



H.E. Ambassador Päivi Kairamo
Permanent Representative of Finland
Chair of the WIPO General Assembly

H.E. Ambassador Nguyen Trung Thanh
Permanent Representative of Viet Nam
Chair of the WIPO Coordination Committee

July 13, 2015

Dear Ambassador Kairamo,
Dear Ambassador Thanh,

Media reports indicate that, at the request of the Chair of the WIPO General Assemblies, the UN Office on Internal Oversight Services (OIOS) is conducting an investigation into the allegations of wrongdoing by WIPO Director General, Mr. Francis Gurry, contained in the report made by former WIPO Deputy Director General, Mr. James Pooley. These allegations include the theft of DNA from WIPO staff and the corruption of a procurement process.

The Staff Council understands that OIOS will shortly be seeking to interview WIPO staff and other persons in connection with their investigation. In that context, the WIPO Staff Council seeks the following information from the Chairs of the WIPO General Assemblies and Coordination Committee.

Terms of reference of the investigation and legal status

1. Is this investigation independent and external? Will WIPO staff be required to participate in this investigation if called to do so? Is their participation optional, or required, as it would be if the investigation was undertaken by the WIPO Internal Oversight Division? We draw your kind attention to the fact that the terms of reference for the External Independent Review established by the UN Secretary General to examine the UN's handling of the matters in the Central African Republic, as described in the Kompass report, are public information. Furthermore, the Secretary General has committed to making the report of the review public as well. By the same analogy can the terms of reference of the investigation into WIPO's handling of allegations of theft of DNA from WIPO staff also be made public?

Protection of whistleblowers and witnesses

2. What protection will be offered to whistleblowers and witnesses? The Staff Council remains extremely concerned about any form of retaliation in this respect.

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The OIOS Report

3. Will the report of the OIOS investigation be shared with WIPO staff and made public? It is imperative that WIPO staff be provided with answers as to why staff had their personal effects stolen and DNA extracted therefrom, without their knowledge or consent and without the lifting of their functional immunity.

In the interests of transparency and accountability, this letter has been copied to all WIPO staff.

Yours sincerely,

A handwritten signature in blue ink that reads "Brett Fitzgerald". The signature is fluid and cursive, with a long horizontal flourish extending to the left.

Brett Fitzgerald
President, WIPO Staff Association
On behalf of the WIPO Staff Council

Annex I: Terms of reference for the External Independent Review established by the UN Secretary General to examine the UN's handling of the matters in the Central African Republic as described in the Kompas report

Annex II: Communication to all UN Staff in which the UN Secretary-General encourages staff having relevant information to approach the panel directly