor to see a Latin American woman presiding over our session this morning. I am delighted to see us working under your leadership, and we hope that Latin American women will continue to occupy the space that they deserve. I congratulate you on being here this morning.

317. Delegation of Guatemala: We are delighted to see you presiding over our session. Thank you for the presentation of the different Sectors in the Proposed Program of Work and Budget for 2024/25. We would like to join what was said by the GRULAC Coordinator. We think that the involvement of local communities and indigenous peoples in the standard setting work is crucial, and the same applies to the Diplomatic Conference for 2024. We need to have budget allocated for this because what we need to do is to have effective and inclusive instruments. To this end, we need to ensure that the different stakeholders in this process are able to participate.

318. Chair: Thank you very much to the Vice-Chair who stepped in for me for a few moments while I had to go and deal with another work issue. I would now like to give the floor to Brazil.

319. Delegation of Brazil: Apologies since I am speaking for too long. On the IGC and especially the preparatory work for the Diplomatic Conference on Genetic Resources and Associated TKs, Brazil would like to align itself fully with the GRULAC, Mexico, Colombia, Uganda and Jamaica's interventions. In relation to IP and global issues, specifically WIPO and the SDG agenda, which I think could be the legacy of IP to a sustainable planet, this Delegation would like to stress that delivering intellectual property services in a balanced and effective manner should, above all, recognize IP as playing a crucial role in various aspects, including economic growth, health, social and cultural well-being, and equality. From this viewpoint, WIPO's mission is inextricably linked to the implementation of the UN Sustainable Development Goals, such as those related to food and agriculture, health and innovation, climate change, biodiversity, equality, and technology transfer to name a few. While IP is often praised for promoting innovation and development of new technologies and knowledge, it is also acknowledged that the current system can sometimes hinder progress. Issues such as locking up agricultural innovation, inflating drug prices, impeding follow-on innovation, rewarding polluting technologies, impacting biodiversity and obstructing technology transfers are

mentioned as potential drawbacks. The sustainable development agenda for WIPO should not simply legitimize and extend existing practices, but rather modernize dominant intellectual property norms. IP, in this sense, should be assessed in relation to its impact on the full spectrum of SDGs. As for now, real sustainability reforms are more likely to come from external challenges and alternative networks and institutions as opposed to entrenched views within WIPO and the international IP system. In an ideal scenario, the sustainable development agenda for the international IP system would then encompass a universal call to action to ensure that the system actively contributes to eradicating poverty, preserving the environment, and promoting overall peace and prosperity for all individuals. This agenda would entail a comprehensive plan that outlines specific objectives and targets for the international IP system and environmental protection, for instance. Within the realm of patent law, the success of the Sustainable Development Goals would be evaluated based on the increasing number of patent registrations for green technologies compared to overall patent registrations. Regarding copyrights, the effectiveness of the agenda would be measured by the rising production and wider dissemination of information and knowledge pertaining to green and sustainable topics. In the domain of trademarks, the Agenda's progress would be gauged by the increasing number of trademark registrations and renewals obtained by certified green organizations while simultaneously reducing registrations and renewals by significant CO2 emitters. And so, a one-man show is not enough. A structured approach within WIPO is necessary in order to put in place a comprehensive examination of ideas, roles, and potential contributions as well as its detractions to sustainability. This vision suggests a need for new models, measurements, alliances, institutions that can redefine sustainability in innovative ways beyond the traditional framework of WIPO and existing intellectual property system. WIPO's narrow interpretation of its role primarily through the lens of fostering innovation disregards the potential negative impacts of intellectual property on various SDGs. The lack of specific indicators and guidance towards implementation of SDGs throughout the work of WIPO raises questions about the Organization's current efforts aligned with the broader objective of the SDG agenda. WIPO's mission as an International Organization that aims to promote and protect IP should encourage creativity, innovation and the use of IP as a tool for economic, social and cultural development. While WIPO's mission to promote and protect IP rights is important for fostering innovation and economic development, it falls short of addressing the broader concept of sustainable development so intellectual property rights can have its proper place on social and cultural development consequences that should be taken into account.

320. Delegation of Tunisia: My Delegation would like to underscore how important the work that has been done in the Global Challenges and Partnerships Sector has been. It is important to continue with this work in order to have an impact in the field, and to be significant on the world stage, and to participate in global efforts to achieve the SDGs. We think that WIPO's contribution to achieving the SDGs needs to be more systemic and specific. We certainly welcome all of the efforts under WIPO GREEN, and at the same time, we would like to encourage other projects and initiatives that will have a tangible effect in developing countries. Furthermore, we would like to offer our thanks for the work that has been done in terms of awareness raising among young people. We would like to encourage the Secretariat to preserve projects outside of the traditional framework because often, targeting young people requires a different approach. We think that this section on global partnerships and challenges requires the necessary human and financial resources in order to achieve its objectives.

321. Chair: In order for the Secretariat to prepare the replies for everybody, we will have a 10 minute break, so having a 10 minute coffee break then we will hear from the Secretariat.

322. Chair: Good afternoon, let us resume our session. The lunchbreak is fast approaching. That is a quite important time of the day. With regard to the two Sectors where questions have been asked, I would like to give the floor to the Assistant Director General, Infrastructure and Platforms Sector who may, of course, wish to give the floor to other colleagues. The Assistant

Director General, Global Challenges and Partnerships Sector will then be given the floor, and he may, in turn, also give the floor to other representatives of the Sector.

323. Assistant Director General, Infrastructure and Platforms Sector: I would like to thank everybody for the very positive comments on the work of our Infrastructure and Platforms Sector. We will continue our effort to improve our services. I took note of the appreciation of the WIPO IP Office Suite, which is currently used by 91 IP Offices all over the world. We will continue our effort to improve and to provide better services to the respective IP Offices. We have heard several concrete questions and requests, therefore I would like to briefly respond to those. First, with regard to the intervention by Switzerland on behalf of Group B, there was a question about the WIPO Conversation on IP and Frontier Technology. Thank you very much for the appreciation and active engagement by various stakeholders and Member States and other players, and we will definitely continue this WIPO Conversation on IP and Frontier Technologies, which is now a flagship event for our Organization. I am happy to mention that we will have a session on September 20 and 21, 2023. The theme will be announced soon, hopefully sometime later this week. Please stay tuned. There was also a concrete request about tools for policy advice. I would like to mention that we are working on it. One of the areas we recognized in the course of WIPO conversations is the great interest by various stakeholders in the issue of how to support innovators in the AI space right now, a question regarding approaches to inventorship of AI-generated invention. A paper setting out the different scenarios highlighting the follow-up questions for policymakers who may want to consider these in this field. We are working on it and hope it will be released sometime after summer. We have a question from the Delegation of China about the mirror server of Patentscope, if there are any further plans for the Organization. Currently, I would like to confirm that we do not have any concrete plans for additional mirror servers of Patentscope. We had a question from the Delegation of Jamaica about how WIPO would support small island countries like Jamaica in terms of areas such as artificial intelligence, big data and genetic engineering. In addition to the policy scenario paper, which I have just mentioned, we are also working on brief fact sheets to facilitate better and quick understanding of issues on frontier technologies. Of course this is not only for small island countries but also beneficial for all of the stakeholders. If needed further, we are happy to have any bilateral contact.

324. Assistant Director General, Global Challenges and Partnerships Sector: Let me start by thanking distinguished Member States for their numerous comments we received. I am actually still trying to digest everything. I have way too much on my plate to repeat, but on the whole we appreciate the support expressed for the work we are doing in the Global Challenges and Partnerships Sector. I will quickly go through some of the questions raised, not so much on the comments made, but on the questions raised, and I have my colleagues here with me. They will also respond to some of the more specific questions. We had a question on the Future of IP and what we are doing in respect of WIPO Pulse. For that, we have the Head of the Future of IP area with us. We also had a question on IP and global health. The Delegation of Switzerland speaking on behalf of Group B wanted to know what WIPO is doing to fill the space created by the ending of the WIPO Re:Search consortium. On that, we have the Director of the Global Challenges Division. She will respond to that. She will also talk about a few questions on climate change, in particular, including, I believe, Jamaica had a question on Expected Result 3.3. We will speak of that as well. I think overall, most of the comments related to the Sustainable Development Goals, and what I should like to say is yes, we all agree the Sustainable Development Goals are in fact very important, and they are a common agenda. You can be sure the Secretariat is doing as much as it can to ensure we are effectively promoting the implementation of the SDGs. We will continue to look to you, the Member States, for your guidance and support, and hopefully, we will be able to bridge the gap towards the doomsday scenario the international community not being able to achieve the SDGs by the 2030 deadline. There were also comments related more to the participation of indigenous peoples and local communities, not just in the IGC session here in Geneva, but also at the Diplomatic Conference next year on Genetic Resources and Traditional Knowledge associated

with Genetic Resources. We do have the Director of the Traditional Knowledge Division, but I do not recall that there were any specific questions posed on that. You can be assured that we are doing what we can. I think Uganda had made the point that the Secretariat must come up with ways through which indigenous peoples and local communities will be able to participate in the work of the IGC as well as in the Diplomatic Conference. And on that, what I would say is that yes, the Secretariat continues to strive to come up with methods through which we would be able to have indigenous peoples and local communities participate as effectively as possible. Not just in the IGC but also in the upcoming Diplomatic Conference. In this context, I would like to thank the countries that have so far contributed to the Voluntary Fund that was created for the participation of indigenous peoples and local communities. I would happily invite other countries to also feel free to contribute to that fund, that will be important to ensure the participation of indigenous peoples and local communities. There were a few statements made in respect of the ongoing work on youth engagement. I do not quite remember but I think for this, I should express thanks to the Delegation of Ghana speaking on behalf of the African Group. I think the Delegation of the Russian Federation also mentioned this, as did Jamaica and Tunisia. They expressed support or interest and admiration for the work being done in respect of youth engagement. Again, with your guidance, we will continue to strive to do the best we can. Incidentally, I am not equating youth engagement with the participation of women, but I just remembered that it may have been Guatemala or maybe Colombia who wanted us to ensure that in the Global Challenges and Partnerships Sector, we include women in the work we are doing. I wanted to give an assurance, yes, we do give prime importance to the role of women in the IP ecosystem as a whole, but also, more specifically, where GCPS is concerned. We make sure that we include the young women in youth engagement activities. We make sure that we have women participating actively in terms of our activities on building respect for IP. Activities in the Traditional Knowledge Division deals specifically with entrepreneurship for women. In fact, just this morning, I gave the opening remarks at a panel organized by the IP and Innovation Ecosystems Sector that dealt with IP Offices and innovation stakeholders on the intellectual property gender and diversity gaps in the African and Arab regions. That was specifically to take into account the need to more actively involve women in the work we are doing in the intellectual property field. I will pass on the floor to my colleague, the Director of the Global Challenges Division. By the way, we also have the Organization's Special Representative on the Sustainable Development Goals. Since most of the overall themes were relating to the Sustainable Development Goals, I will invite the Special Representative if he also has any more specific comments or reactions to some of the comments made.

325. Secretariat: I am going to try to answer the questions about climate change and global health, and I am going to try to do it in one fell swoop. First, to Group B and the other delegates who mentioned resourcing for WIPO's work in leveraging IP and innovation to address climate change, including via WIPO GREEN. Absolutely, increased stable resourcing will be vital to consolidate and further develop WIPO GREEN, which celebrates its 10th birthday this November. Also, in reply to Group B, as well as to Nigeria, who asked for further details about what will be replacing WIPO Re:Search and what are WIPO's plans at the intersection of IP and health, we are developing an entire new set of programs that focus on, first of all, leveraging IP to support access to medicines and health technologies worldwide, and that's being done via partnerships with global health initiatives, including the Medicines Patent Pool, and by exploring future work in the field of antibiotic research and development partnerships, and how we can support the IP elements there. We are also piloting three global health innovation fellowships. All three of them have a focus on developing and reinforcing innovation capacity in LMICs to address pressing health challenges in developing countries. We are also initiating new work streams at the intersection of health and climate change. For example, looking at the role of IP and innovation in addressing and preventing antimicrobial resistance. We are also doing a set of studies that look at what has been the impact of IP on access to the mRNA based COVID-19 vaccine. That study is already available on WIPO's IP and global health webpage. Do not hesitate to contact me if you would like the link. We have also commissioned a follow-up study that looks at licensing practices and how they have impacted access to COVID-19 technologies.

We are doing several streams of work that are crosscutting across the Organization, working with colleagues in tech transfer, patent landscapes, Chief Economist, traditional knowledge, and patent law. Specifically with patent law on technical assistance to fully implement the TRIPS flexibilities. There is a lot going on at the intersection of IP and health. To respond to the Delegation of Jamaica's question around why the budget in Expected Result 3.3 has reduced, that is because previously in this current biennium it was financing the building of the trilateral technical assistance gateway, which has now been built. In addition, a significant portion of it was financing COVID-19 activities, many of which will come to a conclusion at the end of this current year. The closing of Re:Search is also reflected in the budget decrease, and as mentioned, there are other activities coming in its place. Thank you very much.

326. Chair: Thank you very much to the heads of Sectors, thank you for your statements. I see we already have a request for the floor. Of course, the floor is open, but I would like to ask you to be concise and restrict yourself to the questions already asked and the replies from the different Sectors. I give the floor to the Russian Federation.

327. Delegation of the Russian Federation: The Russian Federation is grateful for the clarification provided by the Secretariat, and also by the specialist departments. We have a brief question, with regard to the involvement of WIPO in the work being carried out by the World Health Organization, in regards to the Convention on the prevention of pandemics.

328. Delegation of Nigeria: Let me appreciate the Secretariat for the extremely useful and very instructive response and clarification given on the question. I would love to request for a breakdown of the highlights, as has been mentioned by the Sector. We may have been the one that asked the question that the other delegations, my capital would love to have a copy of these projects for further interrogation, and for edification, so please, I would love to kindly request the breakdown of the statement as stated.

329. Chair: The Secretariat is telling me that the detailed information is being requested, and it would make sense to put it down on paper so I think that would make sense to provide it in the Question & Answers document referred to previously. To answer the Russian Federation's question, I am going to give the floor to the ADG of the Global Challenges and Partnerships Sector.

330. Assistant Director General, Global Challenges and Partnerships Sector: Yes, WIPO is actively involved in the ongoing processes at the WHO concerning Pandemic Preparedness, Prevention and Response, but I have the Directors of the External Relations Division, and the Global Challenges Division here. I will have them provide greater detail.

331. Secretariat: I would like to thank the Delegation of the Russian Federation for their question. WIPO, as mentioned by the ADG for GCPS, follows closely the work of the WHO, in particular, ongoing multilateral processes aimed at pandemic preparedness, prevention and response. We are very grateful, in fact, to the WHO that has given us several opportunities to share with WHO member states our technical expertise and knowledge. We have contributed to a panel discussion along with the WTO and other sister organizations. We have highlighted IP as an enabler that can support public health responses in pandemic times, and beyond. In fact, I am just back now from the World Health Organization where we delivered a statement at the 76th World Health Assembly.

332. Assistant Director General, Global Challenges and Partnerships Sector: Since there was so much interest expressed in the SDGs, and since we have with us the Organization's Special Representative on the SDGs, I thought I would invite the Special Representative on the SDGs if he had any comments on the SDGs.

333. Secretariat: I am delighted to see you presiding over this committee. I thank all the delegations that emphasize the importance of SDGs and its links to intellectual property. The Organization has taken note of all comments and suggestions in relation to the topic. I would like to invite delegations to access the first version of the study in the implementation of SDGs by IP Offices, which was prepared in conjunction with the WIPO Office in Japan and was funded by the Japanese Fund-in-Trust, thanks to the ADG for the Infrastructure and Platforms Sector. It is in our website, and I invite delegations and IP Offices to send us updates for the next versions. I would also like to briefly mention the event that is taking place next week in Lisbon on May 29 and 30 on SDGs and IP. I invite delegations to attend the event through the website. Registrations are open, and the link is on our website. We have almost 350 registrations so far, from approximately 90 countries.

334. Secretariat: I believe there was an additional question from the Delegation of China on the budget for the GCPS, and in particular, if we could provide a little bit more details on the reasons for the increase of 1.5 million Swiss francs. This is the provision for the Diplomatic Conference so there is an increase of 1.5 million Swiss francs. There is an additional increase in the TK Division, actually both in terms of personnel and non-personnel resources. There has been an increase in the budgetary provision for IP and Competition Policy, for youth-related initiatives, and then, there is a Development Agenda project in the Building Respect for IP Division on the development of strategies and tools to address online copyright privacy in the African digital market. Thank you very much.

335. Delegation of Switzerland: Thank you, Chair. Group B had requested some information about WIPO's work on the Future of IP during the biennium. In particular, the results of WIPO Pulse. Please bear with me, I am not sure whether you have already responded to that question. But in case the Secretariat has not responded, I will be grateful for some information on that.

336. Assistant Director General, Global Challenges and Partnerships Sector: I mentioned the Head of the Future of IP area, and I invite him to explain to Member States the question in relation to WIPO Pulse. I think the Head of Future of IP will be available on a bilateral basis, but for now, he can also respond to the question posed by the Delegation of Switzerland.

337. Secretariat: Thank you Switzerland on behalf of Group B for the question about the work on the Future of IP, in particular about WIPO Pulse. WIPO Pulse is the first ever global IP perception survey that will be commissioned by WIPO on a regular basis, starting this year. The survey will assess global attitudes towards IP and the changes in such attitudes, longitudinally, as well as derive strategic insights on how people around the world perceive intellectual property. The main objective of the survey is to understand people's perception about what and where IP is in their everyday life; identify how important creativity and innovation are in respondents' lives or how it relates to their life and work aspirations; identify whether respondents have generally positive appreciation of innovation, the availability of new products and services, and creativity in general; provide a better understanding of how important IP is when they make consumer choices; understand if respondents have an appreciation of whether IP helps small businesses thrive or if it is less relevant for business growth; and also to understand if respondents see IP as an important overall factor for job creation, economic growth in the country. The survey is currently under deployment, and we expect to have some results this year, that we can share in the future with Member States. The potential uses of the survey are to get global insights on changes in perceptions of IP by different demographics, like country of residence, age group, country development level, etc.; inform and design WIPO programs and activities at a global, national and regional level, based on the survey results; and develop media campaigns to educate people and improve perception of IP, in general. On the other envisaged activities, I can mention the development of a global network of like-minded thought leaders on issues related to the future of IP, initiation of a multi-stakeholder dialogue that can help WIPO Member States follow closely the evolution of cutting edge ideas, fast-

evolving business models, and new ways of creating expressions that will have a medium to long-term impact on the IP system. The dialogue will aim at identifying and anticipating the future challenges and opportunities for the IP system arising from evolving innovation and creative landscape. I would be more than happy to meet with Group B and provide additional information on the activities planned for the next biennium.

338. Delegation of China: We wish to thank the Secretariat for providing us with a response on the question with regards to the budget within the Global Challenges and Partnerships Sector. The Secretariat mentioned that some of the budget within the divisions has been increased. We wish to ask whether those specific information and data could be publicized in the follow-up Questions & Answers document.

339. Chair: Thank you for your statement. The Secretariat is confirming with me that this is the case. Since we have no further requests for the floor, and since we are very close to the lunch break, I am going to say with regard to the remaining agenda item 8, we can set it aside and we can move to our lunch hour. We have got six sectors, so we have still got the IP and Innovation Ecosystems Sector and the Administration, Finance and Management Sector to go. We have already gone through the other six sectors. We know that we have also got the Annexes as well. So we will look at all of this this afternoon. If there is time and the Secretariat is going to need time to draft the final decision paragraph that we will present to you and to the regional coordinators of course. If we have time this afternoon, then we can move on to Agenda Items 9 and 10. You know these are brief agenda items, of course of interest to this Committee, but they should be brief, so if we have time this afternoon that is what we will do. We will move on to Agenda Items 9 and 10. Thank you very much for your collaboration, for your very constructive work. I realize I am being generous with time, so we will move to our lunch break, and I would like to ask you to be back here please punctually at 3:00pm.

340. Chair: Good afternoon, distinguished delegates. Let us resume the sessions of the Committee. We will continue with comments on the Proposed Program of Work and Budget in connection with the following Sectors: the IP and Innovation Ecosystems Sector and the Administration, Finance and Management Sector. The Office of the Director General is also covered under the Administration, Finance and Management section. The floor is open for those who wish to take it.

