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GENEVA

ASSEMBLIES OF THE MEMBER STATES OF WIPO

**Forty-Seventh Series of Meetings
Geneva, September 22 to October 1, 2009**

GENERAL REPORT

adopted by the Assemblies

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INTRODUCTION

1. This General Report records the deliberations and decisions of the following 20 Assemblies and other bodies of the Member States of WIPO:

- (1) WIPO General Assembly, thirty-eighth (19th ordinary) session
- (2) WIPO Conference, twenty-ninth (19th ordinary) session
- (3) WIPO Coordination Committee, sixty-second (40th ordinary) session
- (4) Paris Union Assembly, forty-second (19th ordinary) session
- (5) Paris Union Executive Committee, forty-eighth (45th ordinary) session
- (6) Berne Union Assembly, thirty-sixth (19th ordinary) session
- (7) Berne Union Executive Committee, fifty-fourth (40th ordinary) session
- (8) Madrid Union Assembly, forty-second (18th ordinary) session
- (9) Hague Union Assembly, twenty-eighth (17th ordinary) session
- (10) Nice Union Assembly, twenty-eighth (19th ordinary) session
- (11) Lisbon Union Assembly, twenty-fifth (18th ordinary) session
- (12) Locarno Union Assembly, twenty-eighth (18th ordinary) session
- (13) IPC [International Patent Classification] Union Assembly, twenty-ninth (17th ordinary) session
- (14) PCT [Patent Cooperation Treaty] Union Assembly, fortieth (17th ordinary) session
- (15) Budapest Union Assembly, twenty-fifth (15th ordinary) session
- (16) Vienna Union Assembly, twenty-first (15th ordinary) session
- (17) WCT [WIPO Copyright Treaty] Assembly, eighth (4th ordinary) session
- (18) WPPT [WIPO Performances and Phonograms Treaty] Assembly, eighth (4th ordinary) session
- (19) PLT [Patent Law Treaty] Assembly, seventh (3rd ordinary) session
- (20) Singapore Treaty [Singapore Treaty on the Law of Trademarks] Assembly, first (1st ordinary) session

meeting in Geneva from September 22 to October 1, 2009, where the deliberations took place, and decisions were made in joint meetings of two or more of the said Assemblies and other bodies convened (hereinafter referred to as “the joint meeting(s)” and “the Assemblies of the Member States,” respectively).

2. In addition to this General Report, separate Reports have been drawn up on the sessions of the General Assembly (WO/GA/38/20), WIPO Conference (WO/CF/29/1), WIPO Coordination Committee (WO/CC/62/4), Paris Union Assembly (P/A/42/1), Paris Union Executive Committee (P/EC/48/1), Berne Union Assembly (B/A/36/1), Berne Union Executive Committee (B/EC/54/1), Madrid Union Assembly (MM/A/42/4), Hague Union Assembly (H/A/28/4), Nice Union Assembly (N/A/28/1), Lisbon Union Assembly (LI/A/25/3), Locarno Union Assembly (LO/A/28/1), IPC Union Assembly (IPC/A/29/2), PCT Union Assembly (PCT/A/40/7), Budapest Union Assembly (BP/A/25/1), Vienna Union Assembly (VA/A/21/1), WIPO Copyright Treaty Assembly (WCT/A/8/1), WIPO Performances and Phonograms Treaty Assembly (WPPT/A/8/1), Patent Law Treaty Assembly (PLT/A/7/2) and the Singapore Treaty Assembly (STLT/A/1/4).

3. The list of the States members of the Assemblies and other bodies concerned and the observers admitted to their sessions as of September 22, 2009, is set forth in document A/47/INF/1 Rev.

4. The meetings dealing with the following items of the Agenda (document A/47/1) were presided over by the following Chairs:

Items 1 and 2	Ambassador Martin Ihoeghian Uhomobhi (Nigeria), outgoing Chair of the General Assembly
Items 3, 4, 5, 7, 8, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 35, 36, 39 and 40	Ambassador Alberto J. Dumont (Argentina), newly-elected Chair of the General Assembly, and in his absence, the two Vice-Chairs Ms. Yesim Baykal (Turkey) and Mr. Mohamed Abderraouf Bdioui (Tunisia)
Item 6	Mr. Mohamed Abderraouf Bdioui (Tunisia), Chair of the WIPO Conference
Items 11 and 22	Mr. Mario Matus (Chile), Chair of the Coordination Committee
Item 30	Ms. Anne Rejnhold Jørgensen (Denmark), Chair of the PCT Union Assembly
Item 31	Mr. Adil El Maliki (Morocco), Chair of the Madrid Union Assembly
Item 32	Mr. Li-Feng Schrock (Germany), Chair of the Hague Union Assembly
Item 33	Mr. Jorge Amigo Castañeda (Mexico), Chair of the Lisbon Union Assembly, and in his absence, the two Vice-Chairs Mr. António Serge Campinos (Portugal) and Mr. David Gabunia (Georgia)
Item 34	Ms. Alexandra Grazioli (Switzerland), Chair of the IPC Union Assembly
Item 37	Mr. Per Holmstrand (Sweden), Chair of the Patent Law Treaty Assembly
Item 38	Ms. Yeow Danielle (Singapore), Chair of the Singapore Treaty Assembly

5. An index of interventions by Delegations of States and Representatives of intergovernmental and non-governmental organizations mentioned are reproduced as an Annex to the present report. The Agenda, as adopted, and the list of participants appear in documents A/47/1 and A/47/INF/3, respectively.

ITEM 1 OF THE CONSOLIDATED AGENDA:

OPENING OF THE SESSIONS

6. The forty-seventh series of meetings of the Assemblies and other bodies of the Member States of WIPO was convened by the Director General of WIPO, Mr. Francis Gurry (hereinafter referred to as “the Director General”).

7. The sessions of the Assemblies and other bodies of the Member States of WIPO were opened in a joint meeting of all the 20 Assemblies and other bodies concerned by Ambassador Martin Ihoeghian Uhomoibhi (Nigeria), the outgoing Chair of the General Assembly, who made the following statement:

“Honorable Ministers, Excellencies, Director General, distinguished delegates, ladies and gentlemen.

“I want to welcome delegates to the opening of these Assemblies as well as the high level segment. As outgoing President my task this morning is very simple and straightforward and our preoccupation is only with the first agenda item of the forty-seventh Assemblies. I would now like to deliver my opening remarks after which I will hand the floor to the Legal Counsel for agenda item 2 which deals with the election of officers.

“Honorable Ministers, Excellencies, Director General, distinguished delegates, ladies and gentlemen.

“It is my pleasure to join the Director General, who will be doing so shortly, in welcoming you warmly to this forty-seventh meeting of the Assemblies of the Member States of the World Intellectual Property Organization. I would like to extend a special welcome to those honorable Ministers and distinguished delegates who have traveled from far and wide to join us, as we consider the work performed over the past year by this unique Organization. This meeting should also afford us the opportunity to reflect together on the challenges and opportunities that lie ahead of us.

“Excellencies,

“One year ago, in this room, I was privileged to preside over the appointment, by acclamation, of Mr. Francis Gurry as the new Director General of the World Intellectual Property Organization.

“I spoke on that occasion of the process of healing and reconciliation, which had already begun much to my delight and satisfaction. It was a memorable meeting, suffused with good will. In a spirit of unity, delegations joined with one voice in

expressing our shared commitment not only to helping the Organization move forward, but to the values of international cooperation.

“Excellencies,

“In the intervening year, we have seen strong evidence of progress. As Member States we have unanimously welcomed the high priority which the Director General has deployed to rebuilding trust – the cornerstone of effective cooperation. We have valued his openness and accessibility, his responsiveness to our diverse concerns. We have applauded the visible commitment from all parts of the Secretariat to improving consultation and communication. We have participated in his reappraisal of the Organization’s goals and priorities. We have seen the Development Agenda placed at center stage. And we have witnessed a more active engagement with other UN and intergovernmental organizations in addressing the intersection of IP with public policy issues.

“Nine months ago in December we agreed a new strategic framework for WIPO, together with an ambitious new program of activities. This began the process of reorienting the Organization so as to better enable it to fulfill its fundamental role: namely, that of seeking to ensure that the people of all nations can benefit from the opportunities offered by the use of intellectual property in promoting creativity and innovation.

“The new framework has sought a balance between the interests of developed and developing countries. And, I would say, not just balance, but genuine synergies – a solid base of common needs and concerns. North, South, rich or poor, we have shared a common interest in certain policy imperatives: in creating environments in which innovation and creativity flourish; in accessing and building knowledge; in sharing good practices; in providing efficient services; in protecting and improving economic and social well-being of our citizens.

“We all share stakes, therefore, in WIPO’s goals: in promoting the understanding and use of intellectual property; in facilitating universal access to the benefits of IP systems, information and services; in identifying how IP can best contribute to the global challenges of poverty eradication, of disease, of climate change.

“Excellencies, distinguished delegates,

In a rapidly changing world that is increasingly defined by knowledge, the flexibility and responsiveness of the global IP system will be tested and pushed to the limit with each passing moment. Creativity, innovation and invention will increasingly play a vital role in global wealth creation and disbursement. The extent to which IP law keeps pace with such a dynamic environment will greatly depend on the structure of normative processes that we put in place by actors on the multilateral stage. The international patent law is such a case in point. At the same time it should be allowed to play each traditional role of supporting creativity and inventiveness, first rewarding rights holders for their labors. It is essential that even as the IP system is made responsive to the changing environment it should also aim to meet public aspirations and the needs of countries with different levels of development. It should therefore be supportive of global development initiatives such as the United Nations millennium development goals. It should likewise address the needs of LDCs and provide the

necessary policy platform for mitigating extreme poverty and hunger in many parts of our world. It is important that the IP system also addresses personal issues of concern such as access to medicine and knowledge, provision of clean drinking water, food security and environmental problems posed by climate change. The search for a balanced and sensible and responsive IP system is therefore in the best interests of all developed and developing countries and the LDCs.

“Excellencies,

“The issues we seek to address at WIPO are often complex and multifaceted. In approaching them as delegates we sometimes lose sight of our common purpose. We have failed therefore to find a necessary compromise and consensus to enable us to move forward on substantive issues of copyright, of patent law, and the protection of traditional knowledge. One of the most important tasks facing us during these Assemblies will therefore be to find a constructive path out of the impasse in the Intergovernmental Committee on IP and Genetic Resources, Traditional Knowledge and Folklore, the IGC. We must find a way to agree on the renewal of the Committee’s mandate. We must make a fresh start. What is needed now is the political will to accelerate these processes with a view to recording substantive results. Therefore, the conduct of negotiations in these bodies should be managed with a clear sight of their expected outcomes. The outcomes that we are all striving for can only be achieved through compromise and flexibility by Member States, by all Member States. That being the case I would like to seize this opportunity to appeal to Member States to immediately seek solutions to the deadlocks in negotiations in the various committees. My hope is that Member States will be able to define the parameters for the success of these committees in their future meetings by making the necessary compromises and flexibilities in enabling processes. We need to remind ourselves that the failure of these committees cannot in any way be construed as WIPO’s failure. If this should happen, and I hope it doesn’t, it will be manifestly due to the inability of the Member States to meet on common grounds. That is very clear. There is however one process that has shown great prospects and contains the potential of resolving many of the outstanding difficulties in WIPO. I refer here to the successful negotiations and adoption of the WIPO Development Agenda. The advancement of the Development Agenda process to the present stage of implementation was achieved with the cooperation of both the developed and developing countries. The contributions of civil society and other stakeholders have also been vital to its success. This historic momentum must be maintained and carried over into the remaining processes in WIPO.

