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Subject:	22nd Session of WIPO Standing Committee on Development and Intellectual Property (CDIP) (Geneva, 19-23 November 2018) - 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

22nd Session

WIPO, Geneva, 19-23 November 2018

EU/Member States Opening Statement

Chairman,

I am speaking on behalf of the European Union and its Member States. We would like to thank the WIPO Secretariat for the preparation of the 22nd session of CDIP.

Chair, we are looking forward to working again under your leadership. We thank you and your Vice-Chairs for the work you have already conducted in preparation of this meeting.

In the week ahead of us we have to discuss a wide range of topics related with Intellectual Property and Development. We are looking forward to constructively engage ourselves in deliberations. We will listen carefully and with an open spirit to the interventions of other delegations.

The EU and its Member States take note of the comprehensive progress reports regarding several Development Agenda projects as well as on the implementation of the Development Agenda Recommendations. We especially appreciate the new and clear structure in the report concerning the Development Agenda recommendations which enables the recipient to navigate smoothly and get a quick overview.

We thank the delegations for submitting proposals on how to take forward the recommendations that have been agreed and would like to thank Group B for proposing a way forward based on the submissions of Mexico and Peru.

With interest we are looking forward to listening to the interactive dialogue on technical assistance. We are optimistic that it will lead to sound and concrete results.

Further, we are looking forward to participating for the first time in the discussion on “Women and IP”. The EU and its Member States have always been supportive of women and IP rights and therefore are willing to back WIPO in its efforts to encourage and strengthen the capacity of women with respect to IP.

Equality between women and men is a common value of the European Union that is enshrined in the Lisbon Treaty. Pursuant to the Treaty on the European Union, promoting gender equality is one of the Union’s tasks (Article 3). In all its activities, it aims to eliminate inequalities and to promote equality between women and men (Treaty on the Functioning of the European Union, Article 8).

We thank the delegation of Mexico on the outset for their contribution to this topic. We also welcome all proposals and contributions from Member States. Respecting the principles of initiating demand-driven projects and ownership of beneficiaries has delivered the best possible results in the past and thus shows us the best way forward.

Having said that, we noted with appreciation proposals of Kenya, Peru, Burkina Faso and Brazil as well as of Mexico. We are prepared to take part in fruitful discussions which hopefully will lead to tangible results.

Mr. Chair, I would like to again reassure you that the EU and its Member States are ready to be a constructive partner during the course of this week’s session.

Thank you

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CDIP/22/2 Progress Reports (take note)

Mr. Chair,

The EU and its Member States would like to thank the WIPO secretariat for preparing the various progress reports in document CDIP/22/2.

The EU and its Member States would like to especially emphasize the comprehensiveness of the reports regarding various Development Agenda projects as well as the implementation of the Development Agenda recommendations.

The work delivered by the secretariat provides an excellent overview of the status of each project, further steps to be taken and the implementation timeline as well as of the relevant budget.

In addition we are pleased to recognize that the structure regarding the implementation of the Development Agenda recommendations is illustrated now in a clearer manner than before allowing the recipient a smooth navigation and overview.

With satisfaction we take note of the achievements laid down in the various reports. For example, the effective use of IP proofs to be a valuable tool for Technology Transfer, especially in Developing Countries.

The reported projects are the precious result of the implementation of the Development Agenda and we would like to again thank WIPO for the impressive work it reflects.

Thank you.

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CDIP/22/3 Feasibility of establishing a web-forum on technical assistance (consideration)

Chairman,

The EU and its Member States would like to thank the Secretariat for document DCIP/22/3 regarding the feasibility of establishing a web-forum on technical assistance.

We think that technical assistance is one of the most important services of WIPO and of dominant importance for developing countries.

While we are very much in favor of improving and offering tailor made technical assistance services the experience with web fora shows that it quite often lacks audience.

We are looking forward to learning more about the possible solutions which we hope will emerge during the interactive dialog.

Thank you.

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CDIP/22/4 Rev. Member State Inputs on the way forward on the modalities and implementation strategies of the adopted recommendations of the independent review recommendations

Chairman,

On the outset let me thank the secretariat as well as all contributing delegations for the preparation of doc. CDIP/22/4 Rev.. In our view it provides a good overview and a good basis for our discussion.

While we have resolved already a number of recommendations, some outstanding issues are still open.

As already mentioned in the opening statement the EU and its Member States regret that the discussions in the last sessions did not result in a compromise on these recommendations.

While we continue to believe that recommendations 5 and 11 are already reflected in the overall activities of the Secretariat we do not want to repeat now our position in detail.