341. Delegation of Pakistan: Thank you very much and my apologies for not earlier following the order set by the Chair. However, I will not reread all that I said earlier. We had a discussion with the relevant colleagues from the Secretariat, and they have taken note of our suggestions. I would just like to take this opportunity to elaborate two points a little bit further. For example, with regard to our first point on the TISC Network, I think it is very important that they continue to improve in terms of level of maturity. This is something that is already there in the budget document. TISCs are very important. We attach great importance to the network as a whole. They play an important role with regard to respect for IP, raising awareness on IP, but, at the same time, some of the TISC networks in developing countries, including mine, remain very basic in terms of their service provision. That is why we propose to have another KPI which differentiates with regard to the level of maturity. On the Global Innovation Index (GII), I would just reiterate our questions with regard to the weightage that is given to input and output indicators. I want to emphasize this because if you look at the list of around 80 sub-indicators which are then divided into seven different categories, especially with regard to the input indicators, as you may be able to see, some of the indicators are indexes themselves. For example, in institutions, political and operational stability, government effectiveness, regulatory quality, rule of law, they are indexes on their own. In our opinion, when we calculate these indexes, they are already taking into account a number of factors which have already been accounted for in the Global Innovation Index (GII). That is why we think that some of the indicators in the input section can be done away with. I have some examples as well. This is something that we feel that developing countries, they are kind of in a perpetual state of low

rank because no matter how much innovation you do, at the end of the day, because of the lack of capital infrastructure, which is a chronic issue, the ranking will always come down. I have some examples. For example, for Ghana, the output rank is 88, but the overall ranking is 95. For Iran, the output rank is 38, the overall rank is 53. For Jamaica, 60 is the output rank but the overall rank is 76. This figure is very much clear when we talk about Pakistan. The output rank is 69, which means that if you look at the output of innovation in terms of IP filing, receipts, software spending, software export for example, we are 69th in the world, but the ranking that we get at the end when we include the input indicators is 87. So, without again going into more details, I think I made my point and we will appreciate some elaboration of how the criteria is established, and what is the weightage of the overall input and output.

342. Delegation of Switzerland: On the IP and Innovation Ecosystems Sector, Group B appreciates that IP users have increasing recourse to the services of the Arbitration and Mediation Center which translates into a target of 300 additional disputes and bon offices. We note with interest the move towards the use of alternative dispute resolution in emerging areas of innovation such as the life sciences, FRAND and IoT, digital copyright, smart contracts and the metaverse. We welcome the fact that figures are provided regarding the number of visitors to the Global Innovation Index (GII) website, around 1 million equaling a 20 per cent increase, and the range of countries using the GII for the development of their innovation strategies and ecosystems, 77 countries out of 110 responding countries. Providing figures helps Member States understand the usage of the Organization's tools and resources which showcases WIPO's visibility. That is, for instance, the case for WIPO Lex, almost 785,000 visitors, a database administered by this Sector which is a very useful resource that provides free of charge access to legal information on IP from around the world. Group B appreciates the introduction of concrete baselines for the number of SME support institutions and the number of SMEs assisted by support institutions which are using WIPO materials and tools. We also welcome the fact that the Secretariat has raised the targets level in this regard. This is in line with WIPO's Medium-Term Strategic Plan 2022-2026 which intends to engage and support SMEs more extensively, helping them to use IP to bring their ideas to the market. Concerning the Administration, Finance and Management Sector, Group B underlines that the Sector is essential to the running of WIPO. As the topic of gender equality is very important to our Group, we note with regret that the gender gap still exists, specifically at D2, D1 and P5 levels. We acknowledge that the situation has slightly improved at the D2 level. We suggest in the Proposed Program of Work and Budget for 2024/25 supplementing the percentage with actual numbers to improve reporting in this area and Member States' understanding of data relating to gender. We would be interested to know from the Secretariat what measures will be taken in order to achieve its diversity and inclusion targets. On the employee engagement and the percentage of satisfaction working at WIPO, could you please give us information regarding e-Sat and the related figure of 74. Following the publication in 2022 of the progress on the implementation of the WIPO Disability Inclusion Strategy, could you kindly explain to us why there is no baseline available for the Proposed Program of Work and Budget regarding the progress of the strategy's implementation? Regarding WIPO's visibility and the objective to make IP more accessible to people, especially to young people, we are pleased to note that the number of followers of WIPO's main social media accounts is projected to increase as compared to the current biennium. We encourage WIPO to continue its effort in this area. We thank you Chair as well as the Secretariat for the opportunity to share our thoughts and questions regarding this Proposed Program of Work and Budget for 2024/25, and look forward to engaging with you and the Member States on this topic.

343. Delegation of Iran (Islamic Republic of): With your indulgence, Chair, I would like to elaborate on a very important point that has rightly been stated by the Delegation of Pakistan with regard to the Global Innovation Index (GII). While we appreciate the hard work of the Secretariat to prepare this very important index, like many other developing countries, we have been suffering from the issue of outdated datasets in the Global Innovation Index. We would like to support the proposal put forward by our distinguished colleague from Pakistan earlier,

requesting the WIPO Secretariat to consult in a timely manner with relevant Member States prior to a data collection phase. We believe that any further requirement in this regard may help relevant Member States make appropriate verifications in order to make the data more realistic and cognizant of the progress made by the innovators. In the case of my country, Iran, many young Iranian innovators and inventors, especially women and girls are making very good progress and astonishing improvements while facing various difficulties, even amidst the pandemic and despite unilateral coercive measures imposed on the population. One can observe the actual ranking of the innovation of my country, Iran, is 38. That is very telling in this regard. However, after inserting input indicators to the ranking, you will see the ranking decreases to 53. Which may not reflect the reality. To remedy this, we request that the WIPO Secretariat seek appropriate ways to make a balance between the two main classifications of input indicators and output indicators.

344. Delegation of Ghana: Ghana is honored to make this statement on behalf of the African Group. The Group welcomes the Organization's initiatives to support the business community, particularly SMEs, to leverage IP as a tool for economic growth and sustainable development. The Group sees the need to include a target for geographical balance, just as there is on gender balance on page 69, as this may help ensure proper balance between the two. The African Group also wishes to take this opportunity to reiterate its earlier call for WIPO to facilitate an annual high-level dialogue and knowledge sharing among the Member States and other stakeholders on IP and SMEs.

345. Delegation of China: We thank the IP and Innovation Ecosystems Sector for the hard work in the last two years. China supports what is mentioned on page 58, namely that the WIPO Judicial Institute will support the significant role of trial and appeal boards in IP Offices. This will complement the current work of the WIPO Judicial Institute. We would like to ask the Secretariat what exactly does this entail. We also appreciate the efforts of the Administration, Finance and Management Sector in the last two years. Regarding languages, China once again calls on the Organization to draw on the PCT's good practices to include new languages in the Madrid System and the Hague System as soon as possible. China notes that in the next biennium, the budget for this Sector will increase by 52.84 million Swiss francs, an increase of 20.1 per cent. It is hoped that more resources will be allocated from the increased budget to support the inclusion of new languages in the Madrid System and the Hague System. As many delegates have pointed out, China also has noticed what is said on page 69 that there are detailed targets regarding the percentages of women at P4 to D2 levels. China thinks that Member States are concerned about staff percentage, including for geographic diversity and gender equality. In general, China supports WIPO's efforts to enhance gender equality, but would like to seek clarification from the Secretariat on the following: How were these above-mentioned improvements on the target determined? Are there any relevant estimates or expert assessments? What are the criteria for these targets? China wants to remind the Committee that regarding the equally important geographical diversity principle, the Organization has not reached a consensus on each region's percentage. We think if the geographical diversity principle cannot be well implemented, how can we solve the issue of gender equality? Therefore, we suggest that the detailed targets be replaced by "improvement compared with the previous biennium". Second, China supports WIPO to expand onto certain social media, especially to set up its official account on TikTok and other globally popular social media platforms, as soon as possible. This will help targeted audiences such as youth to have better awareness of IP and a better understanding of WIPO's work. This also is an objective that the Director General already set out in last year's report. Third, could the Secretariat clarify which divisions will the additional fellowship positions be allocated to in this Sector? And we have noticed that in Annex III there is a significant increase in the number of people at P level in the Administration, Finance and Management Sector. Could WIPO please clarify what is the rationale and the necessity for the big increase in the Sector's budget and posts?

346. Delegation of Colombia: I would like to thank the IP and Innovation Ecosystems Sector for their contribution to Colombia. A system of innovation can really make a difference. I have a few questions. How are the priorities set in this Sector? I see that one of the topics that is to be addressed is that of working with ICANN and domain names. Who sets those priorities and what is the role of members of this Organization in the design and definition of those priorities? With regard to technology transfer, since this is very important for my country, if I do the calculations, I see that this tech transfer only accounts for 2.55 per cent of the total. I would like to understand why there has been a reduction in the area of technology transfer, as indicated on page 60, and why it was considered that this was not a topic that could have been allocated more of the budget.

347. Delegation of Sweden: Sweden supports the statement delivered by Group B. Sweden notes with regret that the targets for gender balance for managers and experts on page 69 are unchanged compared to the targets in the last report. The progress on this topic seems to be difficult to achieve, especially at higher levels. Sweden considers this work of greatest importance. We look forward to the Annual Human Resources Report to be presented at the next PBC, and to learn more about the measures and plans to achieve the targets.

348. Delegation of Algeria: My Delegation considers the work of WIPO on IP for Business so important and relevant to facilitate the use of the IP system by businesses and entrepreneurs in the Member States. Algeria has great interest in the programs implemented by WIPO in support of small and medium-sized enterprises and start-ups. We welcome the focus by WIPO on IP and finance to help enterprises use IP as collateral and finance innovation by innovation. My Delegation notes that the proposal under IP for Business, page 68, states that the IP for Business Division seeks to deploy tools, programs and materials developed in the past biennium. We would like to suggest the deletion of the reference "developed in the past biennium". Because we believe there is potential to develop and deploy new programs and initiatives during the new biennium. Furthermore, and in line with our proposals under Strategic Pillar 4, on the organization of a high-level dialogue on IP and SMEs, we would like to suggest adding the following new bullet that reads as follows: "facilitating high-level dialogue and knowledge sharing among Member States and other stakeholders on IP and SMEs". This proposal has already been shared with the Secretariat. As regards the Global Innovation Index (GII), we would like to highlight the importance of this tool to support policymakers and the Member States in developing strategies to improve innovation performance of their economies based on adequate and relevant indicators. We call on the Secretariat to strengthen its capabilities, to guide and assist Member States in comprehending GII methodology and improving data availability pertinent to this index. We also believe that WIPO, as a United Nations agency, should take into account sustainable development dimensions in the elaboration of the GII. Under Administration, Finance and Management, we would be grateful to receive more clarification on how the improvement targets over the previous survey on gender balance will take into account geographical balance, especially at D1 to D2 levels.

349. Delegation of the Russian Federation: The Russian Federation notes with satisfaction the work that is being led by the IP and Innovation Ecosystems Sector, including support for the business community, SMEs and start-ups. What is particularly important in this regard is the localization and adaptation of WIPO instruments, i.e. the WIPO diagnostic tool. We also think the Sector is important for increasing institutional potential and ensuring long-term sustainability for technology transfer structures and the TISCs. Another important aspect of our work is ensuring broader and more effective use of global systems and services, including enhancing the quality of services that are being provided. Regarding Administration, Finance and Management, we are interested in the work on digital transformation and the implementation of the revised language policy of the Organization. What we think is particularly important is the work to broaden linguistic regimes in the Madrid and Hague Systems. So, given these resources, and the income of the Organization, we hope that we will have more constructive work in the future when implementing new languages as part of the international registration

systems. In addition, we are interested in the indicators for geographic distribution and representation and the indicators on gender equality, and we hope to carry out joint work with the Secretariat and with interested Member States on these areas of work. Thank you.

350. Chair: The Secretariat, as has occurred throughout this meeting, needs a little time in order to respond to your questions on these two sections. We will take a 10-minute break to allow them to prepare their responses.

351. Chair: We will now hear the Secretariat's response to your questions and observations, regarding the two Sectors before us now. I now give the floor to the ADG of the IP and Innovation Ecosystems Sector who will respond, and then to the ADG of the Administration, Finance and Management Sector who will respond for his Sector with, of course, the participation of other Directors and the Heads of Division.

352. Assistant Director General, IP and Innovation Ecosystems Sector: Let me start by thanking all of the delegations for the very positive words related to the work of the Sector, in general, and to the different unit and services, in particular. Let me elaborate on some of the issues that have been highlighted which are certainly of great relevance in the conversation around the Program and Budget. Let me start with some of the comments made by the Delegation of Pakistan. The Delegation of Pakistan mentioned the relevance of the TISC Network and in particular, the services of those TISCs, Technology and Innovation Support Centers, which are locally based local innovators all over the world. Indeed, this is a network of more than 1400 TISCs worldwide, across 90 jurisdictions and which receives about 1.7 million queries as of December 2022. It is certainly a huge amount of work that is undertaken by the TISC itself, and by the Organization in the service of helping those TISCs to conduct business. There are mainly two levels of services that are provided by TISC. The first one are the core services- the access to patent and non-patent databases, and assistance in the use of those databases. There are also additional services like the technology search services, patent analytics surveys, IP management and technology transfer services. Depending on the service that a TISC provides, they graduate into different levels of maturities. Indeed, as the delegate of Pakistan mentioned, in the Program and Budget that is under consideration, the baseline on page 60 has reference to the different levels of maturity to the number of TISC networks placed in each of those maturity level. So, I do agree that keeping in mind that level of maturity in any reporting is very helpful, not only to identify how the network expands, but also how TISCs within the network grow in terms of level of maturity. The second point raised by the delegation of Pakistan is about the Global Innovation Index (GII). In that regard, a number of issues were mentioned by the delegation. What is clear, and it was highlighted not only by the Delegation of Pakistan but all the delegations that intervened today, is that the Global Innovation Index (GII) has become a major international benchmark for innovation performance and metrics worldwide. It is not easy to conduct that work in terms of the Organization, and it is not easy to collect and to transmit the data needed for that report at the national level. We know how complex that task is at the national level by those countries that are one of the 132 jurisdictions covered by the Global Innovation Index (GII). Let me start by mentioning a few elements. Related to the data- the data that goes into the Global Innovation Index, its rigor and independence, is something we take very seriously in doing that work because we know the relevance of preserving the quality of the data that is used for the Global Innovation Index (GII). As a result, every year, the Global Innovation Report is subject to the external, independent data audit, and in addition, we rely on our internal audit to be sure that both data analytic and data structure of the reports are at the very high level to keep confidence in that report. On some of your particular questions, let me elaborate a little bit more. The Global Innovation Index draws fully on international data sources by entities such as the ILO, UNESCO and the World Bank, and the only data that is used from us is the data related to filings of IP. So, the only data that we, WIPO, produce is the data related to IP filings worldwide. All the data is taken from different sources like the ILO, UNESCO, and the World Bank, as I mentioned before. Those different reports certainly do not favor particular economies. They use the report on different

data and analyze that data according to the subjects of different reports. WIPO does not take any data from a country. That is something that has been mentioned, but it is important to have a clear picture in that regard. But on request, the Secretariat work with any willing country that would like us to help them to analyze the situation in terms of metrics, data collection, or data sharing with the different units that collect that data. But we cannot engage in a routinely basis with Member States about the collection of the data because this is a role that takes place country by country. We can certainly help the identification of certain constraints that may arise in this regard and try to help through technical assistance with Member States, as I mentioned before, either on the metrics or on improvements that can be done in the collection of that data. In your request related to innovation inputs and outputs, that is an extremely valid question. The global innovation is built on the assumption that both are critical to the function of a vibrant innovation ecosystem, but one is not one more way than the other. Both the input and the output have the same weight, and that is the main area or main subject of your request. In our view, what we see is that we should pay attention to both because the input of today will be, without any doubt, the output of the future. So, for developing innovation policies country by country, analyzing the input, the different pilots related to inputs, is very important to see what can be improved. The outputs show the performance of that innovation ecosystem in particular. Indeed, we are very pleased, as mentioned by some of you, that Member States are using the Global Innovation Index extensively. In the recent survey that was conducted on the use of the global innovation system, 70 per cent of those countries that replied to the survey, 110 Member States replied that they used the survey for different purposes. But very particular, the majority of them, to improve the innovation ecosystem and policy. Finally, let me express my gratitude because my team indeed has been working with the delegation of Pakistan in the identification of certain issues that will allow the country to improve both metrics and collection of data in the last two years. But we would be more than glad to explore further what else we can do to be of assistance, as expressed by the Delegation, if this is an area of interest for the Delegation. Related to the Delegation of Iran's comments, I would probably reference to the previous comment made since the main element mentioned there was, again, the issues of input versus output in the way that GII is structured. If there is something I am missing, I will be more than glad to follow up later on. Relating to the Delegation of Ghana's intervention, my understanding is it was a strong support for all the work and effort the Organization is making in supporting SMEs in doing their work, and in particular, in getting benefit from the IP system. I am not sure if the reference to the geographical balance, indeed, was made to the assistance we are providing. But, if it is the case, let me assure that there is careful attention to the geographical balance. Allow me to use some figures that may be relevant. In the area of IP clinics, that is the way we engage with SMEs in helping them to incorporate IP policies in the SMEs work, we have organized 4 in Africa, 3 in Asia, and 2 in other countries like the Arab League countries. Relating to the diagnostic tool, it is a tool used to help SMEs to do a self-assessment about the IP situation, 20 translations have been made to different UN languages and beyond UN language. There is a very marked equilibrium in the type of work by regions. We have been conducting work, and translation has been done to Japanese, Portuguese, Korean, German, Indian, Bulgarian, Indonesian, Vietnamese, Thai, Lithuanian, Estonian, and Hungarian, among others. So, certainly, we are working with different IP offices and partner institutions in different regions of the world. If more detail is needed, I will be more than happy to get into those details. In the case of the Delegation of China, a reference was made in the Program and Budget Committee, in particular, to the line that reference to the strategic implementation of the work of the WIPO Judicial Institute. The WIPO Judicial Institute is conducting work beyond traditional judiciary institutions. The reference was made to the work of the center in order to support the role of administrative bodies performing quasi-judicial function and IP disputes such as appeal boards in IP offices. Here, indeed, the point I would like to make is that significant progress has been made in the engagement of the WIPO Judicial Institute with judicial authorities, and in getting caseload decision from the judiciary to our WIPO Lex judgement database. We see more and more requests for consideration of leading cases and decisions taking place in these types of administrative bodies, and we do plan in this biennium to be more involved and more

closely work with those institutions to benefit both from the knowledge coming from those decisions and if possible, by making those decisions available through the database. In relation to the question raised by the Colombian Delegation, there are two issues there. The first one is about the work of the Arbitration and Mediation Centre, and, in particular, the work of the center in the area of domain names. Reference was made to our close relationship with ICANN, and there are a few elements that are relevant there. As a point of history background, WIPO was behind the whole work that was done in the development of the UNDP policy that was adopted by ICANN, and that allows trademark owners to enforce their rights through a mechanism that is out of court. Beneficiaries of this work are from different regions of the world. If we take the example of Colombia, in the last year, we have 139 cases and in total, we have more than 1100 cases of domain names involving a party that is from Colombia. Part of the question is how do Member States engage in this conversation, and the answer to that is there are two times every year where Member States engage in this conversation. First is through the report we produced regularly in the standing Committee of the Law of Trademark, and the second is through the report we present to the WIPO General Assembly in which we indicate the work conducted by the center, both in ADR, in general, and in domain names, in particular. The second question is related to technology transfer and in particular, the allocation of resources for it. The Colombian Delegate mentioned, as an area of interest, that appropriate resources be allocated, a subject that is key for the Delegation and for many other delegations because it was mentioned in other interventions. The expected result 3.3 is one of the results in which the IP for innovation department undertake a number of activities in the area of technology transfer. There are two more expected results. Expected result 4.2 where, for example, helping institutional policies like TTOs, universities and public research centers to develop policies that allow IP protection and transfer of technology to takes place. An amount of 1.4 million Swiss francs have been allocated in total for that expected result. Under expected result 4.4, a number of activities are also undertaken including in areas like IP analytics, IP management, IP evaluation and the work of TISCs in the different regions to provide assistance on tech transfer with resources of about 5.5 million Swiss francs have been allocated. So, rest assured that tech transfer is at the center of the work of this Organization, and resources have been identified and allocated in consequence. Related to the request of Algeria for information on the work we have conducted in supporting businesses all over the world, and in particular, the work we are conducting on IP-backed Finance, reference was made on page 68. Indeed, some wording improvements are suggested to mention that we are not only deploying tools that have been developed in the past, but that, we also commit ourselves to keep developing new tools. Indeed, if we go to the strategy narrative, you will see that although the wording that you mentioned is in the heading, when you go down to bullet point number one, there is reference to creating business friendly tools and services that facilitate awareness, understanding and use of IP. That shows a forward-looking approach instead of only backward-looking approach in the implementation of tools already developed. But certainly, we take note and if there is any way to improve the wording, we will be able to do that. And finally, on the intervention of the Russian delegation, we do agree that adaptation of the IP diagnostic tool is key for its success, not only in terms of language adaptation but also in terms of legal framework adaptation and the possibility of using local cases that speaks well to the local audience, particularly to business. We are doing that, we are working in that direction. Not only, as I mentioned before, in the UN languages, but also beyond UN languages. We are even working in local languages. There is a project going on in India in that direction. Rest assured that we will keep that direction, and we take note of the interest that you have mentioned. Back to you, Chair. But allow me just to double check with any of my colleagues that would like to correct, add, or modify any of those elements I have mentioned. Let me give the floor to the Chief Economist.

353. Secretariat: I will be very brief to just provide one specific answer to a specific question that was raised by the Delegates of Iran (Islamic Republic of) and Pakistan as to the computation of the overall GII score. The overall GII score is the unweighted average of the output score and the input score, and it is worthwhile noting that the output pillar of the GII consists overall of fewer indicators compared to the input pillar, which gives greater weight to

the individual output indicators. All of that is explained in the annex to the GII report, but of course, we stand ready to provide further explanation on these matters.