“Honorable Ministers, Excellencies, Distinguished Delegates,

“Your participation in this High Level Segment of the Assemblies can provide the impetus and the political vision necessary to take discussions to a higher level, including fostering a climate for negotiated solutions in the wider interests of all Member States. I should not monopolize the floor any longer. My formal task this morning as I complete my time as Chair of the WIPO General Assembly will be to preside over the election of my successor and other officers to the Assembly bodies. Before doing so I would like to seize this opportunity to express my appreciation to my fellow Ambassadors and Representatives for the privilege bestowed upon me to serve the Member States. I also must pay tribute to the staff of the Secretariat for their dedication and professionalism and for their flexibility and openness in responding to

the demands of the membership. I hope that we too, as Member States, we will be able to show greater flexibility and openness in our interaction with each other.”

“What is left for me to say is to wish these Assemblies successful deliberations and fruitful outcomings. And now I will hand the floor to the distinguished Legal Counsel for Agenda Item 2, Election of Officers.

“Thank you all for your attention.”

ITEM 2 OF THE CONSOLIDATED AGENDA:

ELECTION OF THE OFFICERS

8. Discussions were based on document A/47/INF/1 Rev.
9. Following informal consultations among the Group Coordinators, the WIPO General Assembly elected Ambassador Alberto J. Dumont (Argentina) as its Chair, on September 22, 2009.
10. Informal consultations among the Group Coordinators resulted in proposals for the election of the officers of the various WIPO Assemblies that were presented by the Secretariat, on September 24, 2009 and on September 28, 2009.
11. The list of the officers elected for the Assemblies and other bodies appears in document A/47/INF/4 Rev.

ITEM 3 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE AGENDA

12. Discussions were based on document A/47/1.
13. The newly elected Chair of the General Assembly, Ambassador, Alberto J. Dumont (Argentina) made the following statement:

“Honorable Ministers, Excellencies, Director General, Heads of Delegations, Ladies and Gentlemen. It is a great honor and pleasure for me to chair this forty-seventh series of meetings of the Assemblies of the Member States of WIPO, which commences today.

“In these Assemblies, to be held from September 22 to October 1, we, the 184 Member States of WIPO, have the opportunity to review past activities and evaluate the progress achieved in the light of the goals and objectives set by the Organization. The Assemblies also provide us with an opportunity to examine future work and establish strategies to meet the challenges of IP as a mechanism for managing technological innovation, cultural creativity and trade regulation in the face of the not inconsequential global challenges which we face today.

“Before continuing, I would like to emphasize that for the first time in WIPO’s history, the meetings of its Member States, the annual Assemblies, will open with a high-level ministerial meeting lasting two days. The presence of their Excellencies is a clear expression of the importance that IP has acquired as regards public policies and, therefore, in the upper echelons of decision-making of our governments. These high-level meetings, which will be held today and tomorrow, are a special and unique forum for the approximately 50 ministers who honor us with their presence. These deliberations will enable us tackle the IP challenges and priorities facing the policy makers of our governments. From these, guidelines will surely follow which will enable the Organization to continue to offer the services appropriate to the practical needs of its Member States.

“Next, I would like to pay tribute to and thank those who over the past year have been watching over the affairs of the Organization since the last Assemblies. In this respect, I thank the outgoing Chair, Ambassador Martin Uhomoibhi of Nigeria and his two distinguished Vice Chairs, Ambassador Laura Thompson, of Costa Rica, and Mr. Seong-Joon Park of the Republic of Korea, for their efforts to facilitate dialog and seek consensus in the discussions and deliberations of this Organization.

“It is my intention to thank all the Member States for the trust they have placed in me by electing me as Chair of the General Assembly of WIPO. I confirm my commitment to remaining impartial and diligent, while respecting the procedural guarantees befitting my obligation as Chair of this Organization.

“However, as each and every one of us knows, it is not possible to carry out this duty alone, by myself, without the support and cooperation of all of you, as essential elements of the consensus-building exercise. So, I invite and encourage you to continue to demonstrate that collaboration, flexibility and support for our common goal of guardianship so that WIPO can continue to progress towards the achievement of its programs for the common good. Excellencies, distinguished Delegates, in the next few months, we have to find a way of finding and proposing solutions to certain challenges, particularly on matters of policy with which our Organization is faced. I would suggest that what is needed is a cooperative approach to finding solutions to the issues that face us, independently of the complexity or delicate nature of the issues at stake. Let us always be guided by common interest, adopt a constructive attitude and show generosity of spirit in our negotiations. The community of common interests should prevail over whatever differences may appear to separate us.

“All of us here today are aware of the importance of intellectual property and its cultural, social and economic impact. Excellencies, allow me to state that we are members of this Organization because we think that it plays an important role and because here we are settling fundamental matters linked to the promotion, distribution and access to technological innovation and creativity, key components for creating real and sustainable wealth for development, for all nations. As Member States, I invite you to lend your support to the Organization and to its staff to define and apply solutions to the variety of challenges we are faced with and to reach the objectives on which we have all agreed.

“Ministers, Excellencies, Heads of Delegations, we have before us a long and interesting task and, as usual, our time is limited. At this point, I will now proceed to

explain how we should approach the first items on the agenda.”

14. After due consideration, each of the Assemblies and other bodies concerned adopted its agenda as proposed in document A/47/1 (hereinafter referred to in this document and in the documents listed in paragraph 2 above as “the Consolidated Agenda”).

HIGH LEVEL SEGMENT

ITEM 4 OF THE CONSOLIDATED AGENDA:

DIRECTOR GENERAL’S REPORT

15. To open the High Level Segment, the Chair invited the Director General, Mr. Francis Gurry, to present his report which is recorded as follows:

“Your Excellency, Ambassador Alberto Dumont, Chair, WIPO General Assembly,
Honorable Ministers,
Your Excellencies the Permanent Representatives,
Distinguished Delegates,

“I welcome this opportunity to report on developments since the last meeting of the Assemblies and to share with you my thoughts on the main challenges that we face in the field of intellectual property. I am particularly honored and pleased to do so in the presence of so many Ministers and other high-level representatives of Member States, whose participation in these Assemblies I warmly welcome.

“I would like to extend my thanks to the outgoing Chair of the WIPO General Assembly, Ambassador Martin Uhomoibhi, for his invaluable leadership over the past two years and for his support and guidance to me personally throughout the first year of my term of office. I have relied greatly on Ambassador Uhomoibhi and his advice has always been sound and wise. I extend my congratulations to the incoming Chair, Ambassador Alberto Dumont. I look forward very much to working with him in the coming two years.

“The best metaphor for the past year is provided by the construction site of the new building of the Organization. We have made considerable progress and a solid structure has been built. But it is still a construction site and much work remains to be done, both internally, to create a fully functional space, and externally, to create an edifice that is open and attractive to all those who may wish to use its services or who may simply pass and perceive its image.

“Internally, we have embarked upon a process of organizational renewal under the Strategic Realignment Program. The most fundamental dimension of this process relates to the corporate culture of the Secretariat, where we are striving to develop an orientation of service and effectiveness. There are two questions that I believe we should, as a Secretariat, continually ask ourselves: first, what do we achieve with 1,300

staff and 300 million Swiss francs of expenditure each year; and, secondly, what does a Member State get out of being part of this Organization?

“There are a number of projects and initiatives that have been introduced over the past year to stimulate the development of a service-oriented culture: a new performance management and staff development system; financial disclosure for senior management; the adoption of the Code of Ethics promulgated by the Secretary General of the United Nations and the establishment of the position of an Ethics officer; the revision of the contractual framework for staff to make it coherent and representative of the principle of equal pay for equal work; the complete revision of the Staff Rules and Regulations, which date from nearly 40 years ago; the creation of a customer service strategy and structure; a project to make the Organization carbon-neutral; and a project to make the Organization accessible to the disabled.

“In all these projects and developments, the staff and the Staff Council have been very closely involved, not only in implementation, but also in development. I should like to take this opportunity to thank the staff for their faith and hope in change, and for their patience in the realization of change, as well as for their hard work and dedication. In this context, I should like also to record my thanks to the members of the Senior Management Team who will be retiring in November, Messrs. Michael Keplinger, Narendra Sabharwal and Ernesto Rubio, as well as to Mr. Philippe Petit, who retired in May of this year, for their diligent service to the Organization. I am equally looking forward to welcoming the new Senior Management Team that will commence in December. I, and the rest of the staff, will be counting on their energy, enthusiasm and leadership on the construction site.

“Many elements of the Strategic Realignment Program remain to be completed. Most of the projects that I have already mentioned require further time to reach maturity. In addition, a great deal of work is required on the re-engineering of the somewhat antiquated administrative processes of the Organization. Work is on schedule, in this regard, for the development of information-technology applications for the administrative and financial procedures needed to ensure compliance with the International Public Sector Accounting Standards (IPSAS) by January 2010. The applications will contribute, in time, to the establishment of an Enterprise Resource Planning (ERP) system. Time, however, is needed. The Strategic Realignment Program will take several years to accomplish.

“Turning to the external world that we serve, it is apparent that intellectual property continues to be regarded as the major means of creating a secure environment for investment in innovation and creativity and for the diffusion of innovative and creative products and services. In the year 2007, the last year for which complete statistics are available, 1.85 million patent applications, 3.3 million trademark applications and 621,000 industrial design applications were filed around the world.

“It is clear from previous recessions that the Global Economic Crisis will have slowed, in the course of the last year, the rate of growth in the demand for intellectual property titles that is reflected in these figures. That slowdown is being felt in the Global IP Systems – the Patent Cooperation Treaty (PCT), the Madrid System for trademarks, the Hague System for industrial designs and the WIPO Arbitration and Mediation Center - which this Organization administers, and which generate 93% of the revenue of the Organization. We will see negative growth in the PCT and the Madrid

System this year, broadly ($\pm 2\%$) in the realm of 5% and 10%, respectively. We have managed carefully the consequent decline in revenue through an internal Crisis Management Group and the deployment of a number of measures to reduce or contain costs. As a result, we are very confident of ending the current biennium in December on a positive financial note despite the slowdown.

“As you know, we have projected a decline in revenue in the next biennium of 1.6%. We expect demand to be sluggish at the commencement of 2010, but to start to pick up in the second half of 2010 and to be positive in 2011. We are again confident that we can manage the adverse impact of the crisis on the Organization in the next biennium, as well as any variation in the expectations that I have just expressed.

