

# **Agreement between the United Nations and the World Intellectual Property Organization [\*]**

## **Preamble**

In consideration of the provisions of Article 57 of the Charter of the United Nations and of Article 13, paragraph (1), of the Convention Establishing the World Intellectual Property Organization, the United Nations and the World Intellectual Property Organization agree as follows:

## **Article 1 Recognition**

The United Nations recognizes the World Intellectual Property Organization (hereinafter called the " Organization ") as a specialized agency and as being responsible for taking appropriate action in accordance with its basic instrument, treaties and agreements administered by it, inter *alia*, for promoting creative intellectual activity and for facilitating the transfer of technology related to industrial property to the developing countries in order to accelerate economic, social and cultural development, subject to the competence and responsibilities of the United Nations and its organs, particularly the United Nations Conference on Trade and Development, the United Nations Development Programme and the United Nations Industrial Development Organization, as well as of the United Nations Educational, Scientific and Cultural Organization and of other agencies within the United Nations system.

## **Article 2 Co-ordination and Co-operation**

In its relations with the United Nations, its organs and the agencies within the United Nations system, the Organization recognizes the responsibilities for co-ordination of the General Assembly and of the Economic and Social Council under the Charter of the United Nations. Accordingly, the Organization agrees to co-operate in whatever measures may be necessary to make co-ordination of the policies and activities of the United Nations and those of the organs and agencies within the United Nations system fully effective. The Organization agrees further to participate in the work of -any United Nations bodies which have been established or may be established for the purpose of facilitating such co-operation and co-ordination, in particular through membership in the Administrative Committee on Co-ordination.

### **Article 3**

#### **Reciprocal Representation**

(a) Representatives of the United Nations shall be invited to attend the sessions of all the bodies of the Organization and all such other meetings convened by the Organization, and to participate, without the right to vote, in the deliberations of such bodies and at such meetings. Written statements presented by the United Nations shall be distributed by the Organization to its members.

(b) Representatives of the Organization shall be invited to attend meetings and to participate, without the right to vote, in the deliberations of the Economic and Social Council, its commissions and committees, of the main committees and the organs of the General Assembly, and of other conferences and meetings of the United Nations, with respect -to items on the agenda relating to intellectual property matters within the scope of the activities of the Organization and other matters of mutual interest. Written statements presented by the Organization shall be distributed by the Secretariat of the United Nations to the members of the above-mentioned bodies, in accordance with the rules of procedure.

(c) Representatives of the Organization shall be invited, for purposes of consultation, to attend meetings of the General Assembly of the United Nations when questions as defined in paragraph (b) above are under discussion.

### **Article 4**

#### **Proposal of Agenda Items**

Subject to such preliminary consultation as may be necessary, the Organization shall arrange for the inclusion in the provisional agenda of its appropriate bodies of items proposed by the United Nations, and the Economic and Social Council, its commissions and committees shall arrange for the inclusion in their provisional agenda of items proposed by the Organization.

### **Article 5**

#### **Recommendations of the United Nations**

(a) The Organization, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter of the United Nations and the function and power of the Economic and Social Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to the appropriate organ of the Organization, of all formal recommendations which the United Nations may make to it.

(b) The Organization agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its members to give effect to such recommendations, or on the other results of their consideration.

## **Article 6**

### **Information and Documents**

(a) Subject to such arrangements as may be necessary for the safeguarding of confidential material, full and prompt exchange of appropriate information and documents shall be made between the United Nations and the Organization.

(b) The Organization shall submit to the United Nations an annual report on its activities.

## **Article 7**

### **Statistical Services**

(a) The United Nations and the Organization agree to strive for the maximum co-operation, the elimination of all undesirable duplication between them and the most efficient use of their technical personnel in their respective collection, analysis, publication and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burden placed upon Governments and other organizations from which such information may be collected.

(b) The Organization recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.

(c) The United Nations recognizes the Organization as an appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations, its organs and other agencies within the United Nations system to concern themselves with such statistics in so far as they may be essential for their own purposes or for the improvement of statistics throughout the world.

(d) The United Nations shall, in consultation with the Organization and other agencies within the United Nations system, develop administrative instruments and procedures through which effective statistical co-operation may be secured between the United Nations, the Organization and other agencies within the United Nations system brought into relationship with it.

(e) It is recognized as desirable that the collection of statistical information should not be duplicated by the United Nations or any of the agencies within the United Nations system whenever it is practicable for any of them to utilize information or materials which another may have available.

(f) In order to collect statistical information for general use, it is agreed that data supplied to the Organization for incorporation in its basic statistical series or special reports should, so far as practicable, be made available to the United Nations on request.

(g) It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should, so far as is practicable and appropriate, be made available to the Organization upon request.

## **Article 8**

### **Assistance to the United Nations**

The Organization shall, in accordance with the Charter of the United Nations and the basic instrument of the Organization, treaties and agreements administered by the Organization, co-operate with the United Nations by furnishing to it such information, special reports and studies, and by rendering such assistance to it, as the United Nations may request.

## **Article 9**

### **Technical Assistance**

The United Nations and the Organization undertake to cooperate in the provision of technical assistance for development in the field of intellectual creation. They also undertake to avoid undesirable duplication of activities and services relating to such technical assistance and agree to take such action as may be necessary to achieve effective co-ordination of their technical assistance activities within the framework of existing co-ordination machinery in the field of technical assistance. To this end, the Organization agrees to give consideration to the common use of available services as far as practicable. The United Nations will make available to the Organization its administrative services in this field for use as requested.