354. Assistant Director General, Administration, Finance and Management Sector: I will start by addressing the questions for the Administration, Finance and Management Sector, and then I will hand over to my colleagues who are responsible for Human Resources and Communications. Allow me to start by echoing the ADG, IP for Innovation Ecosystems Sector's words of gratitude and appreciation for your kind words for the work of the teams in both our Sectors. I will start with the question by the Delegation of the Russian Federation on the digital transformation strategy. The strategy is very much designed to create a one-stop shop in WIPO for IT services. It is designed to bring together the fragmented teams into one single team under the Chief Information Officer. We believe it brings a number of benefits. We believe it would help us build coherence in the work of those teams, and it is an opportunity to learn lessons as we build the IT infrastructure that sits behind each of our systems. We think it will allow us to better allocate our finite resources towards the projects and to meet business demands. More broadly over time, I think it will allow us to engender a career spirit amongst our colleagues working on technology matters, and build and generate clear opportunities for our IT experts to develop in the Organization. That answer, I think, then leads us on to the questions from China. More generally on the increase in numbers in the Administration, Finance and Management Sector which are very much driven by that consolidation. On page 71 of the English version, the Expected Result 3.2 allocates 35 million Swiss francs in resources. In response to a question from the United States yesterday, there is now a breakdown of that included in the Question & Answer document. That 35 million Swiss francs consolidation of mostly existing resources across the Organization under the Chief Information Officer is responsible for the majority of the increases in the AFMS resources. If you exclude that centralization which, as I said, is more about reallocating existing resources, you will find that the increase in personnel resources falls below 8 per cent for the Sector. The increase in non-personnel resources falls to 5.4 per cent which is below the increase overall for the Organization and I think shows the efforts we are making to drive back office efficiencies in this area because this is an area that is very much directly under our control. Overall, the increase for the Sector comes out at 6.7 per cent. As I said, excluding that reallocation of resources internally, it is 6.7 per cent, which is obviously much lower than the headline figure that you see in the document. Turning then to the question from the Delegate of China on fellowships. The fellowships in the AFMS Sector cover a number of areas of work. They cover communications and outreach, including social media, ethics, the training on ethics which the Chief Ethics Officer spoke about under an earlier Agenda Item, climate change and sustainability. I am delighted to say that I think we are doing a formal presentation at the next PBC on our work on climate change but that is very much an area where we have a fellow helping us as we try to carve out a role as one of the leaders in the UN system in this area. It is very much focused internally on WIPO's carbon footprint or approach internally to sustainability. In HR and IT as well, there are a number of new fellows covering those issues. Thank you very much for those distinguished delegates that spoke out in support of our language policy and commitment to multilingualism. We are happy to comment further on the strategy, if it is of interest, on the Madrid and Hague Systems. We stand ready to be guided by the Working Groups, as you would expect, but your comments are very well noted. I think that covers the questions for the AFM Sector. With your permission Chair, I will hand over to our HR Director for a few questions on HR.

355. Secretariat: With respect to gender parity targets, the main reason why the targets have not been substantially increased is that we first looked at which posts would become vacant over the period in order to get a sense of what was achievable. We are happy to report that the P4 target has been met since 2020, making WIPO one of the first technical entities in the whole UN system to do so. Significant progress has also been registered at the D2 level and WIPO is now comparable to, if not better, than most technical UN agencies. Furthermore, even though the D1 and P5 levels have registered a slight decrease, WIPO still remains above most of the other technical agencies. These are benchmark comparisons, which doesn't mean that the

Organization shouldn't do anything about it, on the contrary we should definitely continue to focus on improving these figures. In response to the Delegation of China, I confirm that this is indeed an improvement as compared to the previous biennium, since, in any case, the targets have not been fully met during the previous biennium. Delegations would have a lot more information in the Annual Report on Human Resources. With respect to the question from Group B on employee engagement, the e-Sat is an average score that is used to provide an overall snapshot of how happy employees are working in an Organization. It is a system established by the external provider used for the engagement survey (which is one of the leading providers of such voice of the employee tools). The advantage of having this e-Sat score is that WIPO is able to benchmark against the survey data of 1,000 organizations. The e-Sat score covers all WIPO's workforce, i.e. not only staff, but all employees who works at WIPO, on the premises at least. With respect to the question from Group B on disability, there is an indicator in the current version and there is a reference to the progress on the implementation of the WIPO Disability Inclusion Strategy. In fact, WIPO would be using an indicator from across the UN, called UNDIS, which is a good way to align with UN system-wide efforts. An action plan for the strategy that was directly related to the UNDIS is in the process of being finalized, with a baseline of 0 per cent. The target proposed is to cover 8 out of the 15 UNDIS KPIs (or 53 per cent). Last, but not least, on geographical distribution, I would like to recall that the indicator reflected on page 69 of the Proposed Program of Work and Budget is based on the decision of Member States, on the percentage per geographical region as per the 1975 Accord. This does not mean that we will not be looking at other indicators. Through consultations with Member States, and as part of the Annual Report on Human Resources, a first action plan on geographical representation will be included that will include new indicators. Our number one effort, as agreed through the discussions with Member States, is to focus on data, on what data can be used, and mainly how data can be used to measure progress. Whilst the Annual Report on Human Resources is still work in progress, we will continue the exchanges with Member States in the course of this year as well as after the Assemblies on this very important matter.

356. Secretariat: Just to respond to a comment I think from the Delegation of China. Indeed, TikTok is part of our strategy to reach out to a younger audience. We have already been testing reels on Instagram for a while to see how they do. Obviously, a big challenge for TikTok is the development of content that is platform appropriate, and at the same time, reinforces our messaging. Our approach is to educate and entertain, and we hope to launch TikTok before the Assemblies.

357. Assistant Director General, Administration, Finance and Management Sector: Just for completeness, if I may come in response to the Delegate from China who asked about the change in P level posts within AMFS. Again, that was linked to the centralization of IT, so it was the same answer I gave earlier on resources generally, but just for completeness that also drives most of that increase in P level posts.

358. Delegation of Switzerland: Thanks very much to the Secretariat for having provided the answers to these questions from Group B. If I understood it correctly, there is one outstanding question that has not been addressed. In the context of gender, we have suggested to supplement in the Proposed Program of Work and Budget for 2024/25 the percentage numbers on gender with actual numbers to improve reporting in this area and to facilitate Member States' understanding of data relating to gender. In addition, we would like to be interested to know from the Secretariat what measures you plan to take in order to achieve diversity and inclusion targets. Thank you very much and apologies if this has been addressed, but I think there is an outstanding question.

359. Delegation of China: If I may, I would like to first respond to one point in English regarding the gender balance. My Delegation thanks the Secretariat for their clarification. I also have one clarification from my previous intervention. In my previous intervention, what I suggested is to change the percentage on page 69 on gender, the target percentage, to a general statement as

an improvement, compared with the previous biennium. That is my clarification. I wish to thank the ADG for your clarification and response to the question. We highly value the work of the Judicial Institute. On the expansion of the important role of the Trial and Appeal Boards in the IP Offices, we believe there are many important experiences that can be shared within the IP community across the world. For example, the board in China's IP Office, indeed, has many typical cases in terms of trademarks and patents that can be shared with the rest of the world. In addition, we wish to encourage the Judicial Institute of WIPO to take leadership in this area of work. I also wish to thank the ADG for your response to our questions in terms of language in the Madrid and Hague Systems. On previous occasions, we have heard that due to limited budget for the expansion of languages within the Madrid and Hague Systems, we must adopt a cautious attitude. However, in the next biennium, the Administration, Finance and Management Sector will have sufficient budget. AI technology is developing by leaps and bounds, therefore in light of these factors above, we hope that Member States can reconsider this issue. I wish to thank the Secretariat for your response on the TikTok platform issue. We have noted that TikTok is a beloved platform by the youth in the world. Actually, I have statistics at hand. The average interaction rate on TikTok is high above Instagram, and other platforms, and such a gap is increasing. That is the margin enjoyed by TikTok. Therefore, we are very hopeful that before the Assemblies, we could see the content produced by WIPO on TikTok.

360. Delegation of Iran (Islamic Republic of): We listened carefully and noted the clarifications provided by the Assistant Director General, IP and Innovation Ecosystems Sector and his colleagues on the Global Innovation Index. We would like to thank them for the clarification, however our question and request remains. The Secretariat should seek any possible ways to balance between the two main classifications of input indicators and output indicators. As mentioned by the ADG of IES, we do believe that there can be room for more clarification of the country concerned and any other stakeholders in order to reach a more equitable and reasonable solution on this issue. As we have noticed, this is not solely an issue with one particular country. It is an issue with other developing ones as well. Therefore, we look forward to further explanations or clarifications that can be provided, either bilaterally or in this forum. Regarding the reference to the linguistic works that have been done by the IP and Innovation Ecosystems Sector, as a country with more than 85 million Persian speaking population, we would like to request the IP and Innovation Ecosystems Sector to work closely with the Iranian IP Office to provide assistance to encompass the Persian language into the existing ones. That would be very much appreciated by my Delegation if the Secretariat could work as suggested.

361. Delegation of Pakistan: My Delegation would like to thank the Assistant Director General, IP and Innovation Ecosystems Sector and the Chief Economist for their comprehensive answers to our queries. In fact, I think we all agree on the significance and the increasing relevance of the Global Innovation Index, and we are trying to find ways in which we use the findings for improvement. Having said that, I would just like to emphasize that we are of the impression that now not only the policymakers, but investors around the world also refer to the Global Innovation Index. The idea is that a country, for example, a developing country like Pakistan, which does not have a high rank in infrastructure, is not, for example, featured twice in an informed decision of an investor. It is an observation, and I am sure the Secretariat will take note of that. Secondly, with regard to the TISCs Network, we welcome and thank the Secretariat for taking into account our suggestion. I would just like to ask a question at this stage regarding two textual proposals with regard to the budget document if they will be taken on board.

362. Chair: Distinguished delegate of Pakistan, these questions, do they relate to the Sectors we are covering now or do they relate to other Sectors? I am afraid I did not entirely catch your point there.

363. Delegation of Pakistan: In our opinion, they relate to the IP and Innovation Ecosystems Sector, which is part of the Secretariat in charge of the GII as well as our second point on TISCs.

364. Delegation of Colombia: I would like to express my gratitude to the ADG for IES for his detailed replies. On the topic of gender, I would like to indicate that the figures are very important and noteworthy and we do underscore the efforts that have been made, particularly in terms of the targets set out on page 69. That said, we do feel that there is a need for organizational culture programs in order to do away with patriarchal models within this Organization.

365. Chair: I thank the distinguished Delegate of Colombia for her statement. There have been some follow-up questions and I would like to give the floor to the Director of Human Resources Management Department to address some of those questions on gender.

366. Secretariat: Let me start by addressing the question from Group B on supplementing the percentage with numbers. The point is interesting because in fact, when you are talking about a D2 population, we have 12 D2s. A change of one person can make a significant difference in the percentage. From that perspective, I do see the point of providing the exact numbers. On the other hand, the percentage can be helpful when we are looking at differences because it is not only an increase. Depending on the number of posts at a certain level, this can also evolve. It can bring some adjustments to the percentage. There is no perfect solution, but I see the point, and I guess the point made by Group B, to some extent, relates to the point made by China about how we can look at a general improvement. Indeed, if you are looking at numbers it gives a better sense of what the targets are and how many more D1 women we need to have, or how many more P5s. I do see the point of looking at an overall improvement. Noting as well that and this goes back to the question from Group B on what are you doing, there are different approaches and we will report that at the next session. Just to note that it is a combination of outreach as well as growth of internal female candidates, but obviously, if we have a P5 female colleague that is promoted to D1, that will decrease the numbers on the P5. It is a constant change from that perspective. On the outreach, it is very much related to what we do on the geographical representation. There are some specific actions typically, for example, we have a specific talent pool for senior female candidates. Generally the number of things we do on gender are also helpful for all types of diversity. For example, we do use executive search firms to enhance the pool of candidates, notably in IT positions where we know that there is a much lower proportion of women. To note as well that there was the point made by the Delegate of Colombia on the need for organizational culture programs, I think largely a lot of this is captured in an existing program, and training on working harmoniously in a respectful work environment. Obviously it does not mean that progress is not needed, and we will certainly continue our efforts in that regard.

367. Chair: At this juncture, we have concluded the preliminary examination at least of the Sectors. I would now like to open the floor for any statements you may wish to make with regard to the annexes to the document pages 72 to 110.

368. Delegation of Pakistan: Before we move on we have some pending questions regarding our textual proposals on IP and innovation.

369. Delegation of Iran (Islamic Republic of): The same as here, actually, we have some pending questions that need to be further elaborated on.

370. Chair: I will keep the floor open on the annexes, and the Secretariat will then address how to respond to the various questions. The Secretariat is telling me that both for Pakistan and Iran (Islamic Republic of), if you could kindly submit the questions in writing it would be easier to address them in any number of ways. I am committed to ensure that you get replies to

all questions and records of the session. If you could kindly submit them in writing, we will endeavor to provide an appropriate reply. If there is proposed text to be included from Pakistan, a written submission will make it much easier to include the text.

371. Delegation of Colombia: My apologies, perhaps it is the time, but at what point are we going to be getting to the Office of the Director General? Will there be a time we can comment or ask questions on that?

372. Chair: The Office of the Director General and the budget is included in the section on Administration, Finance and Management. If delegations have any questions on Sectors we have covered, there will be the chance to speak, but that will be once we have concluded the annexes and the appendices. The appendices as set out in the document. Would any delegation like to speak to the appendices from page 111 to 117. Thank you for your flexibility and agility here. As I committed to previously and bearing in mind that certain delegations have questions outstanding on some of the sectors that they may not have a chance to raise, I would like to open the floor now so that they can ask questions on any of the sectors we have already covered if you still need some replies. As I said this morning, it is important to bear in mind that we do not have staff from all the sectors here. So it may well be that this will have to be done in writing in the course of the week.

373. Delegation of Colombia: My Delegation has two questions. Firstly, on Strategic Pillar 4, specifically we would like to know about the programs in place in the Organization with regard to skills and competences. We would like to seek clarification. As we understand it, 37 per cent of the resources of this Organization are under the control of the Director General as we can see on page 71. The remainder therefore would appear to be covered by the directors. In addition, we wonder what sort of oversight exists, either from the Director General's Office or other parts of this house over these respected resources.

374. Assistant Director General, Administration, Finance and Management Sector: In terms of the structure there are of course the eight Sectors, each overseen by an ADG or DDG, then if you like there is a Sector of the Director General which includes the teams that report directly to him. You have heard from two of those today, human resources and communications and a few others including the Independent Oversight Office, Ethics Office. In terms of oversight, I can assure you that the Director General exercises deep oversight over all parts of the Organization, and I think he does that through a number of different mechanisms. Of course, through the implementation of the budget that is in front of you this week, but that in practice is then delivered through a very detailed work plan, that is a workplan that is monitored continuously by part of my Sector, the Program Performance and Budget Division team, but also the Director General oversees that. We have introduced a number of new initiatives under this administration, including a meeting where we bring together all of the managers across the Organization. It is open to all staff, but we bring together managers of the Organization, and we work through strategic pillar by strategic pillar, expected result by expected result, each of the outcomes we are trying to achieve and the Director General asks the colleagues that are responsible for delivery across the various sectors to explain the progress they have made, where they would like to go in the future, where the gaps are, what support they need to deliver, and so on. We have a number of mechanisms that then feedback into a fairly periodic review of resources and we do make under the flexibility rules small tweaks over the course of a biennium to ensure that we can deliver against the promises that we have made. I can put on record that we have a Director General that oversees and monitors very closely all of the Sectors of the Organization.

375. Chair: I would like to inform you of the state of play of the negotiations on matters pertaining to agenda items 7 and 8. This morning, *via* the Secretariat, we circulated a proposed amendment to the document concerning agenda item 7. You will have the opportunity to analyze this, and I do encourage you to pursue your conversations to make inroads with this

document and to enable us to conclude this agenda item this week. With regard to the item that we managed to conclude partially yesterday, the Proposed Program of Budget for 2024/25, we had a very interesting morning of consultations between the Groups and certain other Member States that had joined the Groups to address a number of proposals you had made on the proposed document text. The Secretariat has committed to pursuing work to facilitate this debate, and following consultations with the different Groups, you should feel free to make proposals throughout the day. Proposals will be presented at the end of the day, and the Secretariat will endeavor to ensure that by tomorrow any proposals you make will be incorporated. As you will have seen, in light of today's work I would encourage you to continue to engage in consultations with your regional groups so that you can continue to work with myself, the Chair, the Acting Vice-Chairs, the Secretariat, and between the Member States and the different regional groups. As we have seen today, points of convergence have been found on various issues following dialogue. I would encourage you to continue with that type of discussion today so that tomorrow we are able to address this subject. We have been able to undertake the informal consultations today because we were able to deal yesterday with two items that were slated for today. The plan is to resume our work this afternoon with Item 12, moving on subsequently to Item 11.

376. Chair: Good afternoon distinguished delegates, let us resume our work within the Program and Budget Committee as per this morning's announcement. One administrative point first: the Secretariat will be circulating to the Group Coordinators the document containing the outcome of the debate this morning in the informal sessions, reflecting those modifications where there was a preliminary agreement between the Groups and the Member States present in the room. As well as the points where there is not yet agreement. This is included in the document and we would ask the Group Coordinators to please circulate that so we can pursue our work.

377. Chair: We now move to Agenda Item 8. As you know we have spent many hours on this point. I can tell you already that this decision paragraph reflects the ongoing nature of the work that is to be carried on at the 36th session at the PBC. I would like to thank you all for your hard work. We have reached a lot of agreements in the meetings with the regional coordinators and with Member States. The proposed decision paragraph is:

378. The Program and Budget Committee (PBC), having completed a comprehensive first review by Sector, as well as Annexes and Appendices, of the proposed Program of Work and Budget for 2024/25 (document WO/PBC/35/5):

- (i) Emphasized the importance of WIPO's contribution to the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs);
- (ii) Underlined the importance of promoting diversity and inclusivity in the field of intellectual property, including gender equality and equitable geographical representation, through WIPO's initiatives and within the Secretariat;
- (iii) Requested the Secretariat to update the demand and income estimates in the proposed Program of Work and Budget 2024/25 to reflect the Chief Economist's April 2023 forecasts;
- (iv) Agreed to the following modifications proposed by Member States as per the attached track changes document:
 - i. Addition of a new bullet related to TK, TCEs and GRs under Strategic Pillar (SP) 4 (page 13);
 - ii. Addition of a new bullet related to SMEs under Strategic Pillar (SP) 4 (page 14);

- iii. Modification of the fifth implementation strategy under the Patent Cooperation Treaty related to PCT staff and technical patent examination (page 22);
 - iv. Modification of ER 4.1 to include a reference to balanced IP system and related footnote (page 23);
 - v. Modification of the 1st and 4th bullet in the implementation strategy related to Copyright Law (page 31);
 - vi. Modification of the implementation strategy related to Development Agenda Coordination (page 37);
 - vii. Modification of the implementation strategy related to the 2030 Agenda for Sustainable Development and SDGs (page 50);
 - viii. Modification of the implementation strategy under IP for Business related to tools, programs and materials and the addition of a new bullet related to SMEs (page 56);
 - ix. Addition of KPI related to GII datasets under ER 4.2 (page 59);
 - x. Modification of the implementation strategy under Digital Transformation related to data security (page 62);
 - xi. Modification of the 6th bullet under the People and Culture related implementation strategies (page 66);
- (v) Requested the Secretariat to issue a revised version of the proposed Program of Work and Budget for 2024/25 based on (iii) and (iv) above;
- (vi) Took note, *inter alia*, of outstanding issues (highlighted items in the attached track changes document) for further consideration in the 36th session of the Program and Budget Committee:
- i. Removing SDGs, except SDG 9, in the strategy house (page 8);
 - ii. Addition of a new bullet related to green technologies under Strategic Pillar (SP) 3 (page 13);
 - iii. Addition of a new KPI under ER 3.3 related to technology transfers (page 13);
 - iv. Modification of the 3rd bullet priority under SP4 (IPGAP) (page 13);
 - v. Adjustment of budgetary allocations for DA and South-South coordination and IPGAP (page 13);
 - vi. Modification of the KPI related to the IPGAP (page 14);
 - vii. Modification of the priority related to gender equality and equitable geographical representation (page 15);
 - viii. Modification of the risk response for the risk related to cybersecurity (page 16);

- ix. Addition of new text on gender equality under the implementation strategy related to IPGAP (page 21);
- x. Reallocation of resources between ER 1.1. and ER 2.2 (page 34);
- xi. Addition of additional paragraph under Development Agenda Coordination (page 37);
- xii. Reflection of additional risk in RNDS (page 38);
- xiii. Additional bullets related to the participation of indigenous representatives in IGCs and the Diplomatic Conference (page 48);
- xiv. Modification of the implementation strategy related to IP and Competition Policy (page 50);
- xv. Addition of KPI related to TISCs under ER 4.4 (page 60);
- xvi. Modification of ER 5.1 (page 69);
- xvii. Modification of the targets for the KPI related to gender diversity (page 69);
- xviii. Addition of an Annex with the breakdown of budget and posts offices;
- xix. Addition of an Annex with a breakdown of the budget for Development Coordination.