“Despite the temporary, even if severe, decline in IP applications during the current economic crisis, it is very clear that the long-term trend is one of steady intensification in the use of intellectual property. This reflects the development of the knowledge economy, in which knowledge and education are at the center of the economy, development and social change. There are many, many policy questions and challenges that arise in relation to property rights in knowledge in this context. How are we faring in dealing with these questions and in responding to these challenges? Here, I believe, there is room for improvement. Let me highlight just a select few of the challenges that I believe are fundamental.

“I shall start with development and poverty reduction. Recognition of the importance of improving the capacity of the developing and least developed countries to participate in, and enjoy the benefits of, the knowledge economy lay behind the establishment of the WIPO Development Agenda. We are all aware, I believe, that we are now at the stage where we must transform that idea into an operational reality. That transformation will occur only if there is a collaborative effort and engagement on the part of the Member States and the Secretariat. The Member States approved earlier this year several projects proposed by the Secretariat in the Committee on Development and Intellectual Property and work is underway to implement those projects. I believe, however, that we need to be more ambitious. We need to agree upon a coordination mechanism that establishes a seamless relationship between approval of projects, budgeting and monitoring. And we need to identify and execute projects that make a difference, and that are not just a continuation of standard technical assistance under another guise. I do not wish to diminish the importance of our regular program of capacity building, but there is little point in having a separate Development Agenda if it is merely a repetition of our standard program.

“As far as our regular program of capacity building is concerned, I believe that it is very important to create better linkages between the economic objectives, priorities and resources of countries and the use of intellectual property – to make intellectual property speak the language of the economic circumstances and social context that it serves. An increasing number of countries are seeking to do this by establishing national innovation and IP strategies. We will promote the greater use of these strategies as vehicles for the delivery of capacity-building activities and engage in trying to develop a methodology for assisting those countries that choose to establish their own strategies. In the medium term, I believe that the time has come for a major strategic review of our development program and I shall be proposing this to the Member States in the medium term strategic plan that the Organization will be discussing in the course of the year leading up to the meeting of the WIPO Assemblies in 2010.

“The normative agenda of the Organization is not progressing. There are blockages in several areas. Indeed, the rate of progress in norm-making is in inverse proportion to the rate of technological change, which poses several major risks for the Organization. Ultimately, the risk is that the Organization will lose its role in economic rule-making. Multilateralism will suffer and recourse to bilateral and plurilateral solutions may become more frequent. At the same time, which is very inconvenient, technologies are increasingly used globally. There are, for example, 1.6 billion people online worldwide, and the worldwide mobile telephone subscription penetration is 61%. Global use of technologies calls for a global normative architecture to ensure that technologies are indeed available worldwide.

“I appeal to the Member States to find a balanced way forward in our normative agenda. If the Organization is to retain its relevance in rule-making, it must be able to deal with all the frequencies of the spectrum of technological development. It must be able to make rules both for the latest advances in technology and for traditional knowledge systems. Too often, the various components of the spectrum are regarded as mutually exclusive. The reality for a global organization, in my view, is that it must be able to deal with all.

“I should like to mention, in particular, two specific areas in the normative area where, I believe, greater engagement is needed. The first is traditional knowledge and traditional cultural expressions. The quest here is make the knowledge base that is addressed by the intellectual property system a universal one. The question is before these Assemblies in the form of the renewal of the mandate of the Intergovernmental Committee on Intellectual Property and Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources. I appeal to you all to show the flexibility and understanding that is necessary to renew the mandate of this Committee on terms that will provide grounds for the developing countries, in particular, to believe that tangible solutions at the international level to the unfair misappropriation of traditional knowledge and traditional cultural expressions are close.

“A second area of specific concern is the future of copyright in the digital environment. We are witnessing the migration of most, if not all, forms of cultural expression to digital technology and the Internet – music, film, news content, literature and broadcasts of cultural and sporting events. New forms of cultural expression are also emerging. User generated content abounds. YouTube reports, for example, that 10 hours of video are uploaded to YouTube every minute.

“None of these transformations is inherently good or bad. They are, however, fundamental and they do signal a challenge for the institution of copyright. The objective of that institution is clear: to provide a market-based mechanism that extracts some value from cultural transactions so as to enable creators to lead a dignified economic existence while, at the same time, ensuring the widest possible availability of affordable creative content. The question is not so much the objective of the system, but the means of achieving that objective amid the convergence of the digital environment. The evidence suggests that the current means are suffering severe stress. In the case of music, for example, according to industry estimations, 40 billion files of music were illegally file-shared on the Internet in 2008, a piracy rate of 95%.

“I am not sure that the impact of these tumultuous developments in digital technology can be dealt with by way of negotiation of individual issues in one of our Standing Committees. The developments are too fundamental. They concern a question of major importance to the whole world, which it is not an exaggeration to characterize as the financing of culture in the 21st Century. I should like to suggest to the Member States that they consider, in the coming year, the possibility of some form of global consultation and reflection on this question.

“The structural changes in the distribution and enjoyment of creative works have, as I mentioned, given rise to a level of disregard for intellectual property that is unprecedented. There is a widespread perception that lack of respect for intellectual property is a North-South problem. I do not believe that this is the case. It should be apparent from what I have said about copyright in the digital environment that I consider piracy to be a structural or conceptual problem and a global challenge, not a North-South battle. My recent official visit to Nigeria confirms this. Nigeria has the second largest film industry in the world and a very vibrant and creative musical culture. Both are severely and adversely affected by piracy made possible by digital technology. While the Government is leading a valiant battle against piracy, it faces the same question as every other government in the world: how can we make copyright work in the digital environment, where there is no difference in quality between the original and the copy, and where the means of reproduction and distribution are available to everyone at insignificant cost?

“I do not believe that it is any different for physical goods. Counterfeiting is not a North-South problem, but a problem of globalization - of open markets, good transportation systems and the free movement of persons, goods and capital. Let me be clear that, by counterfeiting, I mean the deliberate, large-scale imitation of brands, identity and trade dress. I certainly do not mean generic pharmaceutical products, which have their legitimate place within the competitive and regulated market for pharmaceuticals. Counterfeit means fake and deceptive. It affects high technology, low technology, luxury goods, handicrafts, pharmaceuticals, cosmetics, spare parts and artifacts of traditional cultural systems – in short, the whole of human production – and it affects and originates from all countries. I hope that we can move gradually as an Organization to a dialogue on ways and means of dealing in a practical way with the misuse of intellectual property to sell fake products.

“In the networked world, platforms can be as important as, if not more important than, new rules in influencing behaviour. We have, in the course of the last year, established a new strategic objective of coordinating and developing global infrastructure. Some very concrete early results have already been achieved in the form of digitization programs for offices in developing countries, the establishment of technology and innovation service centers and the opening a new database (aRDI) giving access to scientific, medical and technical publications and journals to developing and the least developed countries. I shall not go into the details of this area, but I would like to make specific mention of one project, which I believe to be of great significance, the so-called Road Map for the improvement of the functioning of the Patent Cooperation Treaty (PCT), which will come up for consideration in the PCT Assembly during this meeting. This is not a norm-making exercise. The PCT makes it very clear (Article 27(5)) that nothing in it is to be construed as in any way limiting the freedom of each Contracting State to determine its own substantive conditions of patentability. Neither the PCT nor the Road Map in any way affects TRIPs flexibilities.

The Road Map is about improving the functioning of a procedural treaty that links together the patent offices of the world. It is about finding ways to increase work-sharing, to decrease unnecessary inefficiencies, to improve the quality of the output of the international patent system and, thereby, to contribute to the management of the unsustainable backlog of 4.2 million unprocessed patent applications in the world. There are many initiatives occurring already in this regard: the Patent Prosecution Highway and work-sharing initiatives in ASEAN, in South America and between the Vancouver Group of Canada, United Kingdom and Australia. The PCT Road Map aims to bring all these initiatives ultimately under the multilateral umbrella of the PCT.

“Let me conclude by referring to WIPO and intellectual property in the broader global agenda. We have, as an Organization, set a new objective of engagement with global policy issues. Following the entry into force of the Convention on the Rights of Disabled Persons, a Stakeholders’ Platform has been established and a treaty proposal has been tabled on access to published works on the part of the visually impaired. We also held a successful conference on intellectual property and public policy issues in July to stimulate greater dialogue. But perhaps the most important public policy issue of all is now arising for discussion, namely, the challenge of climate change.

“There is a perception that intellectual property may be a negative influence in the range of policy initiatives that are needed to deal with climate change. I do not believe that this perception corresponds to reality. It is generally recognized that technological innovation will be central to global efforts to deal with the challenges associated with climate change. It is also coming to be recognized that this innovation will be needed across the whole infrastructure of the economy to give that infrastructure ultimately a carbon-free or carbon-neutral character. In this context, it is difficult to imagine how a property right on an individual piece of technology could constitute an obstacle. On the contrary, intellectual property as a systemic stimulus to the creation and diffusion of technology has a very positive contribution to make to our efforts to develop green innovation. It will assist the economy to adjust by favouring investment in green innovation. Some countries have started to use intellectual property in a dynamic way to favour desired outcomes by creating fast-track channels for processing green innovations. Much more is possible.

“Given that climate change is global, green innovation will be of relatively little benefit if it is applied in only one country. Transfer of technology is thus fundamental to effective action. The policy challenge of shepherding, through a public process, the transfer of such an extensive range of technology held in private hands is daunting and, frankly, has never been achieved before. Here again, the experience of the intellectual property system and community in the creation, commercialization and diffusion or transfer of technology can make a valuable contribution.

“I look forward to engaging with all Member States in addressing the many challenges that lie before us in the coming year.”

ITEM 5 OF THE CONSOLIDATED AGENDA:

GENERAL STATEMENTS

16. The Ministers, Delegations and Representatives of the following 106 States, four intergovernmental organizations and 16 non-governmental organizations made statements concerning Agenda Item 5: Algeria, Angola, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Benin, Botswana, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea-Bissau, Hungary, Iceland, India, Indonesia, Iraq, Iran (Islamic Republic of), Israel, Italy, Jamaica, Japan, Kenya, Kyrgyz Republic, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Maldives, Mali, Mexico, Mongolia, Montenegro, Morocco, Namibia, Nepal, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, South Africa, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic (SAR), Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Yemen, Zambia, Zimbabwe, African Intellectual Property Organization (OAPI), African Regional Intellectual Property Organization (ARIPO), African Union (AU), Eurasian Patent Organization (EAPO), Civil Society Coalition (CSC), Ibero-Latin-American Federation of Performers (FILAIE), Knowledge Ecology International (KEI), World Blind Union (WBU) and a grouping of 12 copyright rights holder groups.

17. As part of their statements, the Ministers and Delegations paid tribute to the outgoing Chair, praising his dedication and skill in conducting the debates during the Assemblies for the previous two years. They also welcomed the in-coming Chair, expressing their confidence in his commitment, clear thinking and diplomatic skills to guide them in their discussions.