In general we may state that the impressive work done within WIPO to assist, help, and cooperate with MS, especially DCs, proved to be result-oriented and leading to tangible outcomes. This success is based on a reliable internal organization. We have to be very careful not to overload this organization with administrative tasks and burdens. This would simply bind resources which could be better used otherwise. Whenever we decide to assign WIPO a task we have to carefully weigh the amount of work and the costs against the expected results.

We believe the discussions should focus on the recommendations that have been agreed. We believe the most recent proposal from Group B, which aims to find a common approach between the submissions from Mexico and Peru offer a very good basis for our discussions.

With regard to the open questions we are prepared to listen carefully and with an open spirit to the arguments which may be raised by other delegations.

Mr. Chair, let me express our sincere hope that we will be able to solve the remaining issues in the current session of the CDIP.

Thank you

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CDIP/22/6 Updated costing of roadmap on promoting the usage of the web forum established under the “Project on IP and technology transfer: common challenges – building solutions” using existing platforms (consideration)

Chair,

The EU and its Member States thank the Secretariat for considering the use of existing platforms and presenting relevant costs.

We welcome the practical steps for the possible actions set out in the document deeming them result-oriented and reasonable.

We would like to suggest carrying out the proposed actions simultaneously whenever possible to save precious time.

After completion of these tasks the decision on the platform to deploy and the best way forward might be easier to take.

Thank you.

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CDIP/22/7 List of indicators to assess WIPO's technology transfer services and activities (consideration)

Chairman,

The EU and its Member States thank Group B and the distinguished Delegations of Ecuador and South Africa for submitting proposals regarding the list of indicators in document CDIP/22/7.

We deem these proposals very interesting and welcome all work which allows us to assess WIPO's technology transfer services and activities.

In particular we support the ideas presented by Group B and we align ourselves which has just been delivered by the distinguished delegate of Canada on behalf of Group B.

Thank you.

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CDIP/22/8 Revised project proposal on enhancing the use of IP in the software sector in African countries proposed by the Republic of Kenya (consideration)

Mr. Chair,

The EU and its Member States thank the distinguished Delegation of Kenya for its proposal in Doc. CDIP/22/8 as well as the Secretariat for the administrative assistance.

The proposal is clearly demand driven. Furthermore, it contains special criteria for the three countries to be selected, an exit-scenario in case the project mid-term review shows that milestones cannot be reached in one or several of the beneficiary countries as well as solid evaluation criteria.

Therefore we are supportive in considering its implementation. However, we are looking forward to discuss this project.

Thank you.

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CDIP/21/8 Rev. Compilation of Member States Inputs on Issues to be addressed under the Agenda Item “Intellectual Property and Development”

Mr. Chairman,

1. The EU and its Member States would like to thank the delegations Brazil, Russia, Mexico, Indonesia and United Arab Emirates for their input on the new agenda item “IP and Development” and the Secretariat for the compilation of the Member States’ input on the issues to be addressed under the new agenda item.
2. The proposals offer interesting and important topics for discussion and a few of them suggest an initial exchange of views on IP, innovation and development. Such discussion will help us to shape our future work under the agenda item and to define areas where we would like to have more substantive impact.
3. Further, I want to state that we align ourselves to the statement delivered by Group B. Thank you for your proactive work.

Thank you.

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CDIP/22/9 Evaluation report of the project on IP and socio-economic development – Phase II (take note)

Mr. Chair,

The EU and its Member States thank the Centre for Trade and Sustainable Development in Geneva for preparing the evaluation report on phase II of the project on IP and socio-economic development and the valuable findings and recommendations in it.

We fully agree that gaining better understanding of socio-economic effects of IP protection in Developing Countries by generating credible IP data for statistical use and economic analysis of innovation and IP is essential for profound discussions in CDIP and for the further development and implementation of IP strategies.

We are looking forward to the final research symposium to share results and lessons learned.

We are prepared to continuously support the work carried out on this issue.

Thank you.

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CDIP/22/10 Assessment of WIPO's existing tools and methodologies for measuring the impact, effectiveness and efficiency of its technical assistance activities (consideration)

Mr. Chair,

The EU and its Member States thank the Secretariat for preparing Doc. CDIP/22/10 elaborating on the important and interesting issue of effectiveness and efficiency of existing tools and methodologies of technical assistance activities.

The document provides a good overview of the developments and activities in certain categories.

The continuous further development and improvement of the service indicator framework for measuring the impact of WIPO's technical assistance activities has strengthened WIPO's ability to measure the evolution of results and longer-term impact across biennia.

As regards capacity building we especially welcome the shift from level 1 (satisfaction of participants) to level 2 (increase in knowledge) as well as strengthening the indicators to measure level 3 (extent of applied learning).

We encourage and support all efforts to assess the existing tools and methodologies for measuring the impact of technical assistance activities with a view to implement value-added enhancements and appreciate being informed on a regular basis on this important topic.

Thank you.

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CDIP/22/11 internal coordination, UN collaboration and cooperation with national and regional IP offices (take note)

Mr. Chair,

The EU and its Member States thank for the doc. CDIP/22/11 which provides an excellent overview of internal coordination, UN collaboration and cooperation with national and regional IP offices and take note of the plethora of activities and actions mentioned.

As we have already said before it is of great importance to us that all activities and actions are being demand-driven and cost effective.

We appreciate the efforts regarding internal coordination within WIPO and we welcome the establishment of the External Offices Coordination Unit within the Office of the Director General.

We would be pleased to hear more about methods to evaluate longer-term impact of WIPOs services, as well as about WIPO's engagement with the technology facilitation mechanism. Having said that, we thank WIPO and encourage it to continue its efforts in the field of collaboration and cooperation.

Thank you.

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CDIP/22/12 projet relative au renforcement et développement de la filière musicale au Burkina Faso et dans certains pays africains propose par le Burkina Faso (considération)

Chair,

The EU and its Member States thank the Delegation of Burkina Faso for its proposal under CDIP/22/12.

We generally support the idea behind the proposal made and agree on the importance of capacity building.

Nevertheless, the proposal needs to be further elaborated having clearly defined project objectives, for example, raising awareness among the target groups, list of activities and outcomes, description of the main beneficiaries and stakeholders involved as well as budget information.

We would appreciate if the Secretariat could assist the Delegation of Burkina Faso with the finalization of those aspects.

We are looking forward to discussing a revised project proposal at the next session.

Thank you.

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CDIP/22/13 Contribution of the relevant WIPO Bodies to the implementation of the respective Development Agenda Recommendations (take note)

Chair,

We thank the secretariat for the document CDIP/22/13.

We take note of the report regarding the contribution of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) to the implementation of the respective Development Agenda. This report has been already presented to the General Assemblies.

The interventions of a number of delegations mention especially rec. 18 which urges the IGC to accelerate the process for protection of GRs, TK, and TCEs.

However, the work in the IGC proved to be very difficult. The IGC has worked hard to overcome existing differences of opinions between delegates.

We regret that up to now it was not possible to overcome these differences and to bridge the gap between the different positions.

While the CDIP is not the appropriate forum for dealing substantially with GRs, TK, and TCEs, we express our hope that the IGC may be able to make progress in the future.

Thank you

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CDIP/22/14 Revised project proposal on IP and gastronomic tourism in Peru and other DCs: Promoting the development of gastronomic tourism through IP (consideration)

Mr. Chairman,

The EU and its Member States thank the distinguished Delegation of Peru for its proposal contained in CDIP/22/14 as well as the Secretariat for the administrative assistance.

We welcome the fact that the revised proposal incorporated links to concrete Development Agenda Recommendations, to other programs and Development Agenda projects as well as to Expected Results.

We also are in favor of extending the project to 3 more developing countries selected according to clearly defined criteria.

Although we are satisfied with the general structure of the document we request to have more information on the financial dimension before we can fully support the proposal.

Thank you.

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CDIP/22/15 Rev. Proposal for a pilot project on copyright and the distribution of content in the digital environment submitted by Brazil (consideration)

Mr. Chair,

The EU and its Member States thank the Delegation of Brazil for submitting a proposal for a pilot project on copyright and the distribution of content in the digital environment as laid down in Doc. CDIP/22/15.

Our preliminary views on the proposal are very positive. We would appreciate having more in depth information regarding the selection/selection criteria of the additional participating countries as well as on the budget which is stated to be revised at a later stage by the Secretariat.

We are looking forward to discussing this proposal.

Thank you.

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Intellectual Property and Development: Presentation by the Secretariat on “Women and IP”

Chair,

We thank Director General Mr. Gurry for his introductory remarks. It underlines the importance of the topic ‘Women and IP’ given by WIPO.

We also wish to thank the Secretariat for the interesting presentation.

As we have already emphasized in our opening statement, we are really looking forward to participating in the discussion on ‘Women and IP’. The EU and its Member States are very willing to back WIPO in its efforts to encourage and strengthen the capacity of women with respect to IP.

The EU and its Member States have always been supportive of the rights of women in general and consequently also in the sphere of IP. Thus, we are interested to share experiences and learn about ideas and activities which aim to empower women to make full use of their creative and inventive capacity.