379. Delegation of Switzerland: I find it a bit difficult to follow all of this in a few minutes only. It would be useful to perhaps also have the latest version of the text, and then be able to compare these points that you have listed with the text that we were just following through in the TC's exchange. It would be much appreciated. Because like this, it is very difficult to double check whether all of what we have discussed is reflected there.

380. Chair: Specifically, which document are you referring to? Because all this document is doing is reflecting the discussions that we had in the plenary and in the informal sessions. Therefore, there isn't a document as such apart from the initial document that we were working on. Is that the document you are talking about?

381. Delegation of Switzerland: I believe we are talking about the document that we all received this morning and that we all worked on today during the day, right? It would be helpful to be able to compare the document with your list of issues that are agreed and that are not yet agreed.

382. Delegation of China: Our Delegation also wants to have some time to study this document so that we can compare this with the previous document.

383. Delegation of Ghana: We would like to support the proposal by Group B for some time to go through this and compare. In that same spirit I would like to point out something that was agreed in the informal session that has not been reflected here. There was a proposal by the African Group on the sixth point under the Office of the Director General. Including the phrase "concrete measures", according to what we have seen so far, it does not look like it has been reflected.

384. Chair: The Secretariat is saying that we are talking about item 11 of the decision paragraph, in the 4th paragraph. "Modification of the 6th bullet under the People and Culture

related implementation strategies (page 66)". There is a change and that is reflected in this list indeed.

385. Delegation of the United States of America: I just want to point out that the page numbers in the version that we have worked off this morning do not correspond to the page numbers on the screen, probably because some of the lines were deleted. That is why, you know, we need a little bit more time and that therefore there is the confusion as to what is there and what is not.

386. Chair: We have sent the documentation as captured by the Secretariat. You have the decision at your disposal.

387. Delegation of the Russian Federation: I would like some clarification. Should we provide all of the comments immediately or are we supposed to go item by item? Or section by section?

388. Chair: May I ask the distinguished Delegation of the Russian Federation, what do you refer to exactly by item by item or section by section?

389. Delegation of the Russian Federation: Well, because the issues could concern paragraphs in different parts of the document. So, how is it best to provide our comments? Under this agenda item. Of course it is quite a lengthy document. OK, I will begin.

390. Chair: I do not understand your proposal. I was asking for comments on the decision paragraph because we are nearing the end of the work of this PBC and we need to conclude one way or another. I am not asking for comments on the content of the document because we are going to be continuing to work on the content at the next session. I am referring to this document, and that is why I wanted to know what you meant exactly by "item by item". We have these Roman numbers in the document that you have on the screen, but we are not referring to the initial document.

391. Delegation of the Russian Federation: We think it is necessary to review the text regarding paragraphs 2, 12, 18, and 27. Where it uses the term "diversity". Because this term has ambiguous connotations. It is not interpreted in the same way. It is not understood in the same way by all Member States. We should avoid using that term and use acceptable wording. We can have a proposed wording for that.

392. Delegation of Brazil: On the second page of the document, the decision document, under xiii, my delegation on behalf of GRULAC would like to update the wording. Where we speak of "additional bullets related to the", we would add "financing matters", so "additional bullets related to the financing matters, regarding Member States and indigenous representatives". I would like to rephrase it, to "indigenous peoples and local communities' representatives in IGC's and the diplomatic conference".

393. Chair: I would like to remind you that this item of the decision paragraph is a reflection of the amendments that are actually in another document, so starting to make comments on the decision paragraph that reflect changes in the document could end up not being very productive because we have decided on something that has already been negotiated.

394. Delegation of Brazil: This suggestion reflects the comments made in the room. There is nothing added in this wording that was not discussed in the room.

395. Delegation of Singapore: I just wanted to clarify a point, the references to the page numbers in the document, is there a reference document that we will be referring to? Because I think there will be some confusion about what we discussed in the room as well as what has been shown here. Can we just have that reference point? Reference point B.

396. Chair: In the discussion we are having right now, we are referring to the document we have on the screen, the decision paragraph. Nevertheless, this paragraph refers to the document that we have been working on, which is the Proposed Program of Work and Budget: “The PBC took note *inter alia* of the outstanding issues highlighted in the attached track changes document” for further consideration in the 36th session of the Program and Budget Committee”.

397. Delegation of Switzerland: I am now referring to this draft decision paragraph, agenda item 8 ii: “Underlined the importance of promoting diversity and inclusivity in the field of intellectual property, including gender equality and equitable geographic representation, through WIPO’s initiatives and within the Secretariat”. I recall a discussion this afternoon or this morning that Group B would prefer to have two separate points. One point on equitable geographical representation and one point on gender equality. It does not seem to be reflected in this paragraph. The other comment I have relates directly to our reference document. The reference document on page 54 on the 2030 Agenda for Sustainable Development and Sustainable Development Goals. In the last paragraph, last but fourth line still refers to intellectual property and innovation. I believe that Group B had requested to remove that and keep only WIPO’s mandate and work. I think we were in agreement that we would refer to WIPO’s mandate and work instead of broadly intellectual property and innovation.

398. Delegation of the Russian Federation: Our comment concerns paragraph 6, outstanding issues, point 12. We think that this wording does not exactly reflect the discussions that were held. In this regard we propose the following wording: “discussion of a potential reflection of additional risk in RNDS”, and the rest is as it is on the screen. Then in xviii, we propose the following wording, because this proposal also does not fully reflect the discussions that were held. We propose the following wording: “addition of an annex with the breakdown of the budget and posts of the entire WIPO network, including external and coordination liaison offices”. In addition, on paragraph xvii, we propose the following wording: “modification of the targets for the KPI related to gender balance”. Furthermore, on paragraph ii, “the importance of promoting gender equality and equitable geographical representation in the field of intellectual property”.

399. China: I would like to refer to paragraph 6, section xvii. I would like to support the Delegation of the Russian Federation’s revision to this article, and also I’d like to refer to paragraph xviii, I also would like to support the Delegation of the Russian Federation.

400. Delegation of Poland: If I could ask of you for a clarification about the point relating to the potential risks in the Regional and National Development Sector, which were proposed by the CEBS Group, I need the clarification what would the change proposed by the Russian Federation mean? What is the qualitative difference?

401. Delegation of Switzerland: I am referring now to paragraph vi. I would kindly request to add in the parentheses in front of highlighted items the words “not limited to the” highlighted items. The rationale for this is that on behalf of a group of countries, this afternoon I requested the inclusion of a few KPIs for the Lisbon System. This was as I have to admit a little bit late, but we had announced it to the Chair yesterday so the Chair kindly agreed that this could be done. We would like to have this reflected at least through this wording.

402. Delegation of the Russian Federation: I would like to return to the issue that has just been raised. Could we move to the page on section xii of paragraph vi? The discussion did not reach a consensus, and we think it would be a good idea to reflect that the discussion will be ongoing. In the former wording, it seemed, it seems as if we have already agreed on the reflection of this risk, but we agreed on continuing the discussion on that.

403. Chair: In this case, unfortunately I am in disagreement with what you said as the original paragraph already spoke of outstanding issues and further consideration in the next session of

the PBC. Perhaps after the honorable delegation of Switzerland took the floor, the text is clearer, but before it was also clear that the debate would continue in the 36th session of the PBC, including *inter alia*, a few of the following issues.

404. Delegation of Poland: I just wanted to share my opinion that was reflected in your statement. I understand that all of the points under this part of the summary are pending.

405. Delegation of the Russian Federation: I would also like to thank you for the clarification, so we are ready to be flexible and to get rid of the word “discussion of a” and just keep “potential reflection”.

406. Chair: We take note of the wording put forth by the distinguished Delegation of the Russian Federation.

407. Delegation of the United States of America: I am going to address the same sort of point. If we put “potential” under xii, we should put potential before every item on this list because everything is potential, everything is up for discussion. This is not some sort of a special item with less potential than others. I respectfully ask you to put “potential addition”, “potential reallocation”, “potential addition” and so on the list. My second point is the pages still seem to not correspond with the document. I would ask the Secretariat after we conclude this exercise to put the correct page numbers so that we can refer to them in our review of the document before this next session.

408. Secretariat: I would like to clarify that the page numbers refers to the English version of the Proposed Program of Work and Budget for 2024/25, not to the tracked changes version. It is the original page number because this is the reference document and I apologize for not being able to put the same page numbers in the tracked changes version. That is because of a technical issue but the page numbers refer to the original document as submitted to you because that is really the reference document.

409. Delegation of China: I would like to support the Delegation of Switzerland in his national capacity on the, not limited to, language.

410. Chair: I thank the Delegation of China and, coming back to the decision paragraph, given there are no requests for the floor, we have taken note of the comments and we have asked for the proposal by the United States to be included too throughout the document. It will be included. We will have the word “potential” at the start of each of the small Roman numerals. Is it acceptable? I would suggest that for paragraph i, we replaced “removing” by “the removal of” so that there is grammatical consistency. The floor is still open for delegations to make comments on this change. There are no further requests for the floor, so we now move to paragraph ii, on which several delegations spoke. No requests for the floor here. I think we can conclude that this paragraph has been agreed.

411. Delegation of Iran (Islamic Republic of): Actually, it is just an initial thought that perhaps in this paragraph we were intending to promote diversity and inclusivity actually in the field of intellectual property. I cannot understand why we should delete the sort of references to those. You know gender equality and equitable geographical representation both are dimensions of diversity and inclusivity. I would suggest to retain the text as it stands.

412. Delegation of the United States of America: Diversity and inclusivity in the broader sense is very important for this Member State. We request to retain this language.

413. Delegation of the Russian Federation: We would like to clarify why we have put forward this proposal. We agree with the Delegation of Iran (Islamic Republic of) that gender equality and equitable geographical representation are dimensions of diversity, but these are not the only two dimensions based on our experience within the UN system. Our Delegation cannot

support other dimensions beyond these. Therefore, we proposed getting rid of the specific two words. I would stress that we are open to dialogue. If we can find some suitable wording, then we would be delighted with that.

414. Chair: We have some Delegations suggesting that it be removed from the paragraph, others that wish to keep it, therefore there is no agreement for the time being on this paragraph.

415. Delegation of Mexico: A little in line with what was said by the United States we cannot accept the deletion of “diversity and inclusivity” as the Russian Federation explained, there are many groups and in those groups, there are also people with disabilities so we could mention each and every one of them, this would be a little more problematic so I think that it is much better just to leave diversity and inclusivity.

416. Delegation of Nigeria: I am just thinking of how to probably find a way out of this while still meeting the purpose of this particular statement. I was going to say that if we have the wording as “underlined the importance of promoting gender equality and equitable geographical representation”, then it still means that we are considering the genders that are recognized to be catered for and there should also be consideration of equitable geographical representation. Also in response to what the Delegate of Iran (Islamic Republic of) talked about with the reference to intellectual property, I think it is also referenced in the last sentence in this particular point, this bullet point. I see no reason why there should be so much conflicting opinions. The Russian Federation suggested to remove diversity and inclusivity, and make it gender equality, I think that is doing the same thing. There should be no reason for so much conflicting views on this particular bullet point. I would rather go with the suggestion by the Russian Federation to have it as they have proposed.

417. Delegation of Iran (Islamic Republic of): My Delegation would like to thank the Delegation of the Russian Federation for the explanation and clarification. We would like to suggest for the sake of moving forward, to put promoting inclusiveness. If it can be possible and if it can be agreeable by all delegations. Perhaps it can resolve the issue at hand.

418. Chair: Thank you very much, distinguished Delegate of Iran (Islamic Republic of), for the suggestion, which seeks to establish a bridge between various proposals. What I suggest is that we recover “in the field of intellectual property”. I think that would be more consistent: “promoting inclusiveness in the field of intellectual property, including gender equality and equitable geographic representation. I think it makes more sense from a grammatical point of view, but you can share your opinions too. Are there any objections to the current decision paragraph?

419. Delegation of the Russian Federation: We thank you to the Delegations of both Nigeria and Iran (Islamic Republic of) for your comments, and in particular Iran (Islamic Republic of) for your flexibility and the attempt to seek consensus and to resolve these issues. For that purpose, we are ready to agree with the wording that you see on the screen.

420. Chair: I thank the Delegation of the Russian Federation and submit for your consideration the decision paragraph as it appears on the screen with the amendments that have been discussed until now. May I remind you that the real, relevant document is the one joined to the decision because that is the stage of the Proposed Program of Work and Budget we will be working on for the next session. No request for the floor, no objections so we shall conclude that we have ended item 8 on our agenda.

421. The Program and Budget Committee (PBC), having completed a comprehensive first review by Sector, as well as Annexes and Appendices, of the proposed Program of Work and Budget for 2024/25 (document WO/PBC/35/5):

- (i) Emphasized the importance of WIPO's contribution to the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs);
- (ii) Underlined the importance of promoting inclusiveness in the field of intellectual property, including gender equality and equitable geographical representation, through WIPO's initiatives and within the Secretariat;
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- (vi) Took note, *inter alia*, of outstanding issues (not limited to the highlighted items in the attached track changes document) for further consideration in the 36th session of the Program and Budget Committee the potential:
 - i. Removal of SDGs, except SDG 9, in the strategy house (page 8);

- ii. Addition of a new bullet related to green technologies under Strategic Pillar (SP) 3 (page 13);
- iii. Addition of a new KPI under ER 3.3 related to technology transfers (page 13);
- iv. Modification of the 3rd bullet priority under SP4 (IPGAP) (page 13);
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- xi. Addition of additional paragraph under Development Agenda Coordination (page 37);
- xii. Reflection of additional risk in RNDS (page 38);
- xiii. Additional bullets related to the financing matters regarding Member States and indigenous peoples' and local communities' representatives in IGCs and the Diplomatic Conference (page 48);
- xiv. Modification of the implementation strategy related to IP and Competition Policy (page 50);
- xv. Addition of KPI related to TISCs under ER 4.4 (page 60);
- xvi. Modification of ER 5.1 (page 69);
- xvii. Modification of the targets for the KPI related to gender balance (page 69);
- xviii. Addition of an Annex with the breakdown of budget and posts of the entire WIPO network, including external and coordination liaison offices;
- xix. Addition of an Annex with a breakdown of the budget for Development Coordination.

ITEM 9 ASSESSMENT REPORT ON THE ISSUE OF SUSTAINABILITY IN PROCUREMENT (IN THE CONTEXT OF REGULATION 3.8 OF THE FINANCIAL REGULATIONS AND RULES (FRR))

422. Discussions were based on document WO/PBC/35/6.

423. Chair: Delegates, we will resume our session, and I will now explain how we will proceed tomorrow. Once we have concluded the first consideration of the text, the Secretariat will share with you the amended versions of the document with the written proposals from the various delegations for circulation and for a conclusion to be reached. Tomorrow at 10 o'clock there will be an initial debate with the Regional Coordinators on these documents and Agenda Item 7. Therefore, plenary will be at 11 o'clock tomorrow instead of at 10 o'clock. This will allow us to continue to make progress with the work of the Committee and at the same time as we begin informal discussions with the different regional groups. The Secretariat will send you the text with all the proposed amendments we have received to date. We will now continue with Agenda Item 9: Assessment Report on the issue of sustainability in procurement (in the context of Regulation 3.8 of the Financial Regulations and Rules (FRR)) in document WO/PBC/35/6. At the 34th session of the PBC, it was decided to review the financial rules of the Organization, and it was then decided that "Sustainability" under Regulation 3.8 of the FRR should be discussed subsequent to the presentation of a detailed Report. At this 35th PBC session, you have seen that the document WO/PBC/35/6 contains that Report. I will give the floor to the Director, Procurement and Travel Division.

424. Secretariat: Following the decision taken by the PBC in 2022 to discuss sustainability within the context of Regulation 3.8 of the Financial Regulations and Rules, this document describes WIPO's efforts to incorporate sustainable procurement practices in its procurement activities. As early as 2009, the HLCM Procurement Network called on UN organizations to commit to progressively making sustainable procurement their standard practice. In 2018 and 2022, the Joint Inspection Unit recommended that procurement offices should incorporate specific provisions for integrating environmental sustainability considerations into procurement policies, procedures, manuals and guidelines. WIPO's Procurement Manual defines sustainable procurement as encompassing environmental, social and economic factors along with financial considerations, and the Manual provides guidelines on incorporating these factors when acquiring goods, services and works. Environmental factors might include requiring certain goods to be manufactured in accordance with specified environmental standards. Social factors will address a wide range of issues, from working conditions or non-discrimination, to ensuring the procurement process is accessible to all, or ensuring that the requirements for particular goods or services address the needs of disabled, for example. Economic sustainability issues encourage the use of entire life-cycle costs, including environmental costs, in the procurement process. WIPO is committed to promoting sustainability in its procurement practices. This includes incorporating sustainability requirements in specifications for goods and services, making the procurement process accessible to print-disabled users, where relevant, evaluating offers in a tender against sustainability criteria, and using our procurement position to encourage the market to address sustainability in the manufacture and supply of goods and services. However, this occurs for those tenders where it is relevant by reference to, for example, what is being purchased or the particular market involved. For example, for procurement activities related to the Development Agenda where we seek to purchase the services in the location where they are to be delivered, bidders' sustainability policies are requested for information only, and not used as an evaluation criterion or mandatory requirement. WIPO aims to further develop its sustainable procurement practices by: i) identifying new evaluation criteria and contract management tools that encourage and value sustainability; ii) researching further areas where the nature of goods and services can incorporate sustainability considerations; and iii) exploring the incorporation of entire life cycle costs, including environmental footprint, as part of the procurement processes. We will also explore the use of tools such as the Sustainability Procurement Portfolio Model to identify priority areas for further developing sustainability criteria in procurement. This is an ongoing journey for WIPO and one to which we are committed, as we open ourselves to further embedding sustainability in our procurement process.

425. Delegation of Switzerland: Group B would like to thank the Director General for his Report on Sustainability in Procurement as well as the Secretariat for the preparation of document

WO/PBC/35/6 which complies with the Joint Inspection Unit's Report on the Review of mainstreaming environmental sustainability across organizations of the United Nations system (JIU/REP/2020/8). As our Group places great emphasis on the topic of sustainability, we support WIPO's actions in mainstreaming sustainable procurement and encourage the Organization to explore the incorporation of entire life-cycle costs as part of the procurement process and to identify areas where the nature of the goods or services could embed sustainability considerations in the specifications. Such practices could include encouraging small and medium-sized business, trading or maximizing local sourcing and supply. We also encourage WIPO to explore the use of the sustainability procurement portfolio model as developed by UNDP and UNEP.

426. Delegation of Ghana: The delegation of Ghana is honored to deliver this statement on behalf of the African Group. The African Group thanks the Secretariat for preparing the Assessment Report on issues of sustainability and procurement as presented in document WO/PBC/35/6. The Group underscores the importance of integrating requirements specifications and criteria at WIPO that are compatible and in favor of the protection of the environment, social progress and in support of economic development. In this regard, the African Group notes with satisfaction WIPO's commitment to ensure the best value for money, effective and broad competition for the award of contracts and fairness, integrity and transparency in the Organization's procurement processes. The Group would like to receive more clarification on the following questions: i) the definition of sustainability used in the context of procurement, and its practical implementation within WIPO; ii) the methods used to assess sustainability in the procurement process and; iii) the implementation experience of the concept of sustainability in the UN system. We look forward to the evaluation which will be made and allow us to better assess the impact of these changes on the governance of WIPO.

427. Delegation of the Russian Federation: We would like to thank the Secretariat for preparing this fairly detailed Report. At the outset, we are surprised that the Secretariat is already carrying out procurement using the concept of sustainability. We note that this is taking place in circumvention of the Financial Regulations and Rules and we do not understand what mandate you have for such activity. The definition of the term sustainability that you have put forward only confirms the justification for the above-mentioned doubts that we have. How exactly do you apply these criteria practice? Can companies that are not Green participate in tenders and compete with the so-called Green suppliers? How do you measure social sustainability? How does sustainability work together with the other criteria for carrying out procurement? For example, we understand the principle of value for money. It is fairly clear and you can put a value on it, unlike sustainability. Moreover, the Report does not refer to accepted definitions for the term sustainable goods and sustainable services, and it does not refer to any universal standard for sustainability and there is reason for that. ISO standard 20400 on organizing sustainable procurement is only prescriptive in nature. It does not contain any strict definitions and criteria and we note that the Secretariat also does not refer to SDG target 12.7, which aims to "Promote public procurement practices that are sustainable, in accordance with national policies and priorities." When there is no single basis for carrying out sustainable procurement, there is not even an attempt to take into account national approaches of States whose companies participate in biddings to regulating this kind of activity. Consequently, introducing this criteria first of all, does not enable us to ensure universal application and evaluation. Secondly, it can have a negative impact on the effect of competition and value for money, when carrying out procurement. As a result, this could potentially undermine the positions of a whole number of developing economies and countries with transitional economies, who may seek to participate in WIPO tenders. Additionally, we note that the erosion of the fundamental principles of effective and broad competition and best value for money create the conditions that are ripe for potential abuse, such as bias, fraud, and corruption. In UN system organizations, and first and foremost at the UN General Assembly, where this issue has been discussed for quite a long time and in great depth, there is no single view on such occurrences for the reasons that we have already mentioned. We naturally

understand the desire of the Secretariat to stay relevant and to introduce best practices and we support that. However, such initiatives must be implemented only on the basis of consultations of Member States, particularly, given that the issue of sustainability is extremely ambiguous and sensitive. In this regard, we propose that the Secretariat refrain from introducing the criteria of sustainability in its procurement and we call on you to prevent creating a negative precedent for the UN system. In addition, I would like to ask one specific question, could the Secretariat reveal what proportion of bids take place in line with the Invitation to Bid (ITB) methodology and what proportion relates to the Request For Proposal (RFP)?

