

Dakar Declaration on Intellectual Property for Africa

We, the African Ministers responsible for intellectual property issues participating in the *African Ministerial Conference 2015: Intellectual Property (IP) for Emerging Africa*, organized by the World Intellectual Property Organization (WIPO), in cooperation with African Union Commission (AUC), the Government of the Republic of Senegal and the Japan Patent Office (JPO) under the Japan Funds in Trust (FIT) arrangement for Africa and the least developed countries, and held in Dakar, Senegal, from November 3 to 5, 2015:

Guided by the Sustainable Development Goals (SDGs) adopted by the General Assembly of the United Nations in September 2015;

Further Guided by the *African Union Agenda 2063*;

Bearing in mind the *Science Technology and Innovation Strategy for Africa (STISA-2024)* adopted by the 23rd Ordinary Session of African Union of Heads of State and Government Summit in June 2014;

Recalling the African Conference on the Strategic Importance of Intellectual Property Policies to Foster Innovation, Value Creation and Competitiveness, held on March 12 and 13, 2013, in Dar es Salaam, United Republic of Tanzania;

Recognizing the importance and relevance of Intellectual Property for innovation and creativity in the knowledge-based economy as highlighted in Pillar II of the Common African Position post 2015 development agenda related to STI as crucial contributory factors for socio-economic, scientific, technological, and cultural development of Africa;

Emphasizing the role of IP in advancing innovation for sustainable agricultural technologies, for the use and transfer of environmentally sound technologies, and to help guarantee food security, improve access to health services, and combat the negative effects of climate change; and the need for a sound IP policy and institutional frameworks for the effective and balanced use of the IP system to foster innovation, creativity, entrepreneurship and development in Africa;

Considering that WIPO is the global forum for IP services, policy, information and cooperation, with the mission to lead the development of a balanced and effective international IP system that enables innovation and creativity for the benefit of all;

Acknowledging the need for mainstreaming of the WIPO Development Agenda Recommendations adopted by WIPO member states in 2007 throughout the Organization's programs and activities;

Reaffirming the importance of traditional/indigenous knowledge for social and economic development in Africa;

Recalling the principles of the 2006 African Union *Charter for African Cultural Renaissance* and the role of creativity and copyright and related rights as catalysts for the growth of sustainable creative industries;

Underscoring the importance of IP as an enabler for innovation and creativity we take note of the reports of:

- (i) The Young African Innovators, Creators and Entrepreneurs: Intellectual Property, Innovation and Creativity for Entrepreneurship and Job Creation;
- (ii) The WIPO Report on the African Fashion Design Industry: Capturing Value through Intellectual Property; and
- (iii) The Two Clusters: Science, Technology and Innovation for the Transformation of African Economies and Copyright and Creativity for the Transformation of African Economies.

We hereby declare our commitment to:

- Enhance innovative and creative capacities by providing a conducive environment with dynamic IP systems that propel creativity, innovation and inventiveness and effectively guide the promotion, acquisition and commercialization of intellectual property for sustainable growth and development and for the well being of African populations, and to enhance social recognition of creators;
- Build an enabling environment for innovation and creativity by strengthening the financial and regulatory environment to support innovation and creativity through strengthening African institutions; promoting and protecting intellectual property; establishing and strengthening collective management systems; increasing funding for science and technology; and enhancing collaboration among African countries;
- Foster the development and utilization of copyright and related rights to support the development of new business models for the legal distribution of works and move towards realizing through effective management of rights, effective contractual practices, and new revenue models their potential role as drivers for and contributors to economic, social and cultural development;
- Increase support for research and development (R&D) through promoting links among academia, industry, government and civil society organizations with a view to improving marketing and commercialization of R&D; scaling up investments in science and technology parks; and encouraging action-oriented research at all levels of education;
- Nurture the culture of innovation and creativity by reviewing and strengthening the present education systems enhancing business competitiveness through strategic use of IP tools;
- Encourage public private partnerships for promoting production, exploitation and monetization of domestic innovation and all creative works;
- Document, protect and promote the use and management of traditional/indigenous knowledge systems for development in Africa;
- Promote IP education in schools and higher education institutions;
- Take advantage of opportunities available within WIPO technical assistance and capacity building programs including access to data, multistakeholder platforms, and scientific and technological information; and
- Consider joining relevant WIPO-Administered Treaties to which we are not yet Parties, including the recent Beijing Treaty on Audiovisual Performances and Marrakesh Treaty to

Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

We call upon the World Intellectual Property Organization to strengthen its partnership with the African Union, Regional Economic Communities, and the African Countries in order to address the challenges mentioned above and, in particular, to enhance its technical assistance aimed at:

- Supporting the establishment and implementation of national IP based creativity and innovation policies and strategies aiming at providing a more supportive environment for the production, commercialization and increased value of innovation and creativity;
- Providing legislative advice and creating an enabling legal framework for an effective and balanced use of the IP system for development by member states;
- Supporting the development of effective collective management systems through notably excellence in transparency, accountability and governance;
- Supporting Member States' initiatives for the promotion of knowledge creation acquisition, use and dissemination by setting up and strengthening institutions such as technology transfer offices in higher learning and R&D institutions;
- Supporting programs at all levels of education aimed at enhancing national expertise to facilitate better understanding and respect of intellectual property and copyright and related rights as tools to foster innovation and creativity;
- Building and strengthening modern technical infrastructure, for industrial property and copyright and related rights as needed and requested, for national IP Offices to be able to provide sustainable high quality, efficient, and cost-effective management enabling them to provide advisory and technological information services to support local innovation, R&D, and creativity;
- Enhancing programs to facilitate access to patent, scientific and technological information to researchers and innovators in Africa;
- Developing programs to enhance the strategic use of IP to support the development of the sport industry; and
- Promoting joint initiatives with the African Union Commission, Regional Economic Communities, the African Regional Intellectual Property Organization (ARIPO) and the *Organisation Africaine de la Propriété Intellectuelle (OAPI)*.

We urge the AU Commission to establish an expert working group on innovation and creativity to develop a program of action for the implementation of the Dakar Declaration on Intellectual Property for Africa, in cooperation with WIPO, with concrete deliverables, time-bound and result-based, with clear evaluation mechanisms, for submission to policy organs of the African Union.

We call upon/urge the Government of Senegal, in collaboration with the African Union Commission, to submit the outcome of this Ministerial Conference to the relevant decision making bodies of the African Union.

We express our appreciation to:

His Excellency Mr. Macky Sall, President of the Republic of Senegal and the people of Senegal for hosting this Conference and the warmth and hospitality extended to the participants;

The Director General of WIPO, Mr. Francis Gurry, for this new initiative for the benefit of Africa and for the excellent arrangements made for the Conference;

The Government of Japan, through the JPO, for their continued support in promoting IP awareness and use of the IP system for development in Africa, and in particular their financial contribution to the organization of this Conference;

Her Excellency Mrs. Ameenah Gurib-Fakiim, President of the Republic of Mauritius for her keynote address and her participation in the Conference; and

Her Excellency Dr. Nkosazana Dlamini-Zuma, the Chairperson of the AUC, for the contribution of the AUC to this Conference.

Adopted at Dakar, Senegal, November 5, 2015