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Property (CDIP) (Geneva, 15-19 May 2017)
- Final EU/Member States' statements

Delegations will find in Annex, for information, the EU/Member States' statements as delivered at the above mentioned WIPO meeting.

COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY

19th Session

WIPO, Geneva, 15 – 19 May 2017

Opening Statement

Mr. Chair,

I am speaking on behalf of the European Union and its Member States.

The European Union and its Member States would like to congratulate you and your vice chairs on your (re) election . We are fully confident in your ability to steer us through the vast agenda that we have before us with a view to achieving our goals.

We would like to thank the WIPO Secretariat for their constant sterling work and support in preparation for this meeting and previous meetings; particularly for the preparation of the supporting documentation on such a wide range of issues.

The EU and its Member States welcomes the Report on the Independent Review on the Recommendations contained in the Independent Review of the Implementation of the Development Agenda which were addressed to WIPO. Whilst there are a number of recommendations that we can support, however there are some other recommendation which require further discussion.

The EU and its Member States appreciate the report on WIPO's contribution to the implementation of the SDGs and its associated targets. Whilst we are strongly committed to the SDGs which have led many of our discussions, we hold the view that WIPO should focus on those SDGs and targets which are of greatest relevance to WIPO's work and its mandate as defined in Article 3 of the WIPO Convention.

The EU and its Member States are firmly committed to contribute to the work in this Committee in a positive and cooperative spirit and to fully engage in these discussions.

Thank you, Chair.

COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY

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CDIP/ 19/2 DG's Report

Chair,

The EU and its Member States would like to thank the WIPO Secretariat for the elaborate progress report on the Implementation of the Development Agenda and the Deputy Director General for his introduction of this report.

Since the adoption of the Development Agenda Recommendations 8 years ago, the WIPO Secretariat has consistently worked on their implementation. The document demonstrates that significant work has been carried out by the WIPO Secretariat in order to achieve this.

Within the framework of the CDIP, 34 projects had been approved, with over 30 million CHF approved for the implementation of these projects.

This is not all however, and out of the many initiatives mentioned in the document, the EU and its Member States would like to recall some of the initiatives we highly value.

Firstly, the involvement of the WIPO Secretariat in a number of key international initiatives such as the UN inter-agency task team on science, technology and innovation for the sustainable development goals; the UNFCCC Technology Mechanism; and the WIPO – WTO - WHO trilateral cooperation. These initiatives are very broad, it is essential that the importance and relevance of Intellectual Property is taken on board in these discussions.

Secondly, the work done by WIPO Re:Search, which now has 107 members and has facilitated 107 collaborations, and the WIPO GREEN platform, which has 74 partners and has facilitated more than 100 connections. We would also like to commend the work done in relation to the WIPO Academy, and the Inventor Assistance Program.

We appreciate the activities listed in the document and the achievements reached. We welcome the efforts made by the Director General and his staff in achieving the goals for the preceding year as set out by the Member States of WIPO.

Thank you.

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CDIP/19/3 Report on the Recommendations of the Independent Review

Chair,

The European Union and its Member States would like to thank the WIPO secretariat for providing a report on the recommendations contained in the Independent Review of the implementation of the development agenda which were addressed to WIPO. We note with appreciation the comments submitted by Group B which we support.

At the outset of this discussion we would like to make the following comments on specific recommendations.

With regards to Recommendation 5, which addresses 'considering linking DARs to expected results contained in the program and budget', we agree with WIPO secretariat's response that , on the basis of the existing Programme and Budget, Programme Performance Report and the revised Medium Term Strategic Plan, WIPO already has the necessary tools to monitor the integration of the DARs into WIPOs work.

With regards to Recommendation 11, , we share WIPO secretariat's view that the approach currently in place satisfies the intent behind this recommendation and agree with Group B that systematic approval of each recommendation in evaluation reports is unduly burdensome.

In relation to Recommendation 3, we support the importance of continuing to ensure effective coordination, monitoring, reporting and evaluation of the implementation of the DAR. The Secretariat's response in this regard which is that the implementation of this recommendation is ongoing is also supported.

Turning to Recommendation 7, we fully support that new project proposals are based on national needs, and that lessons learned and best practices from successfully implemented DA projects and activities are shared. We look forward to discussing the best way forward in this regard, noting that a database approach could have some weaknesses and added costs.

The EU and its Member States support the Secretariat's response in relation to Recommendations 8, 9, and 10.

In relation to Recommendation 12 and the dissemination of information, we believe that this recommendation is already covered under Recommendations 6 and 7.

Thank you chair.