428. Delegation of China: This delegation wishes to thank the Secretariat for developing this Report in accordance with the decision made during the last session of the PBC. China is of the view that to regulate procurement activities will contribute to the control of the Organization's finance, and its governance level. This document mentions that in 2009, the HLCM Procurement Network called for the full respect of the access to the relevant UN market for suppliers from developing countries and countries with economies in transition. In the future, WIPO's procurement activities should be more equal and diversified. In particular, in developing countries and countries with economies in transition and emerging countries, procurement should be enhanced to facilitate the development of the above-mentioned categories of countries.

429. Chair: In response to some of the observations made by the delegates, I give the floor to the Director, Procurement and Travel Division.

430. Secretariat: Firstly, allow me to begin with a response to your last question, I would like to specify to the distinguished delegation of the Russian Federation that we use Invitation to Bid (ITB) and Request for Proposal (RFP) processes. The ITBs process is used for a minority of our tender processes because it is mainly applicable to goods and WIPO purchased 95 per cent services, hence ITBs are limited in scope. I would like also to highlight the fact that we try our best to procure locally as this is part of our internal KPI of the Development Agenda and we continue to put a lot of attention on sourcing as much as possible sourcing locally the various services that we procure. Regarding the definition of sustainability, it is indeed a very interesting definition that we can find, but we are strictly following the United Nation's definition. We do not depart in any manner from this definition and we integrate SDG 8 and 12. You correctly pointed out that SDG 12.7 relates to national policy, but the point that I would like to make is that we are in a journey to sustainability. Therefore, we apply a thought process that is relevant to each situation. Let me give an example, if we source and procure something for the headquarters for facilities management, where there is already a local norm and standard we will integrate this in our procurement process. If we source a service in the field where the outreach is mainly to small and medium enterprises and there is no norm and there is limited maturity on sustainability, we do not apply the sustainability criteria. We may ask for information, but we want to ensure that, as it was recalled, we do apply the principle of fairness, broad, and effective competition, which is one of the Strategic Pillars of our procurement process. We do not depart from this for the sake of being sustainable, so our progressive approach is adapted to the market that we are looking at. In this manner, we ensure that sustainability is never a criteria that could penalize local companies who have not yet reached the degree of maturity in the field of sustainability.

431. Delegation of Italy: Italy supports WIPO's efforts to implement sustainable procurement. We encourage WIPO to consider the entire life-cycle cost as part of the procurement process and to explore new evaluation criteria and contract management tools, which are appropriate for specific services or goods that take into consideration value and sustainability within the relevant market. We believe that sustainability is an added value to be considered with the effectiveness and efficiency of the output.

432. Delegation of the Russian Federation: Thank you Secretariat for the clarifications. An additional question if you would permit us, you mentioned that you are using definitions that are agreed upon in the UN for sustainability, could you specifically clarify what you are talking about when you say that? Because in our statement what we meant was that Member States, which are suppliers for services within the UN system organizations have not agreed themselves on what sustainability is, what sustainability of goods is, and what sustainability of services is. Given that you mentioned that 95 per cent of your procurements take place for services, could you really give us a definition on what sustainable services are, in relation to how you understand it for your procurement processes?

433. Secretariat: Yes, we are referring to the definition that has been provided by the HLCM Procurement Network, which defines sustainability on the three pillars that I have mentioned. The first one being environmental, the second one being social, and the third one being economical with a total life-cycle cost and we do apply, depending on the nature of the service, more Pillar 1, or Pillar 2 or 3, depending on the nature of the service.

434. Chair: Perhaps you would agree that this is simply information which was determined at the last meeting, and that any debate should be kept for a bilateral meeting.

435. Delegation of the Russian Federation: Just some additional points, we do appreciate that this can be addressed bilaterally but this is an important question and it concerns all Member States. Therefore, we do take into account your explanation as to the HLCM Procurement Network's sustainability definition, but we do repeat that the specific premises for an understanding of the definition do not yet exist and are not prescriptive as such. At the same time, the prescriptiveness in the process of procurement in view of the legal obligations and financial obligations do carry specific definitions and requirements. As we understand it as yet, there is still no specific definition of sustainability, taking into account those principles from a legal point of view.

436. Chair: The Secretariat notes the intervention, and I remind you that any more detailed information can be found in the Questions & Answers document. Let us move to the next decision paragraph once we have concluded the debate on this. This decision paragraph I remind you it is simply for information on today's agenda, so if there is no objection we will approve the decision paragraph as read. The Russian Federation, you have the floor.

437. Delegation of the Russian Federation: Perhaps we should also take into account not only the Report but also the point of view of Member States under this agenda item, bearing in mind that our delegation has expressed three to four times a point of view. We have not yet heard statements from other Groups.

438. Chair: On all items of the agenda, we include the comments of all delegations in the summary Report of the meeting. But since this point was simply to note the Report, the decision paragraph indicates that it notes the Report. You do not need to be concerned about that since your views will be included in the official documents at the end of the meeting. This is the decision; I will read it in English. If there is nothing further on this paragraph, we can conclude Agenda Item 9 with this decision.

439. The Program and Budget Committee (PBC) took note of the "Assessment Report on the issue of sustainability in procurement (in the context of Regulation 3.8 of the Financial Regulations and Rules (FRR))" (document WO/PBC/35/6).

ITEM 10 STUDY ON THE CREATION OF A SEPARATE ENTITY FOR AFTER-SERVICE HEALTH INSURANCE (ASHI)

440. Discussions were based on the oral update.

441. Chair: Agenda Item 10 Study on the creation of a separate entity for After-Service Health Insurance (ASHI). The study and its results will be presented orally for your consideration. I will give the floor to the Director, Finance Division to present this item.

442. Secretariat: At the 34th session of the PBC, the Secretariat presented document WO/PBC/34/14 which concerned a funding plan for After Service Health Insurance (ASHI). The document also provided some information regarding the idea of creating a separate entity, in accordance with IPSAS, which would hold ASHI-related investments. As a result of the discussions, the Secretariat was requested to undertake a more detailed study on how a separate entity could be established in order to formally designate earmarked ASHI investments as plan assets and to present its findings to the 35th session of the PBC. Such a study involves a significant amount of research by members of the WIPO Finance team amongst UN Organizations and other international organizations. Like the WIPO staff concerned, our counterparts at other organizations have been heavily engaged in the financial closure, the preparation of financial statements and liaising with External Auditors over the last several months. It has therefore been largely impossible for us to engage in any meaningful discussions on the subject until very recently. We are currently in the process of reviewing and following-up on our research findings and will present a document on the subject at the 36th PBC session.

443. Chair: Thank you Secretariat for that informative report and for explaining the commitment of the Secretariat to present the study in its written form at the 36th session of the PBC to be held in the month of June. The floor is open for delegations who have comments, observations or questions on this Agenda Item.

444. Delegation of Switzerland: Thank you Secretariat for outlining the state of play of the study. As the study has not yet been released our Group is not in a position to comment. We request the Secretariat to circulate the study sufficiently in advance of PBC 36 so that Member States have enough time to analyze it. ASHI is a topic that requires at this time our great attention.

445. Delegation of Mexico: Thank you Secretariat for the information regarding this study. My delegation would like to have complete information regarding the views of all interested parties and the risks that will be a consequence of your planned proposal.

446. Chair: We have no further requests for the floor. So, I propose the following decision paragraph regarding Agenda Item 10. This decision paragraph is to be read in English.

447. The Program and Budget Committee (PBC):

- (i) recalled that the PBC had requested the Secretariat to undertake a more detailed study on how a separate entity could be established in order to formally designate earmarked ASHI investments as plan assets and present the findings to the 35th session of the PBC;
- (ii) noted the oral update provided by the Secretariat that the process of preparing the

study would require more time and consultation; and

(iii) requested the Secretariat to present the study to the 36th session of the PBC.

448. Chair: I open the floor for requests. Since there are no requests for the floor on this decision paragraph, we will proceed with the approval of Agenda Item 10 by approving this paragraph. Now, dear delegates, I would like to congratulate you for your excellent work over the last two days. We are a little bit ahead of the agenda; this is undoubtedly thanks to your goodwill and your commitment to the Committee, and for having followed the instructions, which are the usual practice in this Committee. For tomorrow's, plenary we will not meet as usual at 10, but at 11 o'clock in the morning. Therefore, you have an additional hour to do other things. But at 10 o'clock Regional Group Coordinators will meet in room Uchtenhagen for an exchange of views regarding Agenda Item 7 of the agenda and the amended document which has already been sent to the Regional Coordinators approximately 15 minutes ago. And since it is a lovely afternoon, we are going to finish early but not without thanking you for your work and thanking the Secretariat and the interpreters. We stand adjourned today and we will meet tomorrow in the plenary at 11 o'clock, and at 10 o'clock for the Regional Coordinators.

ITEM 11 DRAFT TERMS OF REFERENCE OF THE 2021 EVALUATION OF WIPO EXTERNAL OFFICES

449. Discussions were based on document WO/PBC/34/16.

450. Chair: This brings us to the next item on our timetable, Item 11, the Draft Terms of Reference of the 2021 Evaluation of WIPO External Offices. There is a reference document which is document WO/PBC/34/16. At the 34th session of the PBC, "The Program and Budget Committee (PBC): considered, in detail, the Preliminary Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices (document WO/PBC/34/15). The amendments proposed thereto are contained in the document annexed to this decision; decided to continue the discussion on the draft Terms of Reference and its Annexes, contained in the document annexed to this decision, at its 35th session". I open the floor for delegations make their statements.

451. Delegation of Switzerland: Group B considers document WO/PBC/34/16 as a basis for our discussions, and we look forward to developing it further. Once again, our Group would like to emphasize that the evaluation of the WIPO External Offices should be based on the general principles and objectives of independence and transparency. The assessment must be unbiased, uniform, and transparent in design and implementation, to provide an informative and actionable report to Member States. This is why we continue to raise that it is crucial that the evaluation is conducted in a fully independent manner. We are ready to continue our engagement in the discussions with all Member States, to further define and substantiate the preliminary draft of the terms of reference.

452. Delegation of Poland: The CEBS Group thanks the Secretariat for updating the document on Draft Terms of Reference of the Evaluation of WIPO External Offices (WO/PBC/34/16). We thank Member States for their inputs and comments to the document. CEBS Members also proposed some of the changes to the provisions of the discussed Terms of Reference. This topic has been on the Organization's agenda for several years and has been the subject of intensive and lengthy negotiations between the Member States. The CEBS Group has always been committed to the implementation of the 2015 WIPO General Assembly decision to conduct a review of the WIPO External Offices. Our Group believes that the WIPO External Offices (EOs) evaluation must be done in a highly transparent, independent and objective manner. At the same time, the Evaluation to be carried out, needs to deliver a clear reflection of the results

of the operations of the EOs, their performance against the aims defined by the previous and current Medium-Term Strategic Plan and the real fulfilment of WIPO's objectives and mission through EOs activities. As we have concerns about the efficiency and effectiveness of the work, as well as operations of at least one of existing External Offices, we support the internal audit of EOs. Recent geopolitical developments, especially the Russian war of aggression against Ukraine, need to be taken into account in this process. The timetable of the evaluations also requires an update. The CEBS Group will continue to engage constructively in the discussions on the draft Terms of Reference for Evaluation of EOs.

453. Delegation of Ghana: The African Group underscores the role of the External Offices in bringing WIPO services closer to the Member States and increasing worldwide outreach to explain the potential of intellectual property for economic growth and sustainable development, in line with the strategic pillars of the Organization and expected results of the Program of Work and Budget. The African Group attaches great importance to the evaluation of the network of External Offices as Africa currently holds two WIPO Offices in Algeria and Nigeria. In that regard, the Group has consistently stated that the process of the preparation of the terms of reference, and subsequent evaluation of External Offices should be Member State driven and the Secretariat playing a supporting role. The Group notes that some progress has been achieved on the TORs at the previous session of the PBC, although there are some outstanding issues to be addressed as set out in document WO/PBC/34/16. The Group emphasizes that the main objective of the evaluation of External Offices should be to improve the current functioning of the network and ensure that its programs fit well into WIPO's overall results-based framework and is consistent with the Organization's strategic objectives. The African Group notes that the evaluations will be carried out in conformity with the norms for evaluation for the United Nations system. In addition, the evaluation should draw from WIPO's expertise and experience in oversight and auditing. Furthermore, the Group is of the view that the Internal Oversight Division, as an independent oversight body at WIPO should also play a crucial role in conducting the evaluation. The Group reiterates that the TOR for the evaluation of the EOs should be objective, transparent, fair, and should take into account the unique characteristics of each External Office. Therefore, due consideration should be given when developing the TOR and when conducting the evaluation, to the fact that EOs are spread across different regions at different levels for development and do not have the same resources and length of operation. The Group hopes the Committee will take tangible progress on the TOR for evaluation of External Offices and stand ready to participate constructively in the deliberations under this agenda.

454. Delegation of Pakistan: At the outset, Pakistan attaches great importance to the external evaluation of the entire network of WIPO External Offices. We consider the preliminary draft of the terms of reference a good basis for the discussions. Our consistent position on the issue is guided by the principle of neutrality, objectivity, inclusiveness, transparency, as well as the guiding principles regarding the WIPO External Offices agreed by the General Assembly in 2015. As well as the recommendations contained in the external auditors report submitted during the 31st session of the PBC. These guiding principles and recommendations continue to serve as an important source for the development of TORs and the subsequent evaluation. The original mandate to evaluate the size and performance of the entire network was contained in the guiding principles regarding External Offices as agreed by the Assemblies of 2015, which state "the size and performance of the entire EO network should be evaluated every five years by the PBC which may request the support of WIPO external auditors or independent external evaluators with due regard to the different mandates and functions performed by the EOs. The terms of reference of such an evaluation should be decided by the PBC." The 2019 Assemblies decided to conduct an evaluation in 2021. While our discussions with regard to TORs were hampered by the limitations imposed by COVID-19 in 2020, the PBC made substantial progress, particularly in 2022 during the last PBC session. We now have a preliminary draft, however some key questions regarding the entity entrusted to carry out the evaluation, the objective of the evaluation, as well as its scope required for deliberations. While we highlight

our detailed position when we discuss it further, in terms of the objectives of the proposed evaluation, it is essential that the evaluation answers the key question including whether the External Offices are essential to the appropriate functioning of WIPO and fulfilment of each mandate and core objectives in a manner that add clear value, efficiency and effectiveness of the program delivery of the Organization. On management arrangements, our strong preference is for an independent and neutral organization outside WIPO, to ensure the neutrality and objectivity of the evaluation. This proposal is in line with the guidelines from 2015. Concerning the timeframe of the evaluation, we maintained that the evaluation should be carried out from the beginning of the establishment of each of the External Offices. With regard to the proposal to decouple evaluation from opening new Offices, my Delegation cannot support this proposal, as it is premature and attempts to prejudge the outcome of the planned evaluation. We look forward to constructive, conclusive, and transparent discussions under this Agenda Item.

455. Delegation of the Russian Federation: The Russian Federation would like to thank the Secretariat for reflecting all the comments and proposals of Member States, which have been presented during discussions of the Draft Terms of Reference at the 34th PBC session in the annex to the list of decisions which were adopted at the above mentioned session. For our part, we note the effective function of the network of WIPO's External Offices, which in turn, are an integral part of the Organization and really work on the ground. The External Offices are an important instrument for achieving the purposes and principles of WIPO and for promoting global services in different regions of the world. External Offices play an important role in cooperating with national intellectual property offices, and with the academic community, applicants from these countries and regions, including the users of international registration systems. We believe that the terms of reference of the evaluation should never be retrospectively include performance indicators, the accomplishment of which is not intended by the External Offices. The evaluation should be guided with improving the network of External Offices and not the performance indicators of each individual office. The results of this evaluation should help Member States to take decisions on pending applications for opening new External Offices. It is important that when evaluating Offices, we take into account the specific particularities of the Offices, the length of their work, and national or regional priorities. The evaluation of the network of External Offices, under no circumstances should become an instrument for exercising political pressure by individual countries onto the International Bureau and Member States. The decisions that are taken should not be tied to the political motives of individual countries, which undoubtedly damages the authority and effectiveness of the Organization.

456. Delegation of Türkiye: Türkiye would like to align itself with the statement made by Group B. Turkey wishes to thank the Secretariat for preparing and updating the Preliminary Draft of the Terms of Reference of the 2021 evaluation of WIPO External Offices in document WO/PBC/34/15 that will serve as a basis for discussion as it was in the case of the 34th session of PBC. Since this is a Member-driven exercise, we look forward to developing it further with the contribution of interested Members. As an external network constitutes an effective way for developing a balanced IP system for both WIPO and the stakeholders, evaluation and improvement of this network would serve for the mutual benefit. In this context, our Delegation would like to emphasize that completion of the draft TOR document and accordingly the evaluation of the existing External Offices is of utmost importance for Türkiye. Based on the independent, impartial and rigorous methodology, the TOR should be guided by clear and transparent in evaluation processes and an inclusive approach. Internationally agreed principles, goals, and targets must be respected and promote. In this respect, we wish to quickly move forward on finalizing the draft TOR for evaluation of the existing Offices, taking into account among others the 2015 guiding principles and the report by the External Auditor in document WO/PBC/31/3 as well as the United Nations' evaluation Group, norms and standards for evaluation and WIPO's Medium-Term Strategic Plan 2022-2026. In order to provide for an effective outcome of these networks, we believe that the evaluation should begin as quickly as

possible allowing us to make use of the results and to further enhance the evaluation processes in the future. Furthermore, TOR could be reviewed during the conduct of the evaluation process and revised as indicated in the standard 4.3 of the UN EG's standards for evaluation. In other words, it will be beneficial for all stakeholders that the document would be open to further modifications and improvements during and after the evaluation processes, particularly with the feedback from the stakeholders as defined in the standard 4.6 of the UN EG standards for evaluation. As an applicant country to host one of the new WIPO External Offices, Türkiye encourages all Member States to move forward on finalizing the TOR so that the evaluation process of the existing External Offices can be initiated without further delay. Accordingly, that would enable Member States to proceed with the long-standing issue of opening new External Offices.

457. Delegation of Ukraine: Ukraine in its national capacity would like to align with the statement made by the distinguished Delegation of Poland on behalf of the CEBS Group. We fully support that this evaluation of WIPO External Offices should be done independently and in a highly transparent manner. Moreover, in order to achieve full objectivity, we must conduct such an evaluation considering to what extent each WIPO External Office serves the needs of stakeholders and the regional and global IP community. Hosting an External Office is first and foremost a privilege and an honor for the receiving state. However, it is also a heavy duty and a great responsibility to meet the same mandate, principles and missions as WIPO while respecting and enforcing international law. Since February 24, 2022, when Russia launched a full-scale war against Ukraine, a number of the legal decisions that undermined the spirit of the universal protection and enforcement of IP rights has been adopted by the Russian Federation. These actions by the Russian government in fact contradict the principles and objectives that govern the functioning of the WIPO External Office in the Russian Federation. Can we afford for one Member State and one External Office to devalue and defame all the efforts of the Member States and distinguished delegates within these walls? This question should not be rhetorical, and we reiterate our call on WIPO and Member States to conduct a comprehensive evaluation of the activities, results and very relevance of an External Office in a country whose actions are condemned by more than 140 United Nations Member States.

458. Delegation of Brazil: On the evaluation of WIPO External Offices, this Delegation reiterates its favorable position supporting the evaluation either internal or external, in an independent, transparent and inclusive manner in line of the spirit of the General Assembly's guiding principles and recommendations. Such evaluation should also be conducted in close relation with the host country and Offices must have the opportunity of collaborating with the assessment providing key inputs and reactions to it. Concerning the methodology, due consideration should be given to the mandate and specific circumstances of each Office as well as the level of development of the host country, and its respective local IP systems.

459. Delegation of Japan: The Delegation of Japan aligns itself with the statement delivered by the distinguished Delegation of Switzerland on behalf of Group B. This Delegation looks forward further developing document WO/PBC/34/16. We would also like to reiterate our views in this regard. First, it is important that the evaluation of the entire WIPO External Offices network be conducted in accordance with an accordance with unbiased, fair, and highly transparent procedure. From this perspective, the evaluation team should be composed of independent outside experts in order to enhance fairness and transparency. In addition, it is preferable that the evaluator has a good understanding of the WIPO Organization, including the External Offices as well as deep knowledge of intellectual property. Second, we believe that the guiding principles for WIPO External Offices adopted by the WIPO General Assembly will be very useful for evaluating the existing External Offices network. Third, in order to appropriately reflect the current state of operating procedures at all External Offices, it would be appropriate to arrange an opportunity for the External Offices themselves to participate in the evaluation process and to provide replies and opinions to the criteria used for the evaluations. This Delegation would

also like to be actively involved in the discussion of the Terms of Reference of the 2021 evaluation of WIPO External Offices.

460. Delegation of Sweden: Sweden supports the Terms of Reference which highlights that External Offices must be run cost effectively and transparent, and that the selection process of External Offices should include an analysis of added value. Before more Offices are open, a clear and transparent evaluation methodology should be agreed on and decided. It should be clear that new Offices must be driven towards clear and evaluable goals.