18. The Minister of Commerce of Cambodia congratulated the Chair on his election and thanked the Director General for his leadership, for the introduction of the High-Level Segment, as well as for his comprehensive report on the progress of implementation of WIPO's activities. The Minister highlighted the progress that had been made by Cambodia on IP development. Since the return to political and economic stability in Cambodia, the Royal Government of Cambodia had put in place a comprehensive economic policy. IP was part of that policy aimed at encouraging innovative, creative and technological development as well as attracting foreign direct investment into Cambodia. The government strongly believed that implementation of an appropriate IP policy would create wealth for the nation and contribute to economic growth. As a result, Cambodia had managed to achieve an average economic growth of 11 per cent for 2004-2007. The growth had been seven per cent in 2008. GDP per capita income increased from United States dollars 398 in 2000 to United States dollars 625 in 2008. The poverty rate had been reduced by one per cent annually. IP had partly contributed to that economic achievement because the government had offered IP protection to local and foreign firms as part of the encouragements for them to invest in Cambodia. The economic trend had also been severely affected by the current global financial crisis. Since 2002 the government had put in place and implemented a number of important IP laws, including the Law on Marks, Trade Names, and Acts of Unfair Competition, the Law on Patents, Utility Model Certificates, and Industrial Designs, and the

Law on Copyrights and Related Rights, and their implementing regulations. Other laws were in the pipeline, such as the Law on Geographical Indications, which was soon to be adopted by the National Assembly. Cambodia had registered around 40,000 trademarks and 60 industrial designs, and around 50 patent applications had been received. Implementation of IP laws was steadily progressing. Further guidelines and procedures as well as an IP automation system needed to be put in place in order to speed up the approval process. As part of its institutional strengthening, the government had set up the National Committee for IPRs in 2008, which comprised representatives from 14 ministries. The Committee was chaired by the Minister of Commerce and had specific mandates assigned by the government to develop and implement IP policy. The objective was to ensure policy coherence across IP areas, effective protection and enforcement, and smooth cooperation among the government agencies, development partners and WIPO. The Committee had created various IP awareness programs such as putting IP into the curriculum in the universities, training, seminars and workshops. The aim was not only to help academia, the private sector and civil society to gain a better understanding of IP, but also to encourage them to participate in the IP development process. Those activities were very helpful in creating an environment where IP protection and enforcement could be made smoother. Turning to Cambodia's bilateral cooperation activities with WIPO, the Minister noted that WIPO had played a crucial role in helping Cambodia develop its IP regime. The aforementioned IP laws were drafted with the assistance of WIPO during the period of the accession of Cambodia to the WTO. Cambodia sought WIPO's advice to make its IP laws compliant with the TRIPS Agreement and bring them into line with international practices. The Minister also noted that WIPO was assisting Cambodia in setting up an IP Information Center to be located at the Ministry of Commerce, with the objective of providing access to all IP information. The Minister thanked the Director General for the launching of the Access to Research and Development of Innovation (ARDI) system, which contained important information on patents and allowed LDCs access to the information free of charge. WIPO's assistance in helping Cambodia to develop an IP automation system was highly appreciated. In 2008 and 2009, WIPO had conducted a number of meetings, seminars and training courses in various areas of IP in Cambodia as part of its capacity-building program for Member States. WIPO's activities and support were very encouraging and helpful to Cambodia in its efforts to build human resource capacities. The Minister stressed that although progress on IP had been made, Cambodia was still facing a lot of challenges, including the lack of an institutional and legal framework, infrastructure and human resources, which required support and assistance from the Member States and WIPO. The Minister understood that other LDCs were also facing similar challenges, and therefore called upon Member States, especially the developed Member States, to provide their full support for the implementation of the Ministerial Declaration on Intellectual Property for LDCs adopted by the LDC Ministers at the WIPO High-Level Forum on July 24, 2009. He also urged Member States and WIPO to speed up the implementation of the 45 proposals of the WIPO Development Agenda, especially with regard to the immediate implementation of the 19 proposals as an early harvest. In that connection, special financial support and budget allocation should be given specifically for LDCs' projects. The Minister asked WIPO to provide a clear guideline and procedure on how to conduct LDCs' IP needs assessments in order to reap the benefits from WIPO's technical assistance. The Minister expressed support for the two-year extension of the mandate for the IGC, indicating that the extended period would allow the IGC and the Member States to complete their work in looking for an acceptable solution for the protection of genetic resources, traditional knowledge and folklore, which were crucially important for the developing countries and the LDCs. The Minister pointed out that since the WTO came into force in 1995 there had been little progress on the implementation of Article 66.2 of the TRIPS Agreement on the transfer of technology to LDCs to enable them to create a sound and viable technology base. Developed Member

States should adhere to their commitments by exploring all possibilities to transfer their technologies to LDCs through inter-governmental cooperation and through their firms to help LDCs with the industrialization process. The Minister believed that foreign firms could move to invest in LDCs if their governments could offer them support and financing as part of their incentives. In conclusion, the Minister stressed that Cambodia had attached great importance to the development of a sound IP policy to be used as an important tool for economic development and poverty reduction. Cambodia needed full support and assistance from development partners and international organizations, especially WIPO, and the Minister was sure that they would lend their full support to Cambodia in order for it to realize that goal. The Minister wished the Forty-Seventh Assemblies of WIPO fruitful deliberations and successful outcomes.

19. The Minister for Commerce of Cambodia, speaking on behalf of the Association of South East Asian Nations (ASEAN), recalled the institutionalization of ASEAN-WIPO relations in 1993 and noted its shared belief in the importance of intellectual property for social, economic and cultural development, which had allowed ASEAN-WIPO collaboration to blossom, broaden and intensify to include activities such as high-level IP policy dialogues and international conferences which went beyond the earlier vision, technical assistance and capacity building. The Minister noted that in the past year WIPO had organized many visits to and other activities and projects in the ASEAN region at both the national and regional levels, evolving to suit the needs of the respective Asian countries, and covering a broad range of issues from IP asset management and commercialization, transfer of technology, formulation of national IP strategies, distance learning, and digitization of patent information to creative industries. Notable regional activities had included the WIPO summer school in Thailand, the WIPO international conference on creative industries in Indonesia, and the seminar on harnessing the economic potential of traditional knowledge in Malaysia. The Minister also recalled that WIPO was working closely with the national authorities of Viet Nam in formulating its national IP strategy, as well as with Cambodia, Myanmar, and Laos, in raising IP awareness, and noted that WIPO contributions to a series of ASEAN-wide studies had provided a pool of practical and valuable regional experience from which to draw best practices in the formulation of national IP strategies. Examples included the studies underway in Thailand and Brunei to examine the economic contribution of copyright-based industries to their national economies, as well as earlier studies for Indonesia, the Philippines, Malaysia and Singapore. In the same vein it was stressed that the ASEAN-wide study on the strategic views of intellectual property to enhance the competitiveness of selected industries would provide an assessment of the manner in which companies in different industrial sectors had been making use of the IP system as a strategic tool for economic development. The Minister stated that ASEAN's development and advancement also offered new opportunities for cooperation with WIPO, such as the inauguration of the ASEAN IP Direct Project and ASEAN patent examination cooperation. The ASEAN Direct Project was an on-line directory of IP-related resources and services available in ASEAN Member States, which served as a useful and comprehensive one-stop resource for business and other interested parties. The initiation of ASEAN patent examination cooperation was highlighted as a key milestone in ASEAN development. The Minister noted that as the first regional patent cooperation work-sharing initiative, it aimed to help small and medium-sized enterprises and inventors to obtain patents on inventions in the region by improving the turnaround time for processing patent applications and the quality of the search and examination reports among ASEAN IP offices. That reflected ASEAN IP policy advancement and recognition of the importance of balance and practical IP initiatives. At the institutional level, ASEAN highlighted the fact that the involvement of WIPO in the ASEAN working group on IP cooperation and the annual consultation between the Director General and the ASEAN

Geneva committee had served to strengthen the partnership between WIPO and ASEAN. Institutional engagement had been elevated with a visit by the Director General to Thailand to present His Majesty King Bhumibol Adulyadej with the WIPO global leader awards, and to Singapore under its United Nations Distinguished Visitors Program. The WIPO Singapore office, which facilitated the implementation of WIPO programs in the region, had also benefited ASEAN. The Minister believed that the effort made by WIPO to expand and strengthen the functions of its Singapore office was a demonstration of its commitment to the region that would help to cement ASEAN-WIPO relations on all fronts. With that positive development the Minister was sure that WIPO would continue to be an important partner of ASEAN, and it considered that in the economic integration process mandated by the ASEAN charter, ASEAN-WIPO cooperation would be invaluable. The Minister highlighted several pertinent and crucial challenges ahead for WIPO. The implementation of the WIPO Development Agenda was an important issue. Drawing on ASEAN development experience, the Minister believed that the protection of intellectual property was not an end in itself, but a means to promote public interest, innovation and technological progress. The Minister trusted that the full and proper implementation of the 45 recommendations would bring about more transparent, effective and efficient technical assistance, and referred to the facilitation of norm-setting processes within WIPO, taking into account development goals, greater cooperation in initiatives for technology transfer and a more comprehensive understanding among Member States of the use and impact of intellectual property for development and economic growth. More importantly, ASEAN highlighted the fact that the spirit of the WIPO Development Agenda involved the mainstreaming of development into all aspects of WIPO activities. That would guide WIPO well in becoming more responsive to emerging needs and take into account different levels of national development so as to ensure that the underlying objectives that IP sought to promote were ultimately met. Another issue important to ASEAN was the work of the Intergovernmental Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore. ASEAN strongly supported the renewal of the IGC mandate and an acceleration of its work toward tangible outcomes for the effective protection of genetic resources, traditional knowledge and folklore. The Minister noted that increasingly IP was intertwined in the global debate on pressing issues such as climate change, public health and food security, and that the organization of the conference on IP public policy and global challenges in July 2009 had been timely, offering a comprehensive conference agenda which provided a wealth of useful information and differing perspectives that contributed positively to ongoing global debates on those issues. Symbolically, the conference was also a reflection of WIPO's pre-eminent role in IP matters, and the importance of advancing practical IP initiatives. ASEAN applauded WIPO for the successful conference. The Minister hoped that WIPO would continue to take the lead in the dialogue on IP and public policy matters with other players in international committees. It was noted that ASEAN and WIPO had forged a strong and cooperative relationship, and that all the recent developments in ASEAN-WIPO collaboration were testament to the progress, success and multifaceted nature of relations between the two. The Minister looked forward to building on that good foundation and expressed commitment to working closely with the Director General and his incoming team in moving WIPO's agenda forward.