## **Article 10**

### **Transfer of Technology**

The Organization agrees to co-operate within the field of its competence with the United Nations and its organs, particularly the United Nations Conference on Trade and Development, the United Nations Development Programme and the United Nations Industrial Development Organization, as well as the agencies within the United Nations system, in promoting and facilitating the transfer of technology to developing countries in such a manner as to assist these countries in attaining their objectives in the fields of science and technology and trade and development.

**Article 11**  
**Trust, Non-Self-Governing and Other Territories**

The Organization agrees to co-operate within the field of its competence with the United Nations in giving effect to the principles and obligations set forth in Chapters XI, XII and XIII of the Charter of the United Nations and in the Declaration on the Granting of Independence to Colonial Countries and Peoples, with regard to matters affecting the well-being and development of the peoples of the Trust, Non-Self-Governing and other Territories.

**Article 12**  
**International Court of Justice**

(a) The Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

(b) The General Assembly of the United Nations authorizes the Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships of the Organization and the United Nations or other specialized agencies.

(c) Such requests may be addressed to the International Court of Justice by the General Assembly of the Organization, or by the Co-ordination Committee of the Organization acting in pursuance of an authorization by the General Assembly of the Organization.

(d) When requesting the International Court of Justice to give an advisory opinion, the Organization shall inform the Economic and Social Council of the request.

**Article 13**  
**Relations with Other International Organizations**

Before the conclusion of any formal agreement between the Organization and any other specialized agency, any intergovernmental organization other than a specialized agency or any non-governmental organization, the Organization shall inform the Economic and Social Council of the nature and scope of the proposed agreement; furthermore, the Organization shall inform the Economic and Social Council of any matter of interagency concern within its competence.

**Article 14**  
**Administrative Co-operation**

(a) The United Nations and the Organization recognize the desirability of co-operation in administrative matters of mutual interest.

(b) Accordingly, the United Nations and the Organization undertake to consult together from time to time concerning these matters, particularly the most efficient use of facilities, staff and services and the appropriate methods of avoiding the establishment and operation of competitive or overlapping facilities and

services among the United Nations and the agencies within the United Nations system and the Organization and with a view to securing, within the limits of the Charter of the United Nations and the Convention establishing the Organization, as much uniformity in these matters as shall be found practicable.

(c) The consultations referred to in this article shall be utilized to establish the most equitable manner in which any special services or assistance furnished, on request, by the Organization to the United Nations or by the United Nations to the Organization shall be financed.

## **Article 15**

### **Personnel Arrangements**

(a) The United Nations and the Organization agree to develop, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable and beneficial interchange of personnel.

(b) The United Nations and the Organization agree:

- (i) to consult together from time to time concerning matters of mutual interest relating to the terms and conditions of employment of the officers and staff, with a view to securing as much uniformity in these matters as may be feasible;
- (ii) to co-operate in the interchange of personnel when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;
- (iii) to co-operate, on such terms and conditions as may be agreed, in the operation of a common pension fund;
- (iv) to co-operate in the establishment and operation of suitable machinery for the settlement of disputes arising in connexion with the employment of personnel and related matters.

(c) The terms and conditions on which any facilities or services of the Organization or the United Nations in connexion with the matters referred to in this article are to be extended to the other shall, where necessary, be the subject of subsidiary agreements concluded for this purpose after the entry into force of this Agreement.

## **Article 16**

### **Budgetary and Financial Matters**

(a) The Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and the agencies within the United Nations system shall be carried out in the most efficient and economical manner possible, and that the maximum measure of co-ordination and uniformity with respect to these operations shall be secured.

(b) The Organization agrees to conform, as far as may be practicable and appropriate, to standard practices and forms recommended by the United Nations.

(c) In the preparation of the budget of the Organization, the Director General of the Organization shall consult with the Secretary-General of the United Nations with a view to achieving, in so far as is practicable, uniformity in presentation of the budgets of the United Nations and of the agencies within the United Nations system for the purposes of providing a basis for comparison of the several budgets.

(d) The Organization agrees to transmit to the United Nations its draft triennial and annual budgets not later than when the said draft budgets are transmitted to its members so as to give the General Assembly sufficient time to examine the

said draft budgets, or budgets, and make such recommendations as it deems desirable.

(e) The United Nations may arrange for studies to be undertaken concerning financial and fiscal questions of interest both to the Organization and to the other agencies within the United Nations system, with a view to the provision of common services and the securing of uniformity in such matters.

#### **Article 17**

#### **United Nations Laissez-Passer**

Officials of the Organization shall be entitled, in accordance with such special arrangements as may be concluded between the Secretary-General of the United Nations and the Director General of the Organization, to use the laissez-passer of the United Nations.

#### **Article 18**

#### **Implementation of the Agreement**

The Secretary-General of the United Nations and the Director General of the Organization may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable.

#### **Article 19**

#### **Amendment and Revision**

This Agreement may be amended or revised by agreement between the United Nations and the Organization and any such amendment or revision shall come into force on approval by the General Assembly of the United Nations and the General Assembly of the Organization.

#### **Article 20**

#### **Entry Into Force**

This Agreement shall enter into force on its approval by the General Assembly of the United Nations and the General Assembly of the Organization.

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\* This Agreement entered into effect on December 17, 1974. A Protocol incorporating the Agreement was signed by Kurt Waldheim, Secretary-General of the United Nations, and Arpad Bogsch, Director General of the World Intellectual Property Organization, on January 21, 1975.