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**CDIP/19/4 Evaluation Report of the Project on IP and Design management for Business
Development in Developing and Least Developed Countries**

Chair,

The EU and its Member States welcome the external evaluation in respect of the project on IP and Design Management for Business development in developing and least developed countries.

The use of designs can be a powerful tool for adding value to a product, raising market demand and increasing the economic returns for designers in all countries.

We attach great importance to the sustainability of the results, we are glad to see that the activities in Morocco are ongoing beyond the project, and that Argentina plans to continue activities to promote the valorisation of IPRs.

The EU and its Member States look forward to discussing the project proposal for a second phase of this project.

Thank you.

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CDIP/19/5 Mapping of South-South Cooperation activities within WIPO

Chair,

The EU and its Member States would like to thank the WIPO secretariat for the mapping of south-south cooperation activities in WIPO, as contained in document CDIP/19/5.

It is interesting to learn more about the various activities that are highlighted in this paper, and we appreciate the information provided in relation to the 148 activities that were identified.

Also it is worth noting that WIPO has exceeded the targeted share of the budget which according to the United Nations Joint Inspection Unit should be allocated to the promotion of South- South Cooperation.

South-South cooperation is above all a positive and fruitful cooperation initiative among peoples and countries of the South which is initiated, organized and managed by governments in developing countries themselves and where organisations such as WIPO may play a supporting role.

We hope this mapping exercise is useful for policy makers in member states and trust that this mapping will enhance the use of the IP-TAD database, as well as WIPO's South-South IP Technical Assistance web page.

Thank you chair.

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CDIP/19/6 Report on WIPOs contribution to the implementation of the SDGs and its associated targets

Chair,

The EU and its Member States thank the secretariat for the report on WIPOs contribution to the implementation of the SDGs and its associated targets and their contribution to the inter-agency work on SDG issues.

We would like to reiterate that the report CDIP/19/6 demonstrates in a very thorough way the WIPO secretariat's investment in the SDG implementation process.

We believe that WIPO, as the multilateral organisation addressing intellectual property, has very specific knowledge to contribute to the wider SDG discussions.

The EU and its Member States are strongly committed to the SDGs, which have led many of our discussions. The SDGs are important and relevant to developed countries as much as they are to developing ones. In this context it is important to point out that in 2016 the EU and its Member States have again consolidated their place as the world's leading donor of official development assistance which reached €75.5 billion.

We support the activities undertaken by WIPO as mentioned in the Report CDIP/19/6, given that these activities by their nature are interlinked to the fulfillment of the targets of the UN's SDGs. Further, we take note of the recruitment of a representative of the Director General on the SDGs to coordinate this subject internally and externally. Overall, we believe the report demonstrates the very thorough way in which the WIPO secretariat has already invested in the SDG implementation process.

We welcome the agreement reached at the last CDIP meeting to provide MS with an annual report. We are of the view that this provides MS with ample opportunity to discuss SDGs. We do not believe therefore that a separate agenda item is necessary.

In order for WIPO's support to be more centric and effective, WIPO needs to focus on those SDGs and targets which are of greatest relevance to WIPO's work and its mandate to promote the protection of IP throughout the world through cooperation among States and, where appropriate, in collaboration with other international bodies and organizations.

We continue to believe that the work of WIPO is most relevant to the implementation of SDG 9 ("Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation") and SDG 17 ("Strengthen the means of implementation and revitalize the global partnership for sustainable development").

Finally, we would like to reiterate that the overall achievement of the SDGs depends primarily of states. We remain open to examining individual proposals on relevant SDGs in the future as required on an ad-hoc basis.

Thank you chair.

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CDIP/19/7 Proposal of the African Group concerning the biennial organization of an international conference on IP and Development

Thank you Chair,

The EU and its Member States thank the African Group for their proposal concerning biannual organization of an international conference on IP and Development.

The international conference on IP and development held in April 2016 focused on social, economic and cultural aspects of the role of IP, and at the same time addressed the current challenges and future challenges of IP systems. The conference emphasized the application and exploitation of IP in different areas and the necessity for raising the awareness about IP, and demonstrated that each state is capable of designing its own IP regime in compliance with national conditions and specificities.

The EU and its Member States are supportive of organizing a conference on IP and Development when there is a need and interest to be met. At this stage we are not convinced of the need to hold a new conference, and to bind this organisation to holding a perpetual series of biannual Conferences.

Thank you chair.

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CDIP/19/8 Progress report on new WIPO activities related to using copyright to promote access to information and creative content

Chair,

On behalf of the EU and its Member States I would like to thank you for the progress report on new WIPO activities related to using copyright to promote access to information and creative content.