20. The Minister for Industry and Investment Promotion of Algeria extended warm congratulations to the Chair on his election to the chairmanship of the General Assembly and wished him every success in the performance of his mandate. He also congratulated the two newly elected Vice-Chairs. He welcomed the significant progress made by WIPO over the previous year under the skilful leadership of its Director General, whose speech it had listened to with great interest. The Minister also thanked the Secretariat for preparing the working documents and for organizing the High-Level Segment. As a Member of WIPO since April

1975, Algeria had acceded to virtually all the international treaties administered by the Organization, in particular the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods, the Patent Law Treaty (PLT) and the Patent Cooperation Treaty (PCT), the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and the Berne Convention for the Protection of Literary and Artistic Works. Furthermore, Algeria had initiated the procedure for accession to other international instruments, namely the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure and the WIPO Performances and Phonograms Treaty. The Government was in the process of bringing national legislation into line with the above mentioned treaties by adopting orders and decrees in the various areas that were within the remit of the African Intellectual Property Organization (OAPI), namely industrial property (patents, trademarks, industrial designs and appellations of origin) and copyright. The management of the various areas of intellectual property had been entrusted to two institutions: the Algerian National Institute of Industrial Property (INAPI), which had been created several years before and placed under the supervision of the Minister for Industry and Investment Promotion, and the National Copyright and Related Rights Office (ONVA), placed under the supervision of the Ministry of Culture. The Delegation was particularly aware of the fact that intellectual property was a critical factor in the mobilization of investment. In that context, Algeria had undertaken a total transformation designed to make its economy more efficient and to integrate it better into the global economy. For that reason, Algeria had set about reviving its industries and had adopted an approach based on knowledge, innovation, the mastery of technology and economic intelligence. Through the protection and incentives that it provided, industrial property contributed without a doubt to the development of both technology and research and development. Intellectual property had a key role to play in the establishment of a global, proactive policy on the promotion of quality and standardization. For that reason, Algeria had taken major steps in 2007 and 2008 to promote relations between industry and research bodies in order to facilitate the emergence of innovative projects and the creation of business incubators. At the same time, it had taken steps to reorganize and enhance INAPI and decided to strengthen its capacities by giving it a roadmap which had proved successful. In 2008, INAPI had dealt with 11,404 cases, which represented an increase of more than 200 per cent compared to 2007. It had registered 1,625 trademarks and processed 596 renewals, as well as registering 275 designs. In 2007, INAPI had granted 177 patents, compared to 277 in 2008 and 532 in August 2009, which reflected its role in stimulating creativity. The success of those measures would be facilitated by multilateral action in which WIPO could play a key role by providing technical assistance and strengthening the capacities of developing countries by focusing on the modernization of intellectual property infrastructure, technology transfer, research and development, training and the establishment of national intellectual property strategies. The Minister expressed satisfaction with the existing cooperation between WIPO and INAPI and the projects initiated by WIPO under the Development Agenda launched in 2007. The organization of regular workshops at the national, regional and international levels involving all parties would be necessary to identify new projects likely to meet the aspirations and specific needs of Member States. The Conference on Intellectual Property and Public Policy Issues held in Geneva on July 13-14, 2009 had raised awareness of the contribution of intellectual property to the achievement of a number of general policy objectives. The interdisciplinary nature of the Conference had revealed the complexity of the common challenges faced by the international community, such as climate change, epidemics, access to health, food security and the preservation of biodiversity. The solution that intellectual property could provide to those challenges would without a doubt help to consolidate WIPO's role in the achievement of the Millennium Development Goals, especially those relating to health, the reduction of extreme poverty and hunger and the conservation of the environment. The possible impact of the

global economic crisis on WIPO's income was a source of concern. The Minister considered that the potential reduction in income generated by the PCT, Madrid and Hague systems should not affect the Organization's focus on development. That focus should remain a priority so that the countries concerned could benefit fully from the opportunities offered by the multilateral intellectual property system. Furthermore, the development dimension should be the common thread running through the normative work of the WIPO Committees. For that reason, the establishment and promotion of an international IP system should take into account the different levels of development of Member States and ensure a balance between the interests of rights holders and the general interest. The Minister welcomed the Director General's constructive initiative concerning the normative framework aimed at making progress in all negotiating processes under way within the Organization's various committees. While many negotiating processes launched under the auspices of WIPO had achieved results, it was unfortunate that the same could not be said for the discussions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. Since its creation in 2000, the Committee had been at a standstill. The deadlock reached in its work at its fourteenth session held in July 2009 had demonstrated that the Committee's current mandate should not be renewed on the same terms as previous mandates, since that would only prolong an unproductive and fruitless start for many more years. For that reason, the Minister considered that the African Group's proposal to renew the Committee's mandate on the terms expressly defined at the fourteenth session was the most appropriate solution. The adoption of a legally binding international instrument for the protection of the folklore, traditional knowledge and genetic resources of Member States should now be the ultimate objective of any renewal of the Committee's mandate. After all, it concerned the right of peoples and communities to their knowledge. The 25 legally binding treaties administered by WIPO had all been initiated by the developed countries and supported by the developing countries. The only request made by the developing countries to date had concerned a single treaty on the protection of folklore, traditional knowledge and genetic resources. It would only be fair for that request to be examined with all the interest that it merited by all Members of the Organization. In order to be credible, multilateralism obviously could not be one-sided. Members comprised a single global community. Algeria was in favor of holding an international conference on the cost of the misappropriation of folklore, traditional knowledge and genetic resources. A Conference on that issue could make the international community aware of the validity of the request made by developing countries for the protection of their folklore, traditional knowledge and genetic resources. The Minister urged Member States to demonstrate flexibility and willingness to compromise in order to make progress in solving the major issues on the agenda and to meet the legitimate expectations of all.

21. The Deputy Minister for Economy and Trade of the Syrian Arab Republic (SAR) expressed gratitude to WIPO for the continuous efforts provided in promoting the global IP system, as particularly reflected in the Development Agenda. Special thanks were extended to the Director General for his visit to SAR, his participation in the opening of Al Bassel Fair for Invention and Innovation, in Damascus, from July 15 to 20, 2009, and in high-level meetings. The Deputy Minister noted that SAR was in the process of developing its IP-related infrastructure, legislation and services, by applying the one-stop shop model, electronic processing, prior Internet search of trademarks, and localized receipt of trademark applications in a number of Syrian provinces. A high commission, in which all interested sectors and actors were represented, was entrusted with the task of preparing an IP strategy and policy aiming, inter alia, at promoting an IP and innovation culture, to be adopted by the Government. In order to solve the problem of well-known marks registered under the previous filing regime, the Law on the Protection of Commercial and Industrial Property had

been amended, by Legislative Decree 47 of 2009, in line with the efforts to encourage investment and market economy in SAR. Finally, the Deputy Minister reiterated thanks to WIPO staff, and, namely, the Arab Bureau, thanked the Director General for his report, and wished success for the meeting.

22. The Deputy Minister for Investment Affairs, Competition and Intellectual Property of Guatemala believed that a proactive attitude would prevail that would lead to an announcement of useful results for all Member States on October 1, and stated its commitment to working with other delegations in the meetings to achieve such results. The current situation of the global economy obliged all the Member States of WIPO to pool their efforts to fight against the poverty, lack of education, climate change, hunger and marginalization in which developing countries lived, which had worsened due to the current crisis and for which they were not in any way responsible. The Minister stated that the situation complicated the implementation of public policies, particularly as regards public health and food security and that, in that context, what was required was to articulate IP with the Development Agenda in order to strengthen the implementation of such policies. The Minister recalled that Member States had agreed that the first step in meeting that challenge was to define more clearly the contribution and role that IP played in public policy, and that the role of WIPO was fundamental in strengthening IP as a tool or instrument for the development of nations. The Minister added that WIPO, as a specialized agency for administering and developing the IP system, was the competent body for meeting that challenge and proposing solutions to that end. The Minister was pleased that WIPO had carried out that task responsibly, particularly after the Director General's first year in office, and highlighted three valuable initiatives: (1) the management and implementation of the Development Agenda, (2) the Process of Strategic Realignment, and (3) the holding of a Conference on Intellectual Property and Public Policy Issues. He said that Guatemala welcomed the personal commitment of the Director General to the aims of the Agenda, and he urged the Director General to ensure that the recommendations were put into practice and actually incorporated in WIPO's activities. As regards the Development Agenda, the Minister stated that he was confident that during the Director General's stewardship the projects and work of the Organization would answer the development needs of Member States, adding that the Development Agenda Coordination Division should be inclusive, and, in that respect, he was interested in the projects on patents, distribution of technology and competition policy. The Minister also stressed the importance of ensuring that there was a balanced geographical distribution when carrying out the activities required for applying the Agenda's recommendations. On the process of Strategic Realignment, the Minister was pleased with the review and enlargement of WIPO's strategic objectives as well as its inclusion in the 2008-2009 Program and Budget. As for the Conference on Intellectual Property and Public Policy Issues held in July 2009, as proposed by the Standing Committee on the Law of Patents (SCP), the Minister described it as a responsible and timely response in the face of expectations on the part of civil society that innovation and creativity played an increasingly significant role so as to meet the challenges facing humanity and added that it was indispensable that the debates and deliberations of the Conference continued to be reflected within that Committee to define the ways in which IP could attain the goals of the public policies in question. The Minister noted the lack of agreement to move forward the work of the Intergovernmental Committee (IGC) on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore, and stated that the General Assembly should focus on settling the issue of renewing the mandate of the IGC for the 2010-2011 biennium. The Minister made clear his optimism on that point as it was a major opportunity for Member States to prove their ability to solve problems, on the one hand, particularly those with concrete results for developing countries, and, on the other, to get the IGC out of the dead end

in which it found itself after nine years of work. The Minister urged Member States to show flexibility, maturity and political commitment, considering that that was a fundamental issue. Guatemala was a country comprising various ethnic groups among which there were indigenous groups of Mayan origin. On that, and to respond to the legitimate interests of those indigenous and traditional communities, the Minister believed that it was fundamental to bring to fruition by means of international legal instruments the substantive progress achieved on the topic of traditional knowledge (TK) and cultural expressions, as well as the outlined solutions to their misappropriation and misuse. Similar importance should be given to solving access to and fair sharing of the benefits derived from the use of genetic resources of countries. For that reason, the Deputy Minister agreed with the approach outlined in the African Group proposal, as far as IGC activities led to text-based negotiations which culminated in the adoption of one or more legally binding international instruments and that that was carried out according to a clearly defined work plan and timetable in the possible intersessional meetings of the Committee. The Minister stated his willingness to work constructively to settle the remaining differences between the positions of some Member States and stressed that the ability and multilateral approach to finding solutions on that subject should not be called into question, nor should energy be wasted on tedious political considerations. Lastly, the Minister agreed with the statement by the Director General when presenting his report, in as much as Member States should also step up the mechanism for controlling and fighting piracy and counterfeiting, evils which far from providing an alternative form of access to specific goods, caused direct harm to health, economic development, employment generation and the security of society. The Minister thanked the WIPO Secretariat for its efficient support and technical assistance, particularly the Technical Assistance and Capacity-Building Bureau for Latin America and the Caribbean, and wished much success to the new Chair, Ambassador Dumont, in his management as Chair of the current session of the General Assembly.