461. Delegation of India: The importance of External Offices for developing countries cannot be overemphasized. We have maintained that at the regional level they have been instrumental in connecting the expertise, services, and tools of WIPO with the needs and priorities of Member States in the region. As the extended arms of WIPO on the ground, they are able to develop familiarity with the local conditions, culture and languages which assist them to develop deep and meaningful relationships with the stakeholders, both public and private. External Offices also provide in fostering development of balanced and effective innovation creative ecosystem and increasing IP knowledge of the host Member State as well as the entire region. We agree that the evaluation of existing External Offices is an essential task, however it should be a time bound process. It can not be allowed to linger indefinitely as it has been the case for last four, five years. We hope that all Member States shall make efforts in a cooperative and constructive manner paving the way for opening of new External Offices as early as possible, responding to the long pending request of the countries working to harness the power of intellectual property for the development. Our proposal for decoupling the two issues and to proceed with the decision on creation of the new External Offices is suggested if we are not able to reach an agreement on the TOR for accelerating the existing External Offices in a time bound manner.

462. Delegation of Algeria: My Delegation believes that the network of External Offices is an asset for WIPO to make itself available to its stakeholders and partners to achieve the expected results of the Organization. This network also allows for better work in the field and for the establishment of closer links. This should allow for the Organization to better understand realities in the field and better approach the culture of development of the Organization as a United Nations agency. We believe that the development of activities within WIPO is based on good governance in the results-based framework, and it is necessary for documents to be in accordance with the evaluation of the various sectors of activity of WIPO without this being subjected to the subjective criteria which would mean it would lose relevance. We believe that the External Office network needs to be harmonized with the good practices of the United Nations system whilst making the most of the competencies of WIPO in terms of audit. It should take into account all of these External Offices. The new Offices in Africa cannot abide by the same criteria as the rest of the network. My Delegation believes that the evaluation mandate of External Offices should not prejudice the assessment of the Member States in terms of the development of these External Offices. WIPO should be able to ensure the positive development of its network for better operationalization and allow for Member States to have the opportunity of understanding and assessing the role of these External Offices. In addition, the PBC is the body for decision-making in relation to EOs every five years in accordance with the guiding principles adopted in 2015. The assistance that the Committee may ask from other supervisory entities and stakeholders should focus on factual elements to assist the Committee in its deliberations as to the strategies to adopt to increase the effectiveness of the network of EOs. We align ourselves with the statement made on behalf of the African Group and made available to participate in a constructive manner on this item on the agenda.

463. Delegation of Nigeria: Nigeria aligns with the statement made by Ghana on behalf of the African Group and wishes to express our position to the Secretariat for introducing the Agenda Item. While we are pleased to note that the mere step on the inputs had been Member State-driven with the secretariat playing a technical role, we wish to further reiterate that the terms of

reference for the evaluation of WIPO External Offices should be balanced, transparent, fair, as well as conducted in consultation with host countries. In addition, this Delegation expects that an evaluation should be conducted in due recognition with the unique characteristics of the External Offices which were spread across different regions, with the extensive pace of development resources available at their disposal, and length of operation. This Delegation believes that it is important to give the existing External Offices the voice and opportunity to contribute and offer suggestions on how their functions and scope of activities could be improved and enhanced, respectively. By this, we believe the efficiency of the Program of Work and Budget at WIPO will be positively impacted, as well as stimulate the coordinating activities of the Secretariat. The Delegation of Nigeria attaches great importance to the evaluation of WIPO External Offices and stands ready to participate constructively with Member States in deliberations on this Agenda Item.

464. Delegation of the Democratic People's Republic of Korea: The Republic of Korea has general observations for document WO/PBC/34/16 is that this report is a good basis for further discussion to assist with this item. In this regard, considering the External Offices are the extended arms of the Organization and the WIPO's Secretariat experience and expertise in conducting evaluations, we believe that more active engagement will be required. Thus, we welcome the inclusion of paragraph 16 in management arrangements, which says that WIPO Secretariat should be engaged in conducting the evaluation given its expertise. The Republic of Korea looks forward to having a constructive discussion with Member States for this agenda.

465. Chair: I thank the distinguished Delegate of the Republic of Korea for his statement. It would appear that we have exhausted the list of speakers. I am grateful to you for all of your very sincere statements, and your willingness to continue working on this topic so that we can come up with a solution to move forward with our work. As I said at the beginning, the plan was to open the floor for general statements. As I understand it, the vast majority of you have delivered those and, in line with the PBC from last year, at the 34th session, we will now study the document that we have before us as per the terms of the decision point. Can we share that decision point or the document from page one, please? Thank you very much. Here we have the document we will be working on. So that we can make the best possible progress, I suggest we take the paragraphs, three at a time. So paragraphs one, two, and three of the document, these contain a series of comments and I stand ready to hear any proposals you may have for moving forward. The floor is open once again to hear your opinion as to the current status of paragraphs one to three. The United States has sought the floor.

466. Delegation of the United States of America: Before we go into the text, if I may ask the Secretariat a question: What expected results apply to External Offices? Do different offices have different expected results?

467. Deputy Director General, Regional and National Development Sector: On the question posed by the distinguished Delegation of the United States of America, I would like to very briefly say that External Offices contribute to performance indicators ER 1.1 and 4.3. As the extended arms of the Organization in the field, they also contribute a much broader range of expected results, namely: ER 4.1, more effective use of IP to support growth and development of all Member States and their relevant regions and sub-regions including through the mainstreaming of the Development Agenda recommendations, under which much of their project work is included; ER 4.2, development of balanced and effective IP, innovation and creative ecosystems in Member States, under which is their support for the development and implementation and/or revision of national IP strategies; ER 4.4, more innovators, creators, SMEs, universities, research institutions and communities leverage IP successfully, which captures their specific activities with these various stakeholder groups in host countries; and ER 4.5. enhance IP infrastructure for IP Offices, which captures their support for the Infrastructure and Platform Sector and work in this area.

468. Delegation of Pakistan: The positions of my Delegation, as reflected in the draft, have not changed. It is not only the positions of my Delegation which are reflected, but also that of many other delegations as well, so I am not sure if we should take the floor again to reiterate them.

469. Chair: I am entirely in your hands on this. If any delegation, in view of the fact that a year has elapsed since we last addressed this topic, if any delegation wishes to restate the rationale behind what they proposed, do feel absolutely free to do so, because it is true to say that in the final line of paragraph 1, we do see a proposal from Pakistan. We have these three paragraphs, as I said, and the floor is open for any comments you wish to make. I think we have a proposal to remove "and purpose", and a proposal opposing that. So, the floor is open here on paragraph 2 or, of course, the remainder of the cluster of the first three paragraphs. The floor is open for anybody who wishes to take the floor.

470. Delegation of Colombia: I think the question from the Delegation of the United States of America is very relevant here, in terms of identifying the elements that are to be used in an evaluation of an office. Perhaps I am missing something, my apologies that I did not understand correctly. Once the Members agree which elements are going to be used for the evaluation, then that evaluation can be done. I think there is some missing piece in this jigsaw puzzle.

471. Chair: My apologies, I was not sure if you had quite finished. Thank you for your statement, Colombia. As I understood it, you are seeking further clarification from the Secretariat. Alright, let us continue in that case, with the consideration of these paragraphs. As I said, if there are no comments on those three paragraphs, then we can move on through the document. Perhaps I could ask the Secretariat to scroll down to paragraphs four to six.

472. Delegation of Pakistan: I just wanted to explain the rationale on the proposal shown on the screen. If you go through paragraphs two and three especially, I think they are simple factual and they represent the decisions that have been made before. So it is in this spirit we thought that this is the context, and that is why we can delete the term "purpose", because there are other instances in this document, where we can see there is a clear purpose, as well as based on the discussion that there is a part of the document where we have objectives as well. It was in the spirit that this is the context and then later we can deal with the "purpose".

473. Chair: Could we go back up to paragraph one? I understand that Pakistan is making reference to its suggestion to remove the words "and purpose" from the title of part A of the document. Are delegations in agreement with this? Is anybody opposed to this? According to the document, I do not think the Delegation that was opposed is actually in the room right now. The floor is open for any opinions you may wish to voice, having already heard from the Delegation of Pakistan. I take it there are no comments on this part? Let us therefore pursue our consideration of the document, as suggested. Let us move down to paragraph four and onwards. As you can see, we have a series of comments concerning previous decisions that were taken at the 31st PBC session and subsequently in other committees. On paragraph five, we have a number of opinions from various delegations, *inter alia* the Russian Federation, the United States of America, an alternative text from the Chair, and the initial proposal as contained in the document. The floor is open for any delegation that may wish to take the floor at this juncture.

474. Delegation of India: In the heading we are proposing to delete the "purpose", but paragraph 5 does contain the "purpose", so I think it will not be proper to have the deletion proposed by Pakistan.

475. Chair: Therefore I see that in this case, we cannot accept the proposed deletion as we have now heard from the distinguished delegate of India.

476. Delegation of Pakistan: This is the exact reason why we proposed to insert the term “purpose” just before paragraph 5 that the Indian delegation has just referred to.

477. Chair: I thank the distinguished Delegate of Pakistan for the explanation in terms of this addition to the document as you can see just above paragraph 5, “purpose” would serve here as a form of title for this part and the subsequent paragraphs. Is this a proposal that is agreeable? This includes the “purpose” title of the document. Is there agreement on that? It would appear that that is the case. We can take it that there is agreement to include this word to if you will illustrate this part of the text. For the sake of consistency and unless any delegation says otherwise, and as I said to ensure consistency in the text, that will mean the words “and purpose” will be deleted from paragraph 1. I think you can see that the Secretariat has been absolutely transparent in terms of including the changes to ensure that they suit everybody. Let us move on to paragraph 5 where there is a discrepancy of views. We have comments from the Russian Federation and the United States of America, and an alternative text proposed by the previous PBC Chair which did not enjoy the support of certain countries. The floor is open for your opinion on this text and its various elements.

478. Delegation of the Russian Federation: I would like to reiterate the outcome of last year's discussion and reiterate that the Russian Federation is of the opinion that the basic purpose of the assessment is that assistance in decision-making with regards to the application of the opening of new External Offices. At the same time, we cannot agree with the US proposal since, as we requested in the previous session, clarification in terms of the effectiveness and sustainability criteria, as we have already noted in this session, are very broad. In view of its broad possible interpretation, we propose that the term “sustainable” be moved out of the methodology for assessment in terms of the consideration of it by Member States.

479. Chair: I take it that we can conclude that there is no agreement on paragraph 5 in any of its versions at the current time. Therefore, let us move to paragraph 6. This is a paragraph that contains a number of drafting suggestions from delegations and Groups and even a suggestion from the previous PBC Chair. The floor is open with regard to this paragraph.

480. Delegation of the Russian Federation: With regard to paragraph 6, we consider that assessment of the External Office network involves the development of a whole network of External Offices and their extension or broadening. The assessment should not focus on individual national regional offices. It should be focused on the effectiveness, outcomes and achievements of the External Offices network.

481. Chair: Thank you for your statement. The distinguished delegation of the Russian Federation. I did not quite understand if you are proposing an amendment to the initial text or to the proposed rewording of the text as reflected in this document. Would you like to offer any clarification in that regard?

482. Delegation of the Russian Federation: In the initial drafting of paragraph 6, there is reference to the assessment of the development of the network of External Offices. Further in the text we have a sentence making reference to specific External Offices. We consider that assessment should cover the whole network of Offices and not individual Offices of that network.

483. Chair: Understood, thank you very much for the clarification Russian Federation. I understand that Russia is making reference here to its proposal to delete the reference to individual Offices. Is that something that would be agreeable to all of the Member States and Groups here in the room? Because we do need to work on the basis of concrete proposals that can enable us to make progress on the document.

484. Delegation of United States of America: Perhaps I misunderstood the proposal, but it looks to me that this exercise is not to review the network as a whole, but each Office in the network. I do not quite understand the purpose of removing an individual External Office. We are not going to review them as a Group as I understand, from the purpose and from the context of this review.

485. Delegation of the Russian Federation: As we already saw in paragraph 5 and agreed in paragraph 6, we agreed to delete the word “purpose”, prior to paragraph 5. In paragraph 5, it is indicated that the assessment will be aimed at analysis of the performance of the network of External Offices. This assessment should serve as a basis for discussion. Here, it is not a matter of individual Offices.

486. Delegation of Pakistan: Can you kindly clarify if we are discussing the Russian proposal under paragraph 5, the Chair's text, or paragraph 6?

487. Chair: We are currently hearing comments on paragraph 6. The Russian Federation is making reference to its proposal to delete the word of “individual” from the second part of paragraph 6. Previously I had indicated that you could comment on paragraph 5. You are free to do so in any of its versions because as you can see we have various drafting versions and opinions advised in different parts of the document. So do feel free to refer to any of those.

488. Delegation of the Russian Federation: Once again, I would like to provide some clarification on our view. Paragraph 5 reiterates the decision from the 47th session of WIPO General Assembly, which provides for the size and performance of the network of WIPO External Offices and that is evaluated every five years. In the decision from the WIPO Assemblies, they talk about evaluating the network of External Offices. Paragraph 5 reiterates that decision from the assembly. We believe that the purpose for conducting an evaluation should focus on evaluating the entire network of External Offices.

489. Chair: We are now going to have a 15-minute coffee break, see you back here in 15 minutes.

490. Chair: We will continue with the review of the document that you have before you. I kindly request the Secretariat to put the document back up on the screen so that we continue working on it. We are looking at paragraph 6. We have a proposal from the Russian Federation to delete reference to individual offices in the first paragraph.

491. Delegation of Pakistan: With regard to the term “individual”, we are flexible with this term. With regard to the second part of this bullet point which talks about the future of the External Office network, this is exactly the language copied from the External Auditor's Report that we mentioned in our general statement. We request to keep at least the second part in brackets.

492. Chair: Could you please clarify what exactly you are referring to when you speak of the second part of the paragraph? Which part of the text would you like to keep, could you clarify?

493. Delegation of Pakistan: I was referring to the second, third, and fourth line, when we talk about a clear strategy for the future. This was something that was in the recommendations of the External Auditor in 2021. In addition to the guidelines, the External Auditor's recommendation is probably the only second source for the development of our TORs, and there has never been any External Auditor who has commented upon the working of the External Offices. This was also taking into consideration when we were seeking views from the Member States in terms of drafting this preliminary draft. Our suggestion is to keep everything after “towards informing a clear strategy”. We can add something in the beginning to make it look better linguistically later on.

494. Delegation of Algeria: We would like to request kindly to delete the reference to whether to expand or contract the network as necessary, as identified and recommended by the External Auditor. We believe that the evaluation should not prejudice the decision of the Member States on the expansion and development of the network. Future development of the network is within the prerogative of the Member States. The evaluation will provide factual report on the current functioning of the network. Based on this factual report we will decide what we will do with this evaluation. Giving the evaluation mandate to decide on expansion or contraction of the network, we think this is not within the prerogative of the evaluator, but rather it is within the prerogative of the PBC as it is stated in the context paragraph.

495. Chair: You are proposing is essentially the proposal that already exists in the text and which your Group formulated on behalf of the African Group. You can see that there are, in the proposal, the terms “and whether to expand or contract” are also in that proposal, is that the case? I see the Algerian Delegate is agreeing to that.

496. Delegation of Nigeria: My Delegation would like to reiterate the proposal made by Algeria, while leading the African Group at the last session, and also support the statement made by our dear colleague from Algeria about the need to do away with the last part of that particular statement. We believe that it should be at the discretion and prerogative of the Committee to decide whether to expand or contract the network as necessary. In that regard, my Delegation strongly reiterates that the wording should be left the way it was at the last Committee meeting.

497. Delegation of Ghana: I would like to reinforce the points made by Nigeria and Algeria on this position. Ghana agrees as well.

498. Delegation of the Russian Federation: We are also flexible in terms of the text proposed by Algeria. The only thing we would request is to delete the reference to individual External Offices. The following sentence should be kept: “Improve the efficiency and effectiveness of individual External Offices or the network of External Offices toward informing a clear strategy.”

499. Delegation of the United States of America: I would just like to clarify the general principle that our Delegation does not believe that the network can be evaluated without evaluating each External Office. We do not believe that this could be done or should be done. With that in mind, I do not know if anybody wants to make a comment there, or as a side note that this is our position. Looking at paragraph 5 and 6, not to reopen five, but since we agreed to put the heading of “purpose”, as Pakistan proposed, before 5, we also have our text under paragraph 5, which we proposed to move to paragraph 6 because we are not comfortable with any of the textual suggestions of the proposals or edits, as we see on the screen and a paragraph 6. Our paragraph under five would fit much better with some minor stylistic changes. I respectfully ask the transfer this paragraph as an alternative, and I will make some slight changes so that it flows better. Our suggestion would be as follows: “the evaluation is intended to assess, in a comprehensive manner, the relevance, effectiveness, impact, sustainability and efficiency of WIPO’s network of EOs and each External Office’s adherence to the guiding principles....”

500. Delegation of Pakistan: With regard to the comments made by colleagues earlier from Algeria and Ghana, we understand their point of view. The idea is as long as there is reference to the size and performance, as it is there in paragraph 5, we are flexible. At this moment we are not sure how many paragraphs we will have under purpose, but we are working under the impression of what we have in the document right now. With regard to the US proposal, we can work with this language. We suggest adding in the first line before relevance, “the rationale”, and before effectiveness, “cost”. “The evaluation is intended to assess, in a comprehensive manner, the rationale, relevance, cost effectiveness, impact, sustainability and efficiency of WIPO’s network of EOs and each External Office’s adherence to the guiding principles contained in the GA decision, and their contribution to the advancement or achievement of WIPO’s mandate, SGs, and relevant MTSP, during the period from 2018 to 2022 inclusively.”

501. Delegation of the United States of America: While we are processing the edits to our suggestions, perhaps it might be easier to copy and paste the text and make it Pakistan's suggestion as a separate one and not insert it into our text.

502. Delegation of India: The text proposed by the USA is good because it is very comprehensive. Only suggestion is the last line, because we are mentioning the period 2018-2022, and we really do not know when this Terms of Reference will be finalized, and whether 2022 would be the right year, so I think we should leave the period.

503. Delegation of the Russian Federation: Unfortunately, we cannot agree with the proposal from the United States since it runs counter to the position that the Russian Federation has already set out. It contains criteria and methodologies for assessment that have not been clarified. In addition, the proposal contains an assessment over a period which has not been agreed upon.

504. Chair: I think at this juncture, seeing as there are no further requests from the floor, I think we can agree that there is no agreement in terms of paragraph 6 of the document. Let us therefore move onto the next three paragraphs. Therefore, we will now consider paragraphs 7, 8, and 9, as contained in the Part B of the document.

505. Delegation of India: I think the Section B should now become Section C, because B was now 'Purpose' that Pakistan proposed.

506. Chair: Note is taken. For the sake of textual consistency, this would become Section C.

507. Delegation of the Russian Federation: With regard to paragraph 7, we propose that it be retained in the current draft. With regard to paragraph 8, which proposes a list of External Offices for assessment, we do not entirely understand why the New York WIPO Office is absent as it is also an External Office of the Organization and visible part of the network of External Offices. In view of the ambitious goals of that Office, an assessment of it is something that is also necessary against the backdrop of the assessment of the network of External Offices. We note that the activities of the New York External Office are rarely included in supporting documents of WIPO. Although in terms of the activities undertaken by that Office, resources are allocated in both personnel and non-personnel. In that connection, we would be grateful to the Secretariat if they could provide more detailed information as to the activities of the External Office in New York with the budget for the New York External Office, and a reflection of that information in the proposed Program of Work and Budget for 2024/25 document.

508. Chair: I understand this is a textual amendment. We will include that as a proposal from the Russian Federation in reference to the WIPO Office in New York, as a proposal from the Russian Federation on a preliminary basis. In order to respond to the question from the distinguished Delegate of the Russian Federation with regard to the role and functions of the WIPO office in New York, I would like to give the floor to Assistant Director General, Global Challenges and Partnerships Sector.

509. Assistant Director General, Global Challenges and Partnerships Sector: As I understand it, the distinguished delegate of the Russian Federation is enquiring as to what functions are performed by the WIPO New York office. First of all, the WIPO New York office is not an external office in the sense of the other external offices of WIPO. The WIPO New York office serves as a liaison office between the Secretariat in WIPO and the UN Headquarters in New York. It works to ensure WIPO's engagement in a wide range of UN processes and negotiations, monitors the work of the UN's main committees, participates as an observer in meetings on other global challenges, trains diplomats and undertakes outreach to the various departments of the UN Secretariat and representatives of Permanent Missions to the UN in New York. That is the sense in which the WIPO New York office performs the function of a liaison

office, sensitizing New York ambassadors, working with them on various activities dealing with the intellectual property system. It feeds into core programs such as when the Secretary-General is preparing for next year's Summit of the Future, the SDG summit coming up; it is the New York office that serves as the Organization's principal liaison office for that.