We have already seen some of those ideas and activities in the Seminar “Woman and Intellectual Property” organized by MIKTA countries, for which we want to again thank the organizers.

Equality between women and men are a priority of the European Union. Successfully commercialized innovations from female inventors and entrepreneurs will not only contribute to the full empowerment of women and girls, but also have a lasting impact on societies as a whole.

In this sense promoting and supporting women to make successful use of their creativity will implicitly contribute to achieve the goal of full gender equality.

Mr. Chairman, let me repeat that the EU and its Member States are very eager to constructively contribute to the discussions regarding 'Women and IP'.

Thank you!

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CDIP/22/16 Proposal for a declaration on Women and IP submitted by Mexico

The EU and its Member States would like to thank Mexico for the proposal in document CDIP/22/16 rev.

From the beginning we fully agreed with the spirit and intention of this resolution. On multiple occasions we have asserted our keen interest to promote gender equality in all areas of life. Equal contribution of women and men to economic welfare in general and especially in the sphere of innovative industries proves to be paramount for sustainable development as it is taught by numerous scientific studies.

We wish to thank the delegation of Mexico for the flexible and professional way they have put forward their proposal which eventual proofed to be successful.

Therefore, we have agreed to encourage a range of activities inside and outside of WIPO.

Let me again reassure you of our appreciation of the intentions which motivated this proposal.

Thank you

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CDIP/22/INF/2 Summary of the study on understanding the use of industrial design on Southeast Asian countries – the case of Indonesia, the Philippines and Thailand (take note)

Mr. Chair,

The EU and its Member States take note of the summary of the study on the use of industrial design in Indonesia, the Philippines and Thailand.

The study shows very interesting results especially that applicants dominantly are private and locally-owned companies being more than 21 years old and designers being between 35 and 50 years old or even older.

It was also interesting to learn that applicants assign considerable value to their design rights, with the median value between 30.000 to 100.000 USD, that there is a real risk of imitation and design innovation may be a way of breaking into foreign markets and increasing exports.

The study also revealed the need of potential issues for improvement, namely the fact that applicants perceive the application process long and difficult-to-understand.

Thank you.

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CDIP/22/INF/3 Summary of the study on IP in the health sector innovation system in Poland (take note)

Mr. Chair,

The EU and its Member States thank the Secretariat for document CDIP/22/INF/3 and take due note of the summary of the study on IP in the health sector innovation system in Poland.

It reveals some very interesting facts regarding the Polish industry and economy, for example, that generic medicines represent a considerable share of the Polish market of medicines and the price of pharmaceuticals is among the lowest in Europe and although Poland has the largest medtech industry among CEE countries while there may be space for improvement regarding productivity.

It is also interesting that Polish health industry has innovated more than the national average. However, it is still far from EU levels and sale and licensing of exclusive rights are no popular form of commercialization.

Thank you.

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CDIP/22/INF/4 Summary on the study on IP, tourism and culture: supporting development objectives and promoting cultural heritage in Egypt

No formal Statement.

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EU/Member States Closing Statement

Chair,

The EU and its Member States would like to congratulate you on your guidance of this Committee. We appreciated very much the way you encouraged us to make progress and move forward.

We would also like to extend our thanks to the Vice-Chairs and the Secretariat for their hard work in preparation for this Committee as well as for their efforts during the week.

Furthermore, we would like to thank the interpreters, translators and the other staff of WIPO Headquarters for their high professionalism and excellent work.

We appreciate the outcome of the session, as reflected in the Summary by the Chair.

The EU and its Member States constructively participated in the debates on all agenda items.

A series of very interesting projects were presented by the Secretariat and we succeeded in adopting and/or putting forward most of them. The successful course of this conference confirms our view that WIPO development programs deliver and respond appropriately to global challenges contributing to a wide range of aspects of global development. We will continue to constructively engage in future discussions. We are always ready to explore new ideas on how to promote development by means of making optimal use of IP and available resources in accordance with our mandate.

We have been highly interested to contribute to the new agenda topic 'Women and IP'.

Equality between women and men is a priority of the European Union. Thus we particularly thank the distinguished delegation of Mexico for the constructive and flexible fashion they put forward their proposal. We are glad to note the eventual success of this endeavour.

We are equally pleased that CDIP was able to solve a number of issues which have been controversial in the past and also that we agreed on our future work.

Our success reflects the growing trust we have been able to build. Let me reassure you that the EU and its Member States are very willing to proceed in this spirit in the future.

Finally we wish all our colleagues from capitals a safe trip home and we are looking forward to meeting and working with you in 2019.

Thank you!