23. The Minister for Industry, Mining and Small and Medium-Sized Enterprises of Senegal warmly congratulated the Chair on his election and said that he was very honored to participate in the High-Level Segment of the Forty-Seventh Series of Meetings of the Assemblies of the Member States of WIPO. He expressed his warm thanks to the Director General and congratulated him on the excellent report presented, which pointed to a bright future for the Organization. As the Assemblies of 2009 were taking place against a backdrop of economic and financial crisis which had considerably limited and impacted national economies, the strategic exploitation of intellectual property could undoubtedly provide a powerful means for many countries such as Senegal to improve their position in the world economy by strengthening their ability to compete. Judicious exploitation of IP assets could enable those countries to move towards a knowledge-based economy, helping them to achieve prosperity through more competitive production systems. Economies were immersed in a constantly changing environment. Today, globalization had become a reality for both multinationals and for local firms. The constant competition to which the latter were exposed on both traditional export markets and domestic markets had to lead them to improve their ability to compete, the only means of guaranteeing their survival. Even though their capacity for innovation and their creative activity were advantages helping them to cope with competition, companies should be able to benefit from the favorable environment offered by the IP system which, since the end of the nineteenth century, had struck a balance between creators and society. As far as the African countries were concerned, proper exploitation of the IP system which the Member States of OAPI and ARIPO had set up since their independence could help achieve that goal. That system, of which OAPI offered a successful model of IP integration, was primarily designed to further the development of Member States through the judicious utilization of intellectual property. In the majority of African States, IP

was still far from being seen as a source of wealth creation, since it was not yet a priority in terms of development policy in those countries. Worse still, there was an information gap when it came to the importance of IP as a lever for development. In addition, obtaining and sanctioning IP rights was a costly process. As a result, creators and inventors were reluctant to apply for protection for their inventions, marks, designs or models. In Senegal, two ministerial departments, the Intellectual Property Service (SPI) and the Senegalese Agency for Technological Innovation (ASIT), were responsible for the institutional management of the two IP branches. At the national level, those two bodies reflected certain OAPI roles, such as obtaining industrial property rights but also enhancing the value of inventions and innovations and facilitating technology transfer. The Government of Senegal was trying to change tack in a relatively precarious general IP context. For example, in November 2008, Senegal had cohosted with OAPI an international conference on intellectual property and the economic and social development of Member States. That event, which had been attended by ministers of industry and culture from the 16 OAPI Member States as well as the Director General of WIPO, had seen the adoption of a plan of action designed to allow countries to undertake reforms aimed at accelerating growth and simplifying business regulation, enforcing IP rights more stringently, reducing the tax burden and improving access to credit. In a different field, Senegal had just prepared a major IP capacity-building and awareness-raising project. A national IP development plan was being drafted with the technical support of WIPO. With regard to copyright and related rights, which were managed by the Senegalese Copyright Office (BSDA), a body that came under the Ministry of Culture, the Minister stressed that 2008 had witnessed significant progress in terms of standard-setting with the adoption, on January 25, 2009, of a Law on the Protection of Copyright and Related Rights, enabling Senegal to align its legislation with the relevant international legal instruments. That Law had introduced for the first time in Senegal the protection of related rights, copyright granted to artists, performers, producers of phonograms and videograms and to broadcasting organizations. It also contained very important provisions mainly taken from the two Internet Treaties of 1996. In addition, to combat counterfeiting effectively, the Customs Department was in the process of reinforcing its prerogatives in conformity with requirements relating to border measures. With regard to the protection of cultural heritage, the Law on Copyright and Related Rights contained a special section on the protection of folklore and expressions thereof. Lastly, Senegal, which was mindful of the need to regulate the exploitation of creations in a digital environment, had continued to modernize its protection framework by adopting, on January 15, 2008, a Law on the Information Society. In fact, even though Internet and telephony had given rise to two new economic models, it was clear that without regulation, the information society posed a grave threat to creation and the cultural industry, and hence to the living conditions of the creators and actors of the cultural industry. With a view to standardizing the conditions for exploiting the digital environment, Law 2008–11 on Cybercrime contained provisions on the prevention and punishment of offenses linked to information and communication technologies. In that same spirit, Senegal had set up a nationwide division to combat counterfeiting and piracy, whose field of competence covered the whole of national territory. The urgency of the situation called for radical measures. The State could not fight violations of the law on its own. Rather, States, rights holders, consumers and the international community had to bear joint responsibility through such bodies as WIPO. Although it was determined to pursue and step up its efforts at the national level, the Government of Senegal was mindful of the indispensable role of international cooperation in promoting the judicious exploitation of IP, especially as far as the developing countries were concerned. That was why Senegal was not only active in OAPI but also attached special attention to subregional cooperation as well as cooperation with WIPO. For example, Senegal currently chaired the West African network of societies for copyright and related rights and had contributed to the adoption, within that

framework, of a plan of action aimed at developing and promoting the protection of rights within the Economic Community of West African States (ECOWAS). Senegal also intended to make participation in international IP promotion activities one of the mainstays of its diplomacy. Senegal's involvement in the High-level Segment provided yet another clear indication of the role which the country intended to play within WIPO. Senegal would spare no effort to ensure the success of that international policy, which would determine the fate of intellectual property in the world and for all humanity. The Minister concluded by expressing the hope that the work of the Forty-Seventh Series of Meetings of the Assemblies of the Member States of WIPO would be completely successful.

24. The Commissioner (Vice-Minister) of the State Intellectual Property Office of China thanked the Director General and the Secretariat for their hard work and remarkable contributions in preparing the large quantity of documents for the Assemblies. He noted the increasingly strong interdependence among nations in areas such as science, technology and economy in the wake of the current evolution of economic globalization, as well as the common efforts by the international community through various timely measures in meeting the challenges brought by the financial crisis, which started last year and affected the global economy. Historical experiences had shown that economic recessions on a global scale would all bring about more active creation of knowledge and new inventions, thus offering new areas for economic growth and acting as the driving force for a new round of economic recovery and growth worldwide. The knowledge-based economy, in which intellectual property (IP) had an irreplaceable role to play and WIPO a role to shepherd global efforts in wealth creation and in finding new opportunities for development, would thus become the focus for international competition, and would be decisive in shaping the future of the world. Profound changes in the common IP system were bound to occur, and countries across the world were all searching for different forms of cooperation and for various means to address the issue. The Commissioner highly appreciated such a search and willingness to exchange views with all parties, in an active and open manner, on all issues of common interest including IP-related issues, so as to agree on common responses in order to work through this difficult period together. China had taken various measures to address the challenges and difficulties, one of which being the promulgation of the National IP Strategy Outline in 2008, in which the Government identified four routes to be followed for IP development in China, i.e., incentives for the creation of IP, effective utilization, legal protection and scientific management of IP, and set out the objective of making China a country with a high level of IP protection and utilization. The past year had seen a steady and rapid development of IP activities in China thanks to the implementation of the National IP Strategy and other effective policies and measures. During the period between September 2008 and August 2009, the State Intellectual Property Office (SIPO) had received a total of 299,199 patent applications for inventions, among which 211,311 from domestic applicants, representing an increase of 14.9 per cent over the previous year; whereas, according to WIPO statistics, a total of 3,287 PCT applications had been filed by applicants from China in the first half of 2009, or an increase of 18.66 per cent over the previous year. A similar trend of strong growth should continue into the third or even the fourth quarter of the year. Despite the current financial crisis, such sustained growth stemmed from the implementation of the afore-mentioned Strategy and other measures, which had helped enterprises to maintain their investment and enthusiasm in creative inventions regardless of the negative impact of the financial crisis. With respect to trademarks, the past year saw a continued strong trend of increase in the numbers of trademark registrations. By the end of last June, China had an accumulated total of 6,770,000 applications for trademark registrations, with some 2,400,000 registrations currently in force – both figures being at the top of their respective world rankings. From January to August 2009, a total of 521,991 applications for trademark registrations had been

received, representing an increase of 13.1 per cent over the previous year; and by September 15, as many as 1,005,000 applications had been examined for the current year. A similar upward trend had been seen in applications under the Madrid system, where China had been the most designated country for four consecutive years – a situation which not only furthered the promotion of the Madrid system across China, but also intensified trademark protection of Chinese enterprises on a global scale. As regards copyright, with reinforced administrative regulation and enforcement by the competent Government authorities, and through a work plan to further promote the use of authorized software in enterprises, a declaration on the application of the WCT and the WPPT to the Hong Kong Special Administrative Region as of October 1, 2008, the setting-up of a fast-reaction mechanism for the effective protection of IP at the Beijing Olympic Games in 2008, the establishment of four collective management organizations for copyright and a framework for public and social services of copyright, as well as an in-depth public education and training program, China had greatly strengthened its international cooperation on copyright, and rigorously boosted the development of its copyright-related industries. Regarding the legal development of IP, government authorities had embarked on the amendment of patent law, trademark law and copyright law, among which the new Patent Law, after being amended for the third time, would become effective in on October 1, 2009, thus demonstrating the continuous efforts and endeavors over recent years to develop and improve the IP system, thereby contributing to the further development of the world IP system. Progress made in the IP field was the result of close cooperation with all IP offices of the world, especially with WIPO under the leadership of its successive Directors General. The Commissioner thanked the Director General for his efforts to deepen such cooperation, and for his personal attendance at the WIPO Inter-Regional High-level Forum on Intellectual Property and the Global Think Tank Summit held in Beijing in March and July 2009, respectively. Tribute was also to be paid to the joint efforts with WIPO in organizing PCT advanced roving seminars in China, as well as in carrying out a study on the economic contribution of copyright-based industry and the WIPO pilot project on best practices in copyright protection. WIPO's determination and courage, through its Director General, in positively responding to new developments in the external world by adjusting its existing strategies and setting out nine ambitious strategic goals were to be commended. As a universal, representative and authoritative specialized agency of the United Nations for IP, WIPO, under the leadership of the Director General and his newly-elected senior management team, would be able to pool the wisdom of all Member States in seeking solutions to cope with various challenges. In this regard, the Commissioner made the following two points. First, PCT should be brought into full play as the existing international patent application system that facilitated the filing of applications by patent applicants in all countries and boosted invention and innovation across the world. The current discussions under the auspices of WIPO on the future of PCT should be oriented toward improving its efficiency, user-friendliness and quality of service, should be based on the existing legal framework, and should address the needs of small and medium-sized enterprises in developing and the least developed countries in their use of PCT. He pledged active participation in those discussions in an open, constructive and positive manner and to make contributions to further improving the PCT system. Second, great importance should be attached to the concern by developing countries on the Development Agenda and the protection of traditional knowledge. China believes that any balanced and efficient IP system should take into account the differentiated needs of the developed and developing countries, and be favorable to promoting the social and economic development of all nations. To that end, he supported the on-going discussions on the Development Agenda in WIPO, appreciated the efforts by all parties to reach consensus, and hoped that WIPO could provide sufficient human and financial resources to enable a rapid and effective implementation of relevant proposals for the benefit of all developing countries, especially least developed

countries. Reiterating support for the work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), he endorsed the renewal of its mandate and called for common efforts to achieve breakthrough at an earliest possible date in its future discussions. The future of China's IP development rested upon the construction of a balanced and effective IP system – toward which the on-going coordination and reform of the international IP system should be also orientated. The IP system was an exemplary success of institutional innovation, itself a most important invention in human history, and a fundamental institution that had made tremendous contributions to the scientific and technological progress and social development of the whole world. Globalization and new developments in science and technology had given rise to new issues for the IP system, and the interwoven relationship among major issues such as climate change, energy crisis, food security, public health had also posed challenges to the world IP system, so much so that no country could stay aloof or respond to them alone. Joint efforts of all countries led by WIPO were required, as was flexibility and constructiveness, in the hope of finding effective solutions. China pledged its readiness to engage with other Member States in reinforcing cooperation, sharing opportunities and jointly coping with challenges, thus making contributions to the improvement of the world IP system and to the common prosperity and development of all nations.