510. Delegation of China: China also thinks that WIPO's New York office, from its characteristics, should be included in the network of the External Offices. We also thank the Assistant Director General, Global Challenges and Partnerships Sector for your information. However, we would like to draw the attention of the meeting to the fact that on page 51 of the proposed Program of Work and Budget for 2024/25 document WO/PBC/35/5, it is mentioned that the WIPO's New York Office is in charge of strengthening the partnership with the United States. Furthermore, WIPO's Program of Work and Budget for 2022/23 document WO/PBC/33/10 on page 50, it mentions these Offices are also in charge of strengthening the cooperation, and partnership with the United States. Based on this, we think the New York Office should be included in the External Offices network of this Organization. Therefore, we also suggest that under this Terms of Reference draft and paragraph 8, and together with the Annexes of the current budget document in the relevant tables, we should also add the WIPO New York Office.

511. Assistant Director General, Global Challenges and Partnerships Sector: I just wanted to be sure I had not misunderstood the question raised or the comment made by the distinguished Delegation of China. I thought I heard him say the write-up on the WIPO Office in New York talks about the WIPO office in New York conducting business or doing things in respect of the United States of America. What this write-up here says is actually explaining how the WIPO Liaison Office works with intergovernmental organizations and other partners in the United States of America. So, that is what the reference to the United States of America was – to the intergovernmental organizations and other partners that WIPO works with through the New York Office.

512. Delegation of the Russian Federation: Thank you to the Assistant Director General, Global Challenges and Partnerships Sector for the clarification. We would also like to draw attention to the fact that on the WIPO website, the New York Office has various different names. Sometimes it is made reference to as a liaison office, sometimes it says External Office. There is no single coordination in terms of the terminology for the referencing of this Office. We also note shortcomings in terms of the reporting on the activities of this Office. I would also draw attention, in light of what ADG, Global Challenges and Partnerships said, that in the disaggregated financial reporting of the Program of Work and Budget for 2024/2025 by Sector, it is indicated that the New York Office establishes partnerships with UN system representatives as well as other non-governmental organizations and partners in the United States. Further, in the risk table for Expected Results 5.2, the risk response indicates plans for ensuring interrupted functioning are defined and implemented in all parts of the Organization and in External Offices, including the New York Office. In this connection, we would be grateful for additional information concerning the proposed Program of Work and Budget for 2024/25 with regards to the information contained in that table.

513. Delegation of the United States of America: I have a question and a comment. How many External Offices does WIPO have, and can you please list them by name? Since we do not consider this an External Office, there is no place for it on this list so we cannot support that proposal.

514. Deputy Director General, Regional and National Development Sector: There are seven External Offices in the network: Nigeria, Algeria, Brazil, the Russian Federation, China, Japan and Singapore. Singapore is the only regional office, covering ten countries. The rest are national External Offices.

515. Delegation of China: I wish to thank Assistant Director General, Global Challenges and Partnership Sector and Deputy Director General, Regional and National Development Sector for their clarifications. Does the New York office use the budget from WIPO? If so, should it be monitored and assessed?

516. Assistant Director General, Global Challenges and Partnerships Sector: Yes, in response to the question posed by the distinguished delegate of China, yes, the New York Office is part of the WIPO Program of Work and Budget. For example, anyone working in the New York Office would be regarded as a WIPO staff member. And this also ties into the question, or the comment earlier made by the distinguished delegation of the Russian Federation that there are certain references to the New York office, as a liaison office and other references as an external office. I again confirm, as already explained by the Deputy Director General: there are seven external offices and there is one liaison office.

517. Delegation of the Russian Federation: We agree with the distinguished Delegate of China. Since the New York Office also gets money from the Organization, information should be provided as an Annex to the proposed Program of Work and Budget for 2024/25. We would like to thank the Deputy Director General, Regional and National Development Sector for his clarifications. The New York Office does relate to the Geneva Headquarters and is not an External Office because it is near the Headquarters. Is that what we are supposed to understand? As was earlier said in the general statement, the External Office is a continuation of the Organization, but in the field. If we do not consider the New York Office as an External Office then what status does this Office actually have? Is it a headquarters?

518. Delegation of the United States of America: I would just like to point out that this particular review is on the evaluation of WIPO External Offices. It is limited to External Offices and since, as we heard already twice today, that the New York Office is not an External Office, it is outside of the General Assembly decision that talks about evaluation of External Offices. If Member States would like to evaluate the WIPO Coordination Office in New York, there should be a different proposal and we can discuss that separately. Since we are not talking about expanding the network of WIPO Coordination Offices, we find that such discussion in the last half an hour very strange.

519. Chair: Thank you very much to the distinguished delegate of the United States for her statement. I think we can say there is no agreement about amendments to be made to paragraph 7 or paragraph 8. This brings us to paragraph 9. I open the floor on paragraph 9. There are a number of different opinions on this paragraph from the different Groups and Member States. The floor is open. I see no requests for the floor on this paragraph 9, so I understand that, despite the fact we have a series of different versions, there is to be no debate on these, so we can conclude there is no agreement on paragraph 9. We therefore continue our review of the document, with the next three paragraphs 10, 11, and 12. The first two come under D, which according to the changes that have been made so far would now become section E, for the sake of consistency in the text. And 10 and 11 are the two paragraphs that come under this new section E, and 12 would come under the new section F. The floor is open for any comments on any of the three paragraphs.

520. Delegation of Pakistan: I wanted to clarify that, in principle, we did not have any objection to the placement of the words "purpose, objectives and context", so it was basically our analysis and our interpretation of where the relevant text was in the document. I wanted to highlight that we had earlier proposed during the last PBC to move the "purpose" to this section. This is something that we are flexible on.

521. Chair: There are no further requests for the floor on this item, so I suggest we move to the next three paragraphs 13, 14, and 15. Paragraphs 13 and 14 are under what is now section F on the methodology of the evaluation, whereas 15 would now come under the new section G,

on management arrangements. There are no requests for the floor. We understand therefore that, given the many amendment options in the document right now, given the mandate that we have, we can conclude there is no agreement on any of these proposals for any of the three paragraphs. We now move to paragraphs 16, 17, and 18. All of these paragraphs which are before section H on expected deliverables and process.

522. Delegation of Iran (Islamic Republic of): I wanted to give my support to the proposition made by the distinguished Delegation of Algeria on behalf of the African Group. We would like to support the proposal as it stands in paragraph 17. Please add our country's name to the list of those who support this.

523. Chair: We have a text that is supported by another Member State. There are no opinions against this paragraph so this leads us to believe that the Member States are in agreement on the text further to what was expressed by the honorable Delegation of Iran (Islamic Republic of). If no Member State is opposed, we conclude that there is agreement with the suggested text by the African Group, supported also by Iran (Islamic Republic of)

524. Delegation of the United States of America: The pages unfortunately are not numbered, so I cannot point your attention to the page. It does say somewhere, after the African Group's suggestion on the above bullet, there is another suggestion that says US replaces paragraphs 15 through 18. The United States text ends right above the Nigerian text. This is our text with comments from other delegations, which we may or may not have agreed on. The text without comments is ours, to replace 15 to 18.

525. Delegation of Pakistan: We support the US proposal.

526. Chair: According to what was expressed by the Delegate of Pakistan, we have a proposal to delete 15 to 18 and replace it with one paragraph. Do I understand correctly? It is a long single paragraph proposed by the United States which is supported by the Delegation of Pakistan.

527. Delegation of Iran (Islamic Republic of): Unfortunately we are not in a position to accept the proposed text to be replaced by the previous ones. We are satisfied with the previous ones.

528. Delegation of the Russian Federation: Unfortunately, we are also not able to agree with the proposal from the United States, to replace paragraphs 15 through 18. Thank you.

529. Chair: I thank the distinguished delegation of the Russian Federation. So, we can conclude that there is no agreement on this part of the text either. We therefore continue with our review of the text and we have now reached paragraphs 19, 20 and 21, the last three paragraphs of the document. There are a number of amendments to these paragraphs. I think we can say that we have finished our review of this document with practically no agreement. However, to help with the future, I suggest the following amendment include page numbers which could be useful for future times. As Chair, I take the liberty of making the proposal as it will facilitate future revisions of the text. We shall add page numbers. We will move to Annex I, the non-exhaustive list of possible evaluation questions. We have four sub-sections which include guiding principles from the report of the External Auditor, additional questions from the inputs of the Member States.

530. Delegation of the Russian Federation: I would like to draw your attention to the fact that Annex I contains issues that duplicate one another in terms of content. For example, questions three and seven in the first block, and question one in the second block. We think that we need to eliminate the duplication.

531. Chair: Thank you very much, the distinguished Delegation from the Russian Federation. I did not quite understand where there is an overlap or which other question creates an overlap

with question three. Sorry, let us give the floor to the Russian Federation for clarification, and then I will proceed with the list of speakers.

532. Delegation of the Russian Federation: From our understanding, question three from the first block is asked in a more general way. Nevertheless in terms of its content is duplicates question 7 from the first block and the first question from the second block in terms of its meaning.

533. Delegation of the United States of America: I want to request the Secretariat clarify the origins of this Annex. As I recall, this was developed by the Secretariat to help Member States to come up with terms of reference and not as a separate document that we need to negotiate or discuss. This is just sort of reference material as I recall but I would like to seek clarification on the purpose and the history of this Annex.

534. Secretariat: In response to the question from the Delegation of the United States, this is in line with best evaluation practices and these are merely suggestions for possible questions which are drawn from documents which Member States are very familiar with such as the Guiding Principles as well as the report of the External Auditor as stated. These are meant to guide discussions.

535. Chair: There is a proposal to remove any question that creates a duplication according to the Delegation of the Russian Federation. I would now like to hear the other delegations on the specific proposal. Given that if there are no objections, we could delete question seven given that it duplicates question three as expressed by the Delegation of the Russian Federation.

536. Delegation of the United States of America: Thank you to the Secretariat for the explanation of the intention of these Annexes. We would like to keep these as reference material and we would suggest that we not negotiate this, but rather use this as a reference document in our discussions of the actual draft text of the terms of reference.

537. Chair: Thank you very much to the Delegation of the United States for their proposal. We understand that this proposal consists of not amending Annex I, so hereto we can conclude that there is no agreement on the annex. It seems that there will be no agreement on the Annex II.

538. Delegation of the Russian Federation: If it is presumed that the Annex will be presented to Member States and that they take note of it, then perhaps there is no point in considering it as an Annex to the document and actually to make it an information document.

539. Chair: I have to refer to the decision of the PBC last year in which it is expressly stated that the PBC decides to continue the discussion on the draft terms of reference and its annexes in this session of the PBC. This is a Member State-driven Organization. It will be perfectly legitimate to decide today to continue our discussion on the draft Terms of Reference, by deleting the annexes which would affect the debate, or indicating as proposed by the United States, that these annexes could serve as a reference document to allow us to work on the draft terms of reference. This once again is in your hands if the proposal is acceptable for the United States of America and the Russian Federation. If there are no objections, then maybe we can consider this as accepted and include it in the draft decision. I see that there is no objection to this proposal, and I therefore ask the Secretariat to keep these two annexes in another document which would serve as suggested as a reference document. It is now 6 PM. We are going to have to end the meeting. We will have an informal session tomorrow morning to discuss pending items 7, 8, 11 and 12.

540. Chair: Thank you very much to everybody for your patience. We are coming to the end of this week of hard work. We come to agenda item 11. I put forward the following proposed decision paragraph that you can see on the screen.

“The Program and Budget Committee (PBC):

- considered, in detail, the Draft of the Terms of Reference of the 2021 Evaluation of WIPO External Offices (Annex to document WO/PBC/34/16). The amendments proposed thereto are contained in the Annex to this decision;

- decided to continue the discussion on the Draft Terms of Reference of the 2021 Evaluation of WIPO External Offices contained in the Annex to this decision, at the 37th session of the PBC; and

- Agreed that the Annexes to the TORs would serve as a reference document for information.”

541. Delegation of India: We do not agree to postponing this discussion on terms of reference of the evaluation of External Offices to the 37th PBC session which will take place next year. The issue of External Offices is important, and we need to quickly move forward on finalizing the terms of reference for evaluation as already conveyed in the joint statement made by India on behalf of eight countries, Colombia, India, Iran (Islamic Republic of), Oman, Republic of Korea, Romania, Saudi Arabia and the UAE. As you are aware, the issue has already been lingering for more than four years now, since the decision was taken in the 51st session of the WIPO General Assembly in 2019, therefore opening new External Offices pending an evaluation by 2021 of the existing Offices. We cannot allow it to be further delayed on the pretext of having more pressing matters on hand as this issue is of great importance. India proposes to continue discussions on this issue in the 36th PBC session in June 2023. We urge all Member States to make efforts in a cooperative and constructive manner paving the way for opening of new External Offices as early as possible.

542. Delegation of Iran (Islamic Republic of): My Delegation would like to support the distinguished Delegation of India. This issue is very important, and we need to see the Committee move forward quickly and finalizing the TORs. We do not think that we have time for postponing this process. We do believe we have to discuss this issue during the next PBC. So in line with what has been said by the Indian delegation, we would like to have these sort of discussions in the next PBC.

543. Delegation of Colombia: We endorse the statement made by the Delegation of India. Continuing the discussion on this very important issue in the 36th PBC session and taking a decision on it is something that my country believes is crucial. We think that is very important with regard to the pending decision.

544. Delegation of the Republic of Korea: The Republic of Korea supports the statement made by the Delegation of India. Our Delegation thinks that the issue of WIPO External Offices should be discussed in the next PBC session in June.

545. Chair: Thank you all for your contributions. On the screen you can see the same decision paragraph with the amendment that there is now a reference to the 36th PBC session.

546. Delegation of Saudi Arabia: My delegation supports the intervention by India with regards to discussing the discussion of External Offices in the 36th PBC session.

547. Chair: You can see the amended paragraph on the screen, including the reference to the PBC session. This is taking into account all of the work that will need to be done in that week. If there are no objections, we will adopt the decision.

548. The Program and Budget Committee (PBC):

- considered, in detail, the Draft of the Terms of Reference of the 2021 Evaluation of WIPO External

Offices (Annex to document WO/PBC/34/16). The amendments proposed thereto are contained in the Annex to this decision;

- decided to continue the discussion on the Draft Terms of Reference of the 2021 Evaluation of WIPO External Offices contained in the Annex to this decision, at the 36th session of the PBC; and

- Agreed that the Annexes to the TORs would serve as a reference document for information.

ITEM 12 METHODOLOGY FOR ALLOCATION OF INCOME AND EXPENDITURE BY UNION

549. Discussions were based on documents A/59/10, A/59/11 and A/59/INF/6.

550. Chair: We now move to item 12 of our agenda, which relates to the Methodology for Allocation of Income and Expenditure by Union. There are various reference documents, A/59/10, "Decision Paragraphs Proposed by the United States of America for Inclusion in Decisions on the Report on the Program and Budget Committee", as well as A/59/11, "Proposal of Switzerland concerning the Agenda Item "Report on the Program and Budget Committee"", and A/59/INF/6, "Background Information submitted by the United States of America for Consideration in Adopting the Proposed Program and Budget for the 2020/21 Biennium, as Recommended by the Secretariat". Following previous decisions and discussions with regard to the distribution of income and expenditure by Union, these documents are now put to you. I would now recall that at the PBC 34th session, the following decision was taken: "The PBC decided to continue the discussion on the methodology for the allocation of income and expenditure by Union at the 35th session of the PBC", that is in the agenda of this session.

551. Delegation of the United States of America: The United States of America believes that the long-term health of WIPO is dependent on each of the fee financed Unions, covering their own expenses and contributing to the common expenses of the Organization, as required by their respective treaties. Moreover, the WIPO convention sets forth the Unions to contribute to the shared costs of WIPO. Nonetheless, WIPO's budget methodology has encouraged an overreliance on a single system, the PCT system, at the expense of developing the health of WIPO's other fee-funded systems. The United States of America is concerned that WIPO's financial outlook depends on a single system to support the bulk of the entire organization singlehandedly. Given today's unpredictable financial climate, it would be prudent for the PBC to consider conducting an external independent study on the financial health of the four financed Unions. Such a study could have a 10–20-year projection, identifying, one, paths for financial sustainability, two, lessons learned from stronger revenue generating Unions, three, the impact of overreliance of one Union subsidizing the expenses of other fee financed Unions, and four, the impact of promotional activities of Unions to meet sustainable income objectives. The study should aim to be published for PBC37. The United States of America looks forward to further ideas from the PBC on a study for the four fee-funded Unions. As we all have a stake in wanting to better assess and plan for the financial health of the organization. Namely improving the financial health of all four of the Unions would strengthen and grow WIPO's rich and varied programming. Lastly, transparency in the financial statements of WIPO remains a priority to the United States of America. As such, the United States of America reiterates that any Union in the upcoming biennium that has provided funding from the net assets of WIPO, disclosure of that funding should continue in the Annual Financial Report and Financial Statements, revenue, expenses and reserves, by segment of the organization, which includes the surplus/deficit of the Unions.

552. Delegation of Switzerland: I would like to indicate that Switzerland cannot accept the study proposed by the Delegate of the United States of America, indeed, a study that focuses purely on the financial situation of the Unions. It fails to take into account the solidarity that exists within the Unions on the basis of the ability to pay. This is something which we are staunch supporters of. Moreover, since the Lisbon Union is currently being focused on, the Lisbon System has a registration system which has shortcomings. So let us first and foremost put in place the resources necessary to make it work properly. I would like to dwell briefly on the issue of allocation that I have just mentioned. We note that WIPO's financial system is balanced and healthy, with that in mind, our Delegation does not understand why the method for allocation of expenditure and income, which has stood the test of time and has been discussed for a decade in the PBC, has been called into question. Our failure to understand the situation is shared by many of the Delegations. Our Delegation would like to recall that in the course of the 2019 WIPO Assemblies, Switzerland launched a proposal, A/59/11, that you can find on the website of PBC 36, which is a proposal to find a simple, transparent, long-term solution in light of this systemic discussion. It recognizes the relevance behind the current method for allocation of expenditure and income which we support. With this in mind, we would like to briefly recap our proposal, which is split into two parts. First, we have the maintenance or preservation of the method, which has been applied for many years, and which works well, and secondly, in deriving from the first, the desire to ensure that this allocation system be rendered sustainable. Coming up with a logical and pragmatic system once and for all to deal with this systemic discussion that has come up over the last decade and has been complex in terms of our discussions here in the PBC.

553. Delegation of France: France considers that the proposal from Switzerland, as to the introduction of a unified budget, is a worthwhile avenue for consideration to ensure, in the interests of all Member States, the sustainability of the WIPO international registration systems. Such an option could simplify the management of budgetary issues. The presentation by the Secretariat of an information document, setting out this option, in terms of the consequences and possible adaptations that would need to be made to the relevant WIPO treaties in order to introduce a unified budget would enable us to pursue the discussions. We would therefore request or hope that this request made during the 34th session of the PBC be duly completed. I would also like to take this opportunity to shed light on some of the issues which have come up. One has to bear in mind that the Lisbon deficit is minimal, in terms of financial results of the organization. What is important in our view is to ensure that the Lisbon Union has the resources necessary for its proper functioning. Its rational and effective as well as flexible functioning will enable it to improve its financial health. This will require cost reductions through digitalization, as well as increased revenue. This will require it to become more attractive to users. The budget increase proposed by the WIPO Director General is welcome. It will enable the relevant service to work on the technical front to improve the Lisbon System to the benefit of all regions of the world in the organization. It is essential to ensure that all international protection systems within WIPO can be rendered sustainable, and that is why this delegation fully supports financial solidarity between Unions. Solidarity between Unions is crucial in order to achieve the core objective of WIPO, as set out in the WIPO convention, that is to promote the protection of intellectual property throughout the world, and to ensure administrative cooperation between the Unions. In conclusion, the French Delegation, as has already been stated, wishes to see the maintenance of a unified operation of the organization, with the levying of funds and distribution, to the different Unions depending on their ability to pay. This budgetary method enables appropriate focusing of action to benefit developing countries and should be one of the cornerstones of the organization.

554. Delegation of Colombia: The Delegation of Colombia attaches the utmost importance to transparency and financial sustainability of this organization. With this in mind, we consider noteworthy and interesting the proposal made by the Delegation of the United States of America. However, a financial approach to this organization should be subject to a long-term consideration of the vision of this international organization. I must stress the long-term nature

of it. If it is reduced to a service provider role, I feel that we would be losing much of WIPO's important role it has gained in recent times, including the new Development Agenda. In page 3 of the Proposed Program of Work and Budget for 2024/25, the Director General mentions the fact that WIPO is a meeting point of discussion for rules and standards of international committees, so that within the different working groups and committees, we can achieve convergence and look at the role of the organization in emerging topics. With this in mind, we consider that this topic is of the utmost importance for the future of WIPO and should be something that continues to be assessed by all Members.

555. Delegation of Italy: The Italian Delegation takes note of the proposal submitted under this item by the Delegation of the United States of America. However, we fail to understand at this point in time, the added value of carrying out a similar study. We would like WIPO to concentrate these efforts and its limited resources on its core business prioritizing its activities according to its Strategic Goals, also to make the Lisbon System more efficient. First of all, in our view, the well-established capacity to pay principle already recognized by the past General Assemblies is still fit for purpose allowing the organization to work properly to fulfil its mandate. We consider WIPO a single organization with a single budget. The principle of solidarity among all WIPO Unions is key to us in order for WIPO to be able to promote the protection of all intellectual property rights in any region of the world, in line with article 3 of the WIPO Convention. Secondly, as it was already highlighted several times during this session, we have recognized that WIPO is in an overall sound financial situation with a surplus expected in 2023 and in the next biennium taking account that a growing income is predicted for all Unions in 2024/25. This means that at present the deficit of some Unions does not create for WIPO a general problem in terms of financial sustainability. We should consider that the organization is a non-profit oriented entity and that the amount of the estimated deficit of The Hague and Lisbon Unions is below the amount of the surplus in the same biennium. Therefore, we would like the Secretariat to concentrate now its work on achieving the main ambitious Expected Results and Performance Indicators in all sectors in order to provide IP users worldwide with better services and new services such as for instance a building back better initiative.

