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Subject:	12th Session of the WIPO Committee On Development And Intellectual Property (CDIP) (Geneva, 18-21 November 2013) - Final statements by the European Union and its Member States

Delegations will find in the Annex the statements made on behalf of the EU and its Member States at the above mentioned WIPO meeting.

COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY

12th Session

(WIPO, Geneva, 18-21 November 2013)

Opening statement

Chairman,

The European Union and its Member States would like to congratulate you [and your Vice-chair(s)] on your nomination and re-election. As ever, we have every confidence in your ability to guide us through this week to meet our goals.

We would like to thank the WIPO Secretariat for preparing the Agenda and supporting documentation in advance of our discussions this week.

It's clear we have a sizeable agenda in front of us, which will require intensive work, much co-operation and flexibility to ensure that we complete everything within the time constraints. Accordingly, we call on you Mr. Chair to ensure our work is completed within the planned timeframe.

The EU and its Member States have come here this week with a firm commitment to continue working in a positive and cooperative manner

Finally, Mr. Chair, under future work, we stand ready to constructively discuss possible ways to improve the work of this committee for the benefit of all the delegations.

Thank you, Chairman.

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Progress reports, CDIP/12/2

Chairman,

The EU and its Member States would like to thank the WIPO Secretariat for the report on the Implementation of the Development Agenda contained in doc 12/2. This report gives a comprehensive assessment of the work carried out by WIPO in 2013 in implementing the DA.

We have taken note of all the activities included in the report and 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.

The EU and its Member States are looking forward to continuing the work within this Committee and other relevant WIPO bodies to further consolidate the Development Agenda along with the overarching issue of intellectual property protection.

Thank you, Mr. Chairman.

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Evaluation reports, CDIP/12/3, CDIP/12/4

Chairman

The EU and its MS welcome the external evaluations in respect of the project on capacity building in the use of appropriate technology, and the project on the enhancement of WIPO's results based management framework. These provide a valuable opportunity to assess the completed projects. Evaluation reports are very useful tools in order to drive improvements, and to identify shortcomings that should be avoided in future projects.

We would like to refer to our intervention in CDIP 9 in highlighting again, the importance of effectiveness, efficiency, and transparency in the management of projects. In addition to, these aspects, sustainability is also a key note that must be taken into account when dealing with the drafting and implementation of the projects.

We are particularly pleased to see clear recommendations following lessons learnt such as those in the Evaluation Report of the Project on capacity building in the use of appropriate technology (CDIP/12/3). We would urge the Secretariat not to lose sight of these important lessons learnt, as they are critical for effectiveness and efficiency in the management of future projects.

Thank you, Chairman.

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**Independent Review of the Implementation of the Development Agenda Recommendations,
CDIP/11/8**

Chairman,

The EU and its Member States would like to thank the African Group and Development Agenda Group for their joint proposal on terms of reference and methodology for the independent review of the implementation of the Development Agenda recommendations.

We note that the Director General has provided several reports on the implementation of the development agenda recommendations, and concluded that the Secretariat has "continued in a progressive manner and in accordance with the collective decisions of the Member States". We would also note that independent evaluations have been carried out in respect of a great number of development projects. This leads us to conclude that any independent review need not be onerous, and the terms of reference should enable an efficient and pragmatic consideration.

We would therefore question whether it is strictly necessary to consider the methodology of the evaluations undertaken in respect of various Development Agenda projects, or the basis of using projects at all.

We would also highlight that an assessment of the impact of the Development Agenda be confined to the relevant WIPO bodies.

We stand ready to hear the views of other delegations and discuss this issue further.

Thank you

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WIPO General Assembly decision on CDIP related matters, CDIP/12/5

Chairman,

The EU and its Member States take note of the WIPO General Assembly decision on CDIP related matters.

The CDIP has made great progress in implementing the Development Agenda recommendations, as has been highlighted several times by the Director General. By definition the core objective of the CDIP is to discuss IP and development. We consider it has been successful in this and in this regard fully delivered on its mandate. Therefore we see no purpose in adding an item on the agenda with the precise same objective and which would only repeat the title of the Committee. Having said that, we would like to emphasize that we are always open to discuss specific agenda items related to individual issues in respect of Intellectual Property and Development.

With regard to the Coordination Mechanism, much time has been spent by the CDIP and other bodies discussing the implementation of this mechanism. We note that different interpretations exist as to the meaning of the term "relevant WIPO bodies", and reiterate our position that the WIPO bodies should themselves determine whether they are relevant for the purpose of the Coordination Mechanism. We would note that protracted discussions on this topic would take time away from more concrete and meaningful discussion of CDIP projects.

Thank you

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The international Conference on IP and Development

Chairman,

The EU and its Member States are disappointed to note that the International Conference on Intellectual Property and Development has been postponed due to the lack of agreement.

We are sure that the conference will provide an interesting opportunity for all to reflect on how economic growth and development can be achieved through intellectual property. We would also like to highlight our understanding that the CDIP remains the principal decision making body for WIPO's work on IP and development, and that the WIPO Secretariat be empowered to nominate speakers without interference

Thank you

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Pilot project on IP and design management for business development in developing and least developed countries, CDIP/12/6

Chairman,

The EU and its Member States would like to thank the delegation of the Republic of Korea and the WIPO Secretariat for the revised proposed pilot 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. The proposed pilot project would raise awareness, encourage investment in design, and foster use of IP in developing and least developed countries, leading to economic development.

In terms of the quality of the project, it is important to take note of the quality of the project document itself. It contains comprehensive information that surely will facilitate its implementation in an effective and efficient manner. Also regarding this project document the EU and its Member States would like to welcome the explicit reference to the sustainability of the project and the inclusion of a detailed budget properly broken down. We are of the opinion that all these aspects are of the utmost importance since they enhance the quality of the projects. In this sense these elements should be taken into account for future projects.

We are therefore in a position to fully support the proposal, and look forward to learning of its successful implementation.

Thank you

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Manual on the Delivery of WIPO Technical Assistance, CDIP/12/7

Chairman,

The EU and its Member States would like to thank the WIPO Secretariat and the external consultant, Ms Francoise Wege, for the Manual on the delivery of WIPO Technical Assistance.

The manual provides a very comprehensive overview of the enormous amount of technical assistance WIPO provides, and will prove helpful in shaping our future debates on technical assistance. We look forward to studying it carefully.

As a preliminary comment, it would be interesting to know more about possible problems WIPO experienced in trying to deliver technical assistance, as from this we might be able to learn lessons for the future and enable WIPO's technical assistance to become even more effective.

Drafted on the spot

EU and its member states would like to remind all the Delegations of the importance of the debates on technical assistance held during the last CDIP session in May and our support, of the topics just mentioned by the distinguished delegate of Japan on behalf of group B. We are confirmed that future work on the mentioned areas would be most useful and we look forward to future work in this field.

Thank you

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**The measurement of the Millennium Development Goals (MDGs) in other UN agencies and
the contribution of WIPO to the MDGs, CDIP/12/8**

Chairman,

The EU and its Member States would like to thank the Secretariat for document 12/8, which clearly compares how other UN agencies contribute to the MDGs, and also how WIPO has effectively contributed to date.

We would be happy to see this document updated again, perhaps towards the end of the MDG period in 2015.

EU also supports the statement just delivered by Japan on behalf of group B on this issue.

Thank you

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**Implementation proposal on possible new WIPO activities related to using copyright to
promote access to information and creative content, CDIP/12/9**

Chairman,

The EU and its Member States would like to thank the Secretariat for document 12/9, which contains implementation plans for six activities related to using copyright to promote access to information and creative content.

With regard activities 1 and 2, WIPO would seem to be required to create, collect and hold a substantial volume of information, and enable the public, both professional and non-professional, to obtain easy access. It is not clear how the implementation of these activities and the application of open licences to protected works would affect the rights of copyright holders. It is further unclear whether the project would be held on a voluntary basis for MS, or what the next steps might be. We would need some further assurance in this regard before being able to endorse activities 1 and 2.

Concerning activities 3 and 4, they could be further considered by WIPO as a means to enhance awareness and understanding of open source software through a balanced and objective treatment of its advantages and disadvantages, including consequences of the use of open source software in relation to security issues and maintenance. With regard to activities 5-6, we note that further considerations on the exact scope of activities and their budgetary implications must be undertaken

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Pilot project on Intellectual property and tourism (proposal from Egypt)

Mr. Chair,

EU and its member states thanks the delegation of Egypt for their proposal. After the first reading, we note that the proposal would seem to be interesting and possibly adding value to the competitiveness and further development of countries involved in the project.

However, we note that further information regarding the exact scope of the project, participating countries, budgetary implications and other aspects should be provided before the project can be discussed fully in the committee.

Furthermore, the EU and it's member states reiterates that submission of new projects should obey deadlines. Since the project was not introduced at the late stage, we look forward to discuss it at the next meeting of the CDIP.

Thank you, Mr. Chairman.

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Future work

The EU and its Member States are grateful to all the delegations involved in drafting exercise to set the terms of reference for the Independent Review. We recognize that we have started to implement the task as mandated by the general assembly. The EU and its Member States acknowledge the importance of this task. This week, due to constructive involvement of all the delegations we have made considerable progress. We believe that agreement on important elements of the ToR has been found. We are confident that next CDIP this work will be successfully concluded.