25. The Minister for Communication of Morocco congratulated the Chair and the two Vice-Chairs on their election and wished them every success in fulfilling their duties and guiding the Assembly in its deliberations. He also wished to congratulate the outgoing Chair on the work he had done during his term of office, which had honored not only his great country, Nigeria, but also the African continent as a whole, and on the diplomatic talents he had displayed at the last assemblies in facilitating a smooth transition between the former Director General and the current Director General. Since his election, the Director General had breathed new life into the Organization, which augured well for many developing countries. The honor of responding to his invitation reflected Morocco's unconditional support for the Director General so that he could accomplish his plans and implement his new strategic vision for WIPO and in particular his personal commitment to the implementation of the WIPO Development Agenda. As a result of the human dimension of the WIPO Director General's personal commitment and his willingness to streamline WIPO's operation and output, as well as the professionalism of the new management, WIPO now had everything it needed to take up current challenges and play its role as the lead international agency for intellectual property. For some time now, the international community had been made aware of subjects of exceptional seriousness which jeopardized all aspects of a peaceful life with dignity. In that respect, there was a need to reflect within the Organization, if necessary in cooperation with other partners, in order to find appropriate solutions to such pressing issues as climate change, access to health, education and food, and protection of the genetic resources and traditional knowledge of the developing countries. Accordingly, the Minister appealed to the other States to transcend the divides in various WIPO committees engaging in standard-setting activities, such as the IGC, SCCR and SCP. In that connection, it was in the interests of all to step up cooperation under WIPO auspices in order to develop research and innovation in the field of environmentally friendly technologies while seeking balanced solutions designed to facilitate the acquisition and transfer of green technologies for the benefit of the developing countries which had borne the brunt of global warming. Access to health, education and food were among the Millennium Development Goals which the international community had wished to achieve by 2015. In that connection, as was only natural the Organization was called on to accelerate further the implementation of the Development Agenda, especially since the world economic and financial crisis had heightened the vulnerability of the developing countries. Similarly, to achieve the MDGs, all

WIPO Member States would have to be more receptive to demands for a balanced IP system with exceptions and limitations for national public policies. To achieve those goals, it was necessary to redouble efforts on the WIPO committees responsible for such questions and in other international organizations, in particular WTO, WHO, FAO, UNESCO and ITU to draft new universal standards guaranteeing that all people, naturally including the disabled, enjoyed access to health, education and food. By definition, the social and economic development of a country, and efforts to combat poverty, as the international community had intended by adopting the Millennium Development Goals, also presupposed legal protection at the international level. Genetic resources and traditional cultural expressions were the only form of wealth and resources that some countries possessed. In Morocco, they constituted a heritage that formed part of the national identity and daily life. The illicit appropriation and misuse of the human and genetic values of that heritage, which was hundreds of years old and provided a source of income for many artists and craftsmen, had to stop immediately. Accordingly, Morocco reiterated its support for the initiative by the African Group, which was proposing to renew the IGC mandate according to a timetable that would make it possible to bring the work of that body, which had been established in 2001, to a successful conclusion. In the interests of equity and reason, it was time to move on to the stage of exploiting all the resources produced over the past eight years by drawing up a draft article on fundamental issues which, following its adoption by a conference, would become a legally binding instrument for all States which had signed and ratified it. The culture of a fair and balanced IP system held great potential for economic and social development. In that connection, Morocco had undertaken to update its body of laws and IP infrastructures, primarily, with regard to copyright: the launching of a second edition of the Caravan of IP Information and Awareness-Building, which had coincided with World Intellectual Property Day; the strengthening of artists' rights through the amendment of texts concerning copyright and related rights; the improvement of the social conditions of the artists who subsequently enjoyed health insurance coverage introduced and funded by the Government; the establishment of an assistance fund to introduce a framework for the promotion, encouragement and support of all creators in the music industry in addition to existing funding earmarked for the promotion of theatre and cinema; the drafting of a framework contract for modernizing the movie industry and updating structures for copyright and related rights and for supporting and promoting creative activities; the introduction of a national strategy to combat counterfeiting, piracy and the proliferation of the informal sector and its ramifications. With regard to traditional knowledge: measures for the promotion and protection of traditional knowledge, particularly through the drafting of legal texts relating to distinctive signs of origin and quality for crafts products; the preparation of a strategy for the preservation and promotion of trades that were dying out; the filing of a collective certification mark for ceramic cookware; plans to apply for a geographical indication for the helices of Fes. As for industrial and commercial property, in addition to organizing the First Moroccan Summit on Innovation under the high patronage of His Majesty King Mohamed VI in 2009, the Moroccan Office of Industrial and Commercial Property (OMPIC) had taken several steps, in particular the improvement of the national patent system, with a shift from a registration system to an intermediate system where the quality and image of Moroccan patents at the national and international level would be enhanced; the introduction of incentives for small and medium-sized enterprises, public universities and individuals via a 50 per cent reduction in fees for the registration of patent applications; support to universities for the establishment of cells to optimize scientific and technological research; support to technological and industrial training centers via the preparation of a plan of action on training in the patent invention system, the introduction of a system for monitoring technological developments focused on patents for inventions as well as the organization of sectoral campaigns for the technological development of enterprises; the organization of thematic

days on the one hand, for the free use of patents which had entered the public domain or were not protected in Morocco, and on the other hand, for the alignment of the services offered by laboratories in public universities with the needs and expectations of industrial firms; in conjunction with the Morocco Innovations Initiatives, a project for the establishment of a technological information centre designed to meet the needs and expectations of companies and public universities with regard to technological information. There was a need to support all efforts to promote an IP system that struck a balance between the interests of rights holders and those of society in general, in particular, access to health, knowledge and food; to renew the mandate of the IGC according to a timetable leading to a legal instrument similar to those managed by WIPO; and to step up the implementation of the various recommendations of the Development Agenda. Finally, as far as the implementation of the program of strategic orientations was concerned, the Organization could count on the constant support of Morocco. With regard to staffing policy, it was appropriate to strengthen the policy of recruitment and promotion aimed at ensuring balanced geographical representation within the International Bureau. Such a policy should lead in particular to capacity-building for the regional offices, especially the Arab Bureau, an example of fruitful cooperation and commitment.

26. The Minister of Culture of Bulgaria congratulated the Chair on his election and said that he was grateful for the opportunity that he had been given to participate in the high-level meeting which formed part of the forty-seventh series of meetings of the Assemblies of Member States of WIPO. He stressed that WIPO, as a United Nations specialized agency responsible for protecting intellectual property around the world with the aim of promoting intellectual activities, had marked a new step in its evolution in the face of the new challenges of globalization. The Organization's strategic reform program, adopted when the current Director General took office, had had a very positive impact on its activities. The Minister took the opportunity to express Bulgaria's support for the further development of WIPO. His country trusted that when collaborating with Member States, the Organization's management would always give priority to important issues such as the enforcement of intellectual property rights, the strengthening of national systems for the protection of intellectual property, the possibility of collaboration and assistance from WIPO in that process, the harmonization of rights, combating piracy and the violation of rights, the improvement of information models, classification and the provision of patent information. The Minister also expressed the willingness of his Government and his Ministry to collaborate in the abovementioned intellectual property areas. Bulgaria had acceded to 20 of the 25 international treaties and agreements administered by WIPO and was a member of 17 WIPO assemblies and bodies. Bulgarian experts were regular participants in the working group meetings and therefore contributed to the development of international intellectual property law and the success of global protection and services systems. Bulgaria had been the second State to ratify the Singapore Treaty on the Law of Trademarks. Moreover, it had welcomed WIPO's active and productive collaboration. Among the most noteworthy steps, the Minister mentioned the signing of a memorandum of understanding between his country and WIPO which had defined the broad outlines of that collaboration. In June 2009, the seventh WIPO Worldwide Symposium on Geographical Indications had taken place in Bulgaria, which had aroused considerable interest among the participants from more than 40 countries around the world and had been a resounding success. The Symposium had been closed by the Director General of WIPO. During his visit to Bulgaria, the Director General had met with the President of the Republic, the Minister of Culture and the Director of the Intellectual Property Center at the University of National and World Economy in Sofia. The meetings held had contributed to the deepening of the collaboration between WIPO and Bulgaria, including the training of Bulgarian experts and the digitization of spiritual heritage. Bulgaria was currently preparing a seminar for judges, due to take place in October 2009 and

organized jointly with WIPO. During the seminar, 70 Bulgarian judges would further their understanding of the intellectual property field and the event would constitute a further form of support from Bulgaria for the Organization's activities in the area of intellectual property law. The Bulgarian State considered that the memorandum of understanding that it had concluded with WIPO would give fresh impetus to the development of relations between Bulgaria and the Organization. The Minister expressed his Government's satisfaction with the future activities outlined in that document, in particular a regional seminar to be held in 2010 on "Intellectual property management in the publishing sector", the preparation of a national strategy for the development of the creative sector, the acceleration of the pilot project for the creation of a digital museum in Bulgaria and the organization of an international conference on intellectual property law in the digital environment. Finally, the Minister reiterated his hope that the work of the Assemblies would deliver results and said that he hoped for fruitful exchanges of views and ideas on that occasion.

27. The Minister for Consumer Affairs of Sri Lanka welcomed the opportunity to participate in the first ever high-level segment of the Assemblies which, marking a historic year for WIPO, would further enhance the standing of IP among Member States and would ground IP in the development policy sphere at a higher level. A major concern was the creation of an environment where citizens could lead a more content and decent life and that the ultimate goal of the IP system, as agreed by all Member States present, and irrespective of level of development, was to make an active and sustainable contribution to economic and social development. All had strived to this end, but efforts had not borne fruit. Results had been achieved, but the road was long and not without challenges. The Minister suggested that it might be appropriate to reuse successes and failures, and redesign the strategies and activities required to reach the desired goals. As stated by the Director General, the international IP system faced new challenges in many fields, including climate change, desertification and other environmental hazards, epidemics and access to assistance, food security, the preservation of biodiversity, and protection of genetic resources and traditional knowledge. The Director General's innovative thinking on dealing with those challenges was appreciated and welcomed, as was the way this novel and revitalized approach had been reflected in the proposed program and budget. However, common goals could only be reached through hard work, transparent negotiations, consensus building and collective and coordinated efforts. In the light of a surge in economic activities, Sri Lanka had further expanded and strengthened its development efforts and was interested in a more proactive and user-friendly national IP system and, despite many challenges, various programs were underway to achieve the desired objectives. Broad in scope, those programs included modernizing IP administration, improving public awareness of IP strengthening, enforcing IP rights, developing IP for industry and businesses, activating geographical indications, integrating IP in the national science and technology policy, building IP-related partnerships between the public sector, regional and domestic institutions and industries, promoting inventions and human resources development and teaching IP in higher education establishments. Of note was that the enforcement of copyright and related rights had been recently strengthened. The government of Sri Lanka had launched a campaign to educate artists, authors and others on the importance of better enforcement rights and sincerely thanked WIPO for its cooperation in those efforts whilst hoping that such cooperation would continue. The Minister believed that there was room for further improvement in development work in the country through the promotion of innovation and enhancement of the transfer of technology and that the project proposed by the CDIP would play a key role in implementing recommendations. Adequate financing was crucial, even though allocating more resources during a financial crisis was challenging, but such funding and proper implementation of the Development Agenda would represent an investment for WIPO in reaching its development

objectives and consequently help Member States reach their Millennium Development Goals. Sri Lanka had made broad progress in protecting and preserving traditional knowledge, traditional cultural expressions and genetic resources, another key area of development, but there was a need for an international mechanism for protecting GRTKF including the appropriate sharing of benefits. The Minister recognized the substantive work to date and commended the Director General on his commitment in that area. Sri Lanka would follow the upcoming debate on that topic with much interest and hoped for a consensual outcome, with a consensus among developing countries becoming evident in the General Assembly. The Minister expressed satisfaction with the approach that building respect in IP constituted an element of the Strategic Realignment Program, and noted the holding of the first IP and Global Challenges conference. The Minister proposed that WIPO organize an international conference on the misappropriation of GRTKF in cooperation with the WTO, FAO, UNDP, CBD and other interested partners and believed that such events would enhance the credibility of WIPO whilst also serving to inform all those concerned, including the private sector, of future cooperation possibilities. In conclusion, the Minister confirmed interest in further development of the IP system in Sri Lanka to meet expectations of the people whilst promoting mutually-beneficial regional and international cooperation.