In relation to activity 2, in principle we can agree to the way forward as proposed by the Secretariat, namely that the Secretariat may continue to facilitate the implementation process of the copyright policies of IGOs, who desire to implement open access policy to use the new CC IGO licenses. We would need more information on the possible budgetary implications, if any.

Turning to activity 4, we are in principle in a position to endorse the proposed way forward by the Secretariat to continue to integrate the subject of open source licensing in WIPO copyright related courses and training programs. It is important that awareness and understanding of open source software through a balanced and objective treatment of advantages and disadvantages, including the consequences of the use of open source software in relation to security issues and maintenance is continued. We would however need more information on the possible budgetary implications.

We believe that activity 6, if agreed, should focus on those LDCs which have the greatest readiness to implement any policy on the subject. However, we would need some further clarification of the exact scope of activity 6 and the budgetary implications before we are in a position to endorse this activity.

Thank you chair.

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CDIP/19/10 Possible improvements of WIPO Technical Assistance webpage

Chair,

The EU and its Member States thank the WIPO Secretariat for the document in relation to possible improvements of the WIPO Technical Assistance webpage.

As noted in the document, information on technical assistance is spread across the website, making it more difficult to find all the relevant information. We therefore support the proposal by the Secretariat to create a new section entitled 'Technical Assistance and Capacity Building', within the current framework of the website, and thus preserving the current thematic nature of the website for the sake of clarity.

Thank you chair.

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CDIP/19/11 Project on IP Management and Transfer of Technology

Chair,

The EU and its Member States thank the delegation of South Africa for proposing this project on IP management and transfer of technology. We also thank the secretariat for the presentation on this agenda item.

We note that a revised proposal has been drawn up and we look forward to constructive engagement on this basis.

Thank you.

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CDIP/12/5 and CDIP/18/10 WIPO GA decision on CDIP related matters

Chair,

The EU and its Member States believe that the CDIP is addressing a broad range of development related issues, and has thus fully delivered on its mandate to discuss IP and Development.

This week we have discussed, and will be discussing the DGs report, an evaluation report, a progress report, a new project proposal in relation to technology transfer, as well as WIPOs contribution to the implementation of the SDGs. The CDIP is the primary and most relevant body to deal with these issues.

In relation to the Coordination mechanism, we would like to reiterate our position regarding the meaning of term 'relevant WIPO bodies', namely that not all WIPO bodies are relevant for the purpose of the coordination mechanism.

We believe that the proposal to have a standing agenda item on the development agenda is not needed in order to achieve the aim of having this committee deal with IP and development issues and the implementation of the Development Agenda within WIPO bodies.

Thank you chair.

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CDIP/18/4 Discussions on the way to address SDGs in future CDIP sessions

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The EU and its Member States would like to reiterate that the report CDIP/19/6 demonstrates in a very thorough way the WIPO secretariat's investment in the SDG implementation process.

We believe that WIPO, as the multilateral organisation addressing intellectual property, has very specific knowledge to contribute to the wider SDG discussions.

We welcome the agreement reached at the last CDIP meeting to provide MS with an annual report. We are of the view that this provides MS with ample opportunity to discuss SDGs. We do not believe therefore that a separate agenda item is necessary.

In order for WIPO's support to be more centric and effective, WIPO needs to focus on those SDGs and targets which are of greatest relevance to WIPO's work and its mandate to promote the protection of IP throughout the world through cooperation among States and, where appropriate, in collaboration with other international bodies and organizations.

Whilst we continue to believe that the work of WIPO is most relevant to the implementation of SDG 9 and SDG 17, we remain open to examining individual proposals on relevant SDGs in the future as required on an ad-hoc basis.

Finally, we would also like to reiterate that the overall achievement of the SDGs depends primarily on states.

Thank you chair.

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CDIP/18/6 Rev Discussions on the Joint Proposal by the delegations of the United States, Australia and Canada on Activities Related to Technology Transfer

Chair,

The EU and its Member States were supportive of the Joint proposal, and are thus satisfied that the Committee decided to go forward with items 1,2, 3, 4 and 6 during the previous CDIP session.

Item 5 contains a proposal that 'WIPO investigate [s] taking up a market based approach to facilitate innovation and commercialization by providing means for public sector patent holders to signal their licensing intent and promote their key areas of technology within a single platform. As part of investigating activities in this area, WIPO should consider utilizing existing platforms and collaborate with Member States that have similar systems in place such as Australia's Source IP platform (<https://sourceip.ipaustralia.gov.au/#/about>). For instance, the Secretariat should invite submissions from those Member States on national practices and experiences in the development of market based approaches and platforms on technology transfer, to inform WIPO's work in this area.

We would like to have further discussions on this matter and its possible implications.

Thank you chair.