556. Delegation of Peru: We would like to echo the statement delivered by the Delegations of Switzerland, France and Italy. We consider that as an organization we need to ensure the proper functioning of all of the systems and the promotion of all IP rights including the Lisbon System. It cannot be that certain rights are considered more or less important. With that in mind, we do not want to see different levels of income per Union. We want to ensure that all systems can be successful. Lisbon System is starting to achieve this as can be seen in the number of members joining. I am sure that this trend will continue. We consider that there is a need, therefore, to ensure that there is a system in place to improve the quality of services with limited resources since failure to do so could undermine its functioning. Peru considers that the proper development of the Lisbon System is important and domestically it is particularly beneficial to our micro and small enterprises in achieving added value. In conclusion, we reiterate the need for financial solidarity within the WIPO Unions through a unified budget in order to enable more stable functioning of all of the Unions.

557. Delegation of Poland: As it has already been emphasized during previous discussions on this agenda item, members of the CEBS Group retain their position that the current allocation of the methodology does not require any change and the principle of solidarity should be the basis criterion for allocation of income and expenditures by Unions. Over the years, the existing allocation methodology proved to be efficient and supported WIPO in achieving its goals. The sound financial situation of the Organization is one of the factors that demonstrates that. At the same time, we note with satisfaction positive trends in terms of financial sustainability of individual Unions, based on new accessions as well as the increased estimated applications and the corresponding growth of fee income in 2024/25. We would also like to stress that supporting promotional activities and the stakeholders on the ground should be a priority and we look forward to the practical activities in this regard. The CEBS Group believes that the

current allocation methodology should be maintained as it is a pragmatic approach and the best solution. Therefore, we would not be in the position to support any other proposed changes to the allocation methodology.

558. Delegation of Iran (Islamic Republic of): The protection activity and providing high quality services to the global intellectual property community is one of the main functions of WIPO. In this very direction, in our view, a particular focus should be placed on promoting the Lisbon System for international registration of geographical indications and appellations of origins. As we have already clearly stated in our general statement during the first day of this session of the PBC, we are of the view that the financial sustainability of the Lisbon System governing geographical indications is of utmost importance. The Lisbon system provides legal protection to the unique products and services originating from a particular geographical region, thus enabling the rural communities of the developing countries to preserve and promote their traditional knowledge and cultural heritage. We regret that the Lisbon System, as one of the most important WIPO registration systems, has not been valued as it deserves. Here, we would like to, once again, highlight the importance of putting all registration systems on an equal footing with all stakeholders. We take note of the proposal being put forward by the distinguished Delegation of Switzerland, and we consider that as a noteworthy one for taking into consideration. We believe that the method of distribution by Unions used to prepare Annex IV of the Proposed Program of Work and Budget for 2024/25 has proved its worth for many years and existing financial distribution should be continued as it currently stands.

559. Delegation of Cambodia: Once again, my Delegation supports the statements made by the Delegations of Switzerland, France, Italy, Peru, Poland on behalf of CEBS and Iran (Islamic Republic of).

560. Delegation of the United States of America: I do want to address some of the comments that were just made. With respect to Switzerland's proposal concerning the Secretariat developing a paper on a unified budget in WIPO, the United States of America does not support that proposal. By way of background, the 2003 amendments which have not entered into force are with respect to implementation of the unitary contribution system for the contribution financed Unions. These amendments never spoke to removing the individual budgets of the Fee-Funded Unions. As such, these amendments did not create a unitary budget concept where all the expenditure funds, incomes and reserves are co-mingled among all Unions and agreements. So, by this mere fact the United States of America cannot support that particular proposal. With respect to the capacity to pay comments, this is the very issue that encourages the imbalance that we are seeing with respect to WIPO's budget. Plus, with WIPO's financial projections changing due to global economic uncertainties, the United States of America thinks that the PBC taking affirmative steps to assess the financial health of the four Fee-Funded systems will help to shore up these deficits. Lastly, there were some comments with respect to certain rights being more important than other rights. That is not our intention with respect to our proposal for a study. The United States of America wants to see all Fee-Funded Unions financially sustainable, so all four of them should be financially sustainable. We believe the financial sustainability of the fee generating Unions should be the north star to which the PBC's governance role takes effect. We have one registration system that is breaking even. We have two that are in deficits, and we have one that is expected to float the entire organization's programs and other operations. We believe a study can help the PBC assess how we can better prepare for a globally unpredictable financial future and provide a clear direction for these revenue generating Unions. In conclusion, the United States of America is willing to meet with any interested Member States on this issue, and we do welcome a continued dialogue.

561. Delegation of the Russian Federation: The Russian Federation is of the opinion that the principle of the ability to pay has stood the test of time and has shown itself to be effective. We note that in view of the complex structure of WIPO, it unites a number of autonomous Unions. As we have seen and noted in previous statements, the Lisbon System is still at the

developmental stage. Establishing additional obligations for it could have a negative effect on its attractiveness for new members. We consider that a review of the current methodology will lead to the disintegration of the effectively operating system that has become established for the international registration of intellectual property at a global scale. We believe that against the unpredictable economic background, the implementation of the principle of financial solidarity between the WIPO Unions will enable more stable functioning of all of the WIPO Unions. In this connection, we believe that the increased budget is something which is more than justified.

562. Chair: In view of the opinions which we have heard from various Groups and bearing in mind that this is a debate that has yet to be concluded and requires further time to reach a conclusion, I would like to propose the following decision paragraph: "The Program and Budget Committee (PBC) decided to continue the discussion on the methodology for the allocation of income and expenditure by Union at the 37th session of the PBC, *inter alia*, the relevant proposals submitted by Member States during the previous sessions."

563. Delegation of the United States of America: The United States of America will need time to consult on this decision item, so we will get back to you on this. We are not in a position to agree to that right now.

564. Chair: In that case, as there is no consensus on this paragraph, we leave this item open for the time being on our agenda. We are back here in this formal session of the PBC in order to conclude our work for the week. We have worked very hard, and I would like to thank all of you for all of your efforts this week. You have all shown dedication, generosity, flexibility. I think that you have been very astute, if I can put it that way. Looking at the agenda items which are still pending, we want then to be able to conclude. Please remember this is a budget year, and in June we will have some days to continue to work intensely on the agenda of this Program and Budget Committee. Therefore, I will begin by opening up agenda item 12. After we continue our discussion from yesterday and we had an exchange between the different Regional Groups in informal sessions, I would like to propose, the following decision point on agenda item 12: "The Program and Budget Committee (PBC) decided to continue the discussion on the methodology for the allocation of income and expenditure by Union at the 37th session, including the discussion on the possibility of having an economic study of the four Fee-Funded Unions." This is the decision paragraph being proposed, given a lack of agreement on the discussion on this specific agenda item.

565. Delegation of the Russian Federation: Unfortunately, we are not in a position to agree with the decision on the screen. We believe the initial version was more acceptable. Without the addition of inclusion, the discussion, etc. Because this is a long-standing issue, and the positions of Member States I think have been set forth very clearly, which is why we do not see, if possible, that such consultations or discussions would do anything to help us advance in the discussion of this issue.

566. Delegation of Iran (Islamic Republic of): Just in line with what has been said by the Delegate of the Russian Federation, we actually believe that having an economic study of the four Fee-Funded Unions has not been accepted by Delegations, and actually previously we have outlined our positions in this regard, so we would like to see the initial wording as it was in this case. We are not in a position to accept this new language.

567. Delegation of Switzerland: Switzerland can support the decision paragraph considering that it mentions the possibility of having an economic study. The discussion on the possibility of an economic study is not the same as the obligation to introduce such an economic study. So we do feel like this is in line with our preferences that we have expressed during this Committee. Of course we are not obliged, we are not committed to doing this economic study but we think the decision paragraph provides for enough flexibility.

568. Delegation of France: I support the statement just made by Switzerland in their national capacity.

569. Delegation of Iran (Islamic Republic of): I just wanted to suggest to have the first sentence of the paragraph "The Program and Budget Committee decided to continue the discussion on the methodology for the allocation of income and expenditure by Union at the 37th session", full stop. Because it will be covering all discussions and any sort of proposals that we had during this session of the PBC. I think with that phrase, we will be fine.

570. Delegation of the Russian Federation: We support the position expressed by the distinguished Delegate of Iran (Islamic Republic of). If modifications are needed to the text on the screen, I think we could approach that flexibly and suggest to include in the text "including the possibility of having a discussion...".

571. Chair: Thank you for your alternative proposal. We will put it underneath, that way it is possible to see the alternative proposal. I ask the different Delegations for flexibility. The fact is that whatever the wording is, we are talking about the possibility of having this economic study which is completely open. You can see the proposal that was put forward by the Russian Federation.

572. Delegation of the United States of America: I did have a question for the Delegation that proposed the second proposal. If that Delegation can explain the difference between their proposal and the first one up top.

573. Delegation of Iran (Islamic Republic of): What I can see is the difference between these two paragraphs, but still I wanted to re-suggest my previous proposal to just add a full stop after the "37th session" and then if all Delegations agree with this very general phrase, we will capture all those further debates that may, that will be taking place or not or may have taken place. So, perhaps it is better just to have the first phrase and then a full stop.

574. Delegation of the United States of America: I apologize up front, I just wanted to get clarity on your last instruction. Do you mind repeating that, sir?

575. Chair: Yes, I am asking whether, with regard to this last proposal on which no country has yet issued an objection, whether there are any objections to this last proposal from any Member State.

576. Delegation of the United States of America: The last proposal on the screen as it is written now and based on the comments made by the previous Delegation, indicating that there is a difference between the second proposal and the first proposal, I am not comfortable with the second proposal because I do not understand the difference. That is of interest to this Delegation in particular. If you are talking about the proposal made at the last minute in terms of deleting the last phrase after the comma, that is the initial proposal, and we did have concerns and oppose that.

577. Delegation of Pakistan: We are flexible on either of the language. In order to move forward we just want to suggest that maybe after the 37th session - this is not a suggestion I want to put on the screen, just for the consideration of the relevant Delegations so that we can move forward - after the 37th session maybe we can add "including on the proposals submitted – relevant proposals submitted by Member States."

578. Chair: The fact is that the two proposals on the screen have been objected to by different Delegations, therefore we cannot accept them, your suggestion could be a useful one. Can I please ask you Pakistan to repeat your suggestion?

579. Delegation of Pakistan: After the “37th session”, comma, “including on the relevant proposals submitted by Member States during previous sessions”.

580. Chair: Thank you for your proposal. Consequently, this is the proposed paragraph to conclude on Agenda Item 12.

581. Delegation of the United States of America: In the hopes of trying to capture the concept of continuing the discussion on the possibly of an economic study, another approach could be after the first sentence, so after “37th session”, comma, “including the idea from one Delegation for an economic study of the four Fee-Funded Unions.” Then, delete the newer insertion from the Delegation of Pakistan.

582. Delegation of Iran (Islamic Republic of): I would like to thank the distinguished Delegation of Pakistan for this proposal, which seems very pertinent and timely here. We would like to support the proposal and we can be flexible to have the proposition made by Pakistan, but with regard to the second proposal, we are not in a position to accept this.

583. Delegation of the Russian Federation: For our part, we also would like to extend our gratitude to the distinguished Delegates of Iran (Islamic Republic of) and Pakistan for their constructive approach to the discussion. Unfortunately, we are not in a position to agree with the second proposal put forward by one of the Delegations.

584. Chair: Apparently, some of the wording in the second proposal as well as in the initial proposal, I am referring to the proposal on the screen, as you say as well as the initial proposal, are not acceptable to some Member States. I am going to come back to the first proposal on the screen. Is there any delegation who objects to this wording?

585. Delegation of the United States of America: The United States of America does object to this proposal on the screen. We would like it reflected that we are interested in having a discussion on the possibility of having an economic study.

586. Chair: I am going to leave this agenda item as none of the four proposals would allow us, or any of the four proposals would have allowed us to continue with some discussion.

587. Vice-Chair: We continue with our deliberation, and this continuation might be conducted in the informal way. I would like to propose a 10 minute break in order to allow some Delegations most concerned to find a way how to proceed with some items, some text under agenda item 12. I would like to make a proposal for the draft decision on Agenda Item 12. First, I would ask the Secretariat to put this particular draft on the screen. My proposal is the following. To delete the words including “on” and put the words “*inter alia*”. The rest of the text remains as it is. Would this proposal be acceptable to the delegations? I see no objection. Is the whole text of this decision on Agenda Item 12 acceptable to all the Delegations? I see no objections. It is so decided.

588. The Program and Budget Committee (PBC) decided to continue the discussion on the methodology for the allocation of income and expenditure by Union at the 37th session, *inter alia*, the relevant proposals submitted by Member States during previous sessions.

ITEM 13 CLOSING

589. Chair: I will now move forward to Agenda Item 13, Closing of the session. We have concluded the list of all agenda items. This list will be sent to the Group Coordinators with the aim of being distributed further to all the Member States in due time, expeditiously. Having said

that, and also looking at the clock that advances quite rapidly today, I would like to ask whether any Delegation would like to make any concluding remarks? At the same time, I will turn your attention once again that the clock is moving very fast, and we still have another session in June. So, the opportunity for making statements is safeguarded.

590. Delegation of Brazil: I pressed this button very quickly. I have a closing statement, but I will leave that in your hands, at least time management I will leave in your hands.

591. Vice-Chair: I am very grateful for leaving this in my hands. I would like to ask, what does the distinguished representative of the Russian Federation want to say to us?

592. Delegation of the Russian Federation: The Russian Federation would like to thank the Secretariat, and you Vice-Chair, and the interpreters. That is it, thank you very much.

593. Delegation of Switzerland: Thank you, Vice Chair. We have of course also a closing statement which will put on the record. Thank you very much to all of you.

594. Delegation of Poland: Poland has the honor to deliver the closing statement on behalf of the CEBS Group. Let me thank you and your Vice-Chairs for your skillful guidance during the work of the PBC35 session. Your dedication enabled us to achieve significant progress during the week. We also extend appreciation to the Secretariat for their excellent work and efficient efforts invested in the preparation and advancement of the work of this Committee. Likewise, we would like to thank the interpreters and the Conference Services. Let me also thank all the Regional Coordinators, Member States and facilitators for their tireless efforts and cooperation, in spirit of reaching agreement on important matters discussed during the Committee 35th session. CEBS notes with satisfaction the progress achieved during this week. We appreciate constructive engagement of all the parties involved, and look forward to continuing our discussions at the upcoming 36th PBC meeting in June. You can count on the full support of the CEBS Group Member States in the future work of this Committee. Thank you.

595. Delegation of Switzerland: Mister Vice-Chair Ambassador Czech, Switzerland has the honor of delivering the closing statement on behalf of Group B. Group B would like to thank you, the Chair as well as Vice-Chair Ms. María del Socorro Pimienta for your dedicated guidance during this intense week. You have done a remarkable job facilitating our discussions in plenary and at informal meetings, and have ably supported us in making our decisions. We would also like to extend our appreciation to the Secretariat for its support during this PBC, as well as to the Conference staff and the skilled interpreters without whom this 35th session would not have been possible. Last but not least, we would like to thank all the Regional Coordinators and Member States for their great efforts in this PBC on important issues such as the proposed Program of Work and Budget for 2024-2025. We are grateful for such engagements and hopeful these will continue at PBC 36, which is only 3 weeks away. We are hopeful that our deliberations on the PBC 35 items left open and the PBC 36 documents will continue in an equally constructive spirit at the next PBC session. Once again, rest assured, Mister Chair, that you can count on the full and constructive support of Group B toward that end. Thank you, Mister Chair.

596. Delegation of India: Thank you, Chair. India is making this joint statement on behalf of eight member States who have expressed interest in opening of external offices of WIPO in their countries [Colombia, India, Iran, Oman, Republic of Korea, Romania, Saudi Arabia, and United Arab Emirates]. As we all are aware, this issue has been under consideration since the 51st Session of the WIPO General Assembly in 2019. At that time, it was decided to defer the decision on opening new External Offices pending an evaluation by 2021 of the existing External Offices. The Terms of Reference were to be decided by this Committee during its 31st Session in 2020. It is unfortunate that it has not been possible to finalize the Terms of Reference despite extensive discussions in this Committee during its 31st-34th Sessions.

External Offices, at the regional level, have been instrumental in connecting the expertise, services and tools of WIPO with the needs and priorities of the member States of the region. As the extended arms of WIPO, on the ground, they are able to develop familiarity with the local conditions, cultures and languages, which assists them to develop deep and meaningful relationships with various stakeholders, both public and private, which is important to gain the necessary insight to quickly respond to evolving changes in the policy environment and identify opportunities for effective implementation of WIPO's vision and goals. External Offices also provide cost-effective support services in relation to the PCT, Madrid and Hague systems, arbitration and mediation. The External Offices, thus, play an instrumental role in enabling the effective implementation of WIPO's developmental agenda; in fostering the development of balanced and effective innovation and creative ecosystems; and in increasing the IP knowledge and skills of the host member States as well as the entire region. In view of the role that the External Offices play in promoting the goal of the WIPO to create an enabling environment for promotion and protection of intellectual property rights within the framework of creating a conducive eco-system for research and development and innovation, any further delay in opening new External Offices will not be in the interest of either WIPO or the member states of WIPO. Like other international organizations based in Geneva, who work through their regional and national offices, like WHO and ILO, WIPO should be enabled by the member States to open as many External Offices as it deems essential to realize its goals. The evaluation of the existing External Offices, which in itself is an essential task, should not be allowed to delay the decision on opening of the new External Offices. Given the healthy financial situation of WIPO, there are no financial constraints on opening of new External Offices as the financial overview presented by WIPO in its proposed program of work and budget for 202425 mentions a surplus of about 90 million Swiss francs, predicted at the end of the biennium. We, therefore, urge all member States to give serious consideration to the issue of External Offices and quickly move forward on finalizing the Terms of Reference for evaluation of the existing Offices, which we will be discussing under Agenda Item 11. We hope that all member States shall make efforts in a cooperative and constructive manner paving the way for the opening of new External Offices as early as possible, responding to the long pending requests of the countries who are keen to harness the power of intellectual property for their development. We live in a world struggling with multiple crises. If under exceptional circumstances, we are not able to reach an agreement on the Terms of Reference for evaluating the existing External Offices, we urge all Member States to decouple the two issues and to proceed with the decision on creation of the new External Offices. I thank you.

597. Vice-Chair: Thank you much. With this, I would like to conclude this session. This session is concluded. Thank you very much. I wish you a very good weekend, and a very good evening. Thank you.

[Annex follows]

ANNEX: 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 States)*

AFRIQUE DU SUD/SOUTH AFRICA

Silindele THABEDE (Mr.), First Secretary, Permanent Mission, Geneva

ALGÉRIE/ALGERIA

Faouzia MEBARKI (Mme), ambassadrice, représentante permanente, Mission permanente, Genève

Nadji AICHE (M.), directeur, promotion des innovations et transfert des techniques, Ministère de l'industrie et des mines, Institut national algérien de la propriété industrielle (INAPI), Alger

Mohamed HABIB (M.), directeur, Direction de l'administration et des moyens, Institut national algérien de la propriété industrielle (INAPI), Alger

ALLEMAGNE/GERMANY

Jan TECHERT (Mr.), Counsellor, Permanent Mission, Geneva

Sarah EICKELMANN (Ms.), Staff Counsel, Division for Trademark Law, Law Against unfair Competition and Combatting of Product Piracy, Federal Ministry of Justice, Berlin

ARABIE SAOUDITE/SAUDI ARABIA

Maha ALOTAIBI (Ms.), Head, Budget Department, Saudi Authority for Intellectual Property (SAIP), Riyadh

Ahmed ALJASSER (Mr.), Senior International Organization Officer, Partnerships and International Cooperation, Saudi Authority for Intellectual Property (SAIP), Riyadh

Abdullah ALRASHED (Mr.), Chief Finance Officer, Finance, Saudi Authority for Intellectual Property (SAIP), Riyadh

Alanoud ALHABABI (Ms.), Performance and Talent Development Specialist, Human Resources, Saudi Authority for Intellectual Property (SAIP), Riyadh

ARGENTINE/ARGENTINA

Betina FABBIETTI (Sra.), Segunda Secretaria, Misión Permanente, Ginebra

Nadia Soledad SOCOLOFF (Sra.), Secretaria, Primera Clase, Dirección Nacional de Negociaciones Económicas Multilaterales, Buenos Aires

BRÉSIL/BRAZIL

Henry PFEIFFER LOPES (Mr.), Deputy Head, Intellectual Property Division, Ministry of Foreign Affairs, Brasilia

Maximiliano ARIENZO (Mr.), Counsellor, Permanent Mission, Geneva

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