28. The Minister for Industrialization of Kenya noted that Ministers, Ambassadors and delegations from many countries were present at the WIPO Assemblies meetings, and it appreciated the participation of heads of IP offices. The Minister stated that Kenya was a developing country that recognized creativity and innovation were key to addressing the challenges of poverty, unemployment and industrialization of countries. At regional and multilateral levels, Kenya acknowledged the role of creativity and innovation in mitigating the negative effects of climate change and desertification and provided solutions to issues such as access to medicine, food security and the preservation of biodiversity. The Minister noted with appreciation the WIPO programs and activities that had been undertaken in Kenya in the 2008/2009 biennium. Those activities included: a Patentscope pilot project; electronic data link and exchange between the Kenya Industrial Property Institute (KIPI) and ARIPO; technical support in troubleshooting and maintenance of KIPI's IMPASS modules; digitization of Maasai cultural heritage under the Traditional Knowledge and Indigenous Communities Program; a seminar on the Budapest Treaty; the national survey on the economic contribution of copyright-based industries in Kenya; training and technical support for collective management organization; awareness-creation symposia for the general public; and facilitation of Kenya's participation in international seminars and workshops. The Development Agenda was of great significance to Kenya and other developing countries and incorporated a number of projects critical to Africa, such as the improvement of national IP policies and strategies and the introduction of a Master of IP program at Africa University in Zimbabwe. The Minister thanked the Government of Japan for establishing a fund-in-trust for Africa and LDCs. It noted that a common agreement on issues relating to genetic resources, TK and expressions of folklore had yet to be reached. Kenya was keen to see the mandate of WIPO's IGC extended and hoped it would address issues affecting patent disclosure, access to genetic resources, TK and expressions of folklore. Kenya remained at the forefront in recognizing the role of IPRs. Moreover, it aimed to modernize its IP legislation to conform to international standards and practices as well as to address emerging issues such as biotechnology, ICT and fighting piracy and counterfeiting. The Government of Kenya had enacted the Anti-Counterfeit Act 2008 to combat the counterfeiting menace that had negatively affected its economy. The new Act prohibited trade in counterfeit goods and established an agency to enforce the provisions of the Act. Noting that climate change affected all countries of the world, the Government of Kenya encouraged inventions and innovation leading to the efficient production and use of energy and reducing carbon dioxide

emissions. In collaboration with other international agencies, the Government of Kenya promoted the use of IP in achieving energy efficiency and developing and increasing the proportion of renewable forms of energy. In an effort to utilize IP as a tool for socioeconomic and cultural development, KIPi was exploring, in cooperation with the Government of Switzerland, prospects for mutual recognition and protection of geographical indications. Recognizing the important role of research in creativity and innovation, the Minister noted with appreciation the establishment of the Access to Research for Development and Innovation (aRD*i*) program. It stated that by improving access to academic literature from diverse fields of science and technology, the aRD*i* program supported developing countries in finding new solutions to technical challenges, at the local and global levels. The Minister was grateful to WIPO for providing support to KIPi and the Kenya Copyright Board's infrastructure development and human resource capacity-building through the WIPO Academy. The Patentscope initiative and the KIPi-ARIPO data exchange link were clear testimony that WIPO and its Director General were conscious of the IP needs and aspirations of developing countries.

29. The Deputy Minister for Trade and Industry of South Africa congratulated the President of the General Assembly on his appointment and thanked the outgoing President. Expressing her views on how to approach issues related to the objectives and functions of intellectual property (IP), especially within the context of developing economies, the Deputy Minister said that in light of the global focus on development WIPO needed to be guided by development-related commitment and resolutions, and contribute to the Millennium Development Goals. By setting IP standards, WIPO had a significant role in ensuring that such rules supported development objectives. That would generate value for the participation of developing countries and other members of WIPO. It was important for the United Nations agencies dealing with development issues to harmonize their approach to promoting IP. Furthermore, IP emanating from traditional knowledge should be disclosed and benefit sharing agreements be concluded in order to advance protection of intellectual property rights (IPRs) that were pertinent to and traditional in most developing countries. Notwithstanding the conclusion of the WIPO Development Agenda, the Deputy Minister suggested that the mandate should be re-visited in order to align it properly with the broader objectives of the United Nations. It was highlighted that harmonization would also address concerns arising from IP policies, for example generic medicines being confused with sub-standard medicines. The former provided competition in the market, but such benefits were undermined when the impression was created that generic medicines were sub-standard or counterfeit. Poor countries continued to pay more than they could afford for medicines and that had a significant impact on the ability of most governments to deliver quality public health to citizens. It also undermined the right to proper health care which everyone concerned strove to protect. The Deputy Minister stated that the poor countries for which development was sought were those which were rich in natural resources and such resources needed to be protected. She also expressed concern at seeing developing countries renouncing their rights to adopt the minimum standards and exceptions provided for in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). She suggested that WIPO should play a meaningful role in advising such Member States about the implications and danger of renouncing such rights. When aligning IP policies to address national needs such as industrial competition and trade, international treaties must reflect the national policy of Member States. That required a balancing of Member States' interests on a fair and equitable basis. The Deputy Minister noted that a one-sided approach would certainly undermine the value and benefits that countries expected from being members of WIPO. Treaties must have a positive impact on developing countries which, in turn, should be encouraged to incorporate all basic IP issues in their policies and legislation, and where possible influence the world agenda on

how IP should relate to other national policies, especially in developing and least developed countries. The Deputy Minister further expressed concern that the work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore had been in progress for so long without achieving a breakthrough. The Deputy Minister was convinced that sufficient information had been collected and therefore saw no reason why the matter could not be moved to the next level. She pointed out that the IGC mandate had been partly renewed but that must be followed by a tight deadline for delivery in that area and progress must be monitored. South Africa had made progress in that regard. Its national bill on the protection of traditional knowledge was already tabled in Cabinet but, while Member States were debating the issue, traditional knowledge continued to be misappropriated at an alarming rate. The view existed that the matter was not taken seriously by WIPO. The lack of a binding instrument affected developing countries more. The Deputy Minister called upon the General Assembly to make a suitable pronouncement following the request made by the African Group and like-minded developing countries. That would give countries like South Africa an opportunity to be competitive, thereby showcasing its strength and furthering development of IP. The Deputy Minister urged the Advisory Committee on Enforcement (ACE) to guard against focusing on enforcement issues which might not be compatible with benefits that flowed from the IP system. The ACE process should be properly managed and not implemented in a manner detrimental to developing countries as that undermined their ability to advance issues that were more relevant to their development. The Deputy Minister reminded Members of their responsibility to ensure that development was central to WIPO's activities. In conclusion, the Deputy Minister asked WIPO to take seriously the issue of impact assessment and assist Member States to make informed decisions on instruments that would be implemented. The advice should include a cost benefit analysis as most developing countries did not have the technical capacity to conduct such assessments. WIPO would contribute immensely to that and the Deputy Minister highlighted that the Member States were not present for their own benefit but for the development of the poor in developing countries. It underscored that that should not be delayed as those people need to be relieved of the poverty which they suffered. Poverty was not a heritage and should be dealt with decisively by different nations.

30. The Deputy Minister for Commerce, Trade and Industry of Zambia commended the Director General on his management of WIPO since taking office in 2008. The Deputy Minister was pleased that the Coordination Committee had elected new Deputy Directors General and Assistant Directors General to support the work of the Director General. He also commended the Director General and WIPO for the initiative to introduce a high-level meeting for IP Ministers, since such meetings would afford Ministers an opportunity to interact and share experiences on IP matters of mutual interest. The Deputy Minister thanked the Director General and WIPO Member States for admitting Zambia as a member of the Coordination Committee in October 2007. In stepping down from that Committee, he expressed gratitude for the trust placed in the Government of Zambia. It had been an honor and challenge to participate in the Committee's work, and Zambia hoped to serve on other committees in the future. The Deputy Minister stated that WIPO had faced numerous challenges since the last Assemblies meetings and much had been done, in particular through the holding of official meetings, to move the Organization's agenda forward. The Program and Budget Committee had deliberated on important issues that would serve as a roadmap for WIPO to achieve its goals and objectives for the 2010-2011 biennium. The Deputy Minister was pleased to note that the proposed Program and Budget for the 2010-2011 biennium took into consideration the ongoing development of the draft medium-term strategic plan for 2010-2015. That would greatly assist WIPO and its Member States in effectively planning and implementing their activities. The nine strategic goals outlined in the Program would

assist WIPO in translating Development Agenda recommendations into projects and activities with deliverables. The Program would also help WIPO to develop a more integrated approach to technical assistance and capacity-building activities within the framework of national IP and innovation strategies, and it was gratifying to note that funds for the implementation of the Development Agenda had been allotted. The protection of genetic resources, TK and expressions of folklore were very important to Zambia and needed adequate protection. However, a regime for their protection had so far eluded Member States for a very long time. Zambia was particularly concerned that the IGC had failed to reach an agreement on their protection at its last meeting, during which it had been clearly demonstrated that some developed countries were opposed to effective means of protection. The Deputy Minister regretted that the IGC had not produced a mechanism that would help developing and the least developed countries to protect those valuable resources and appealed earnestly to WIPO to take urgent steps towards producing a legally binding framework in that regard. The outcome of the July 2009 High-level Forum on the Strategic Use of Intellectual Property for Prosperity and Development had been highly positive, and many LDCs had reaffirmed their commitment to integrating IP into national development strategies. Zambia was already using its new IP policy to integrate IP into the national knowledge economy. A major achievement at that Forum had been the launch of the new public-private partnership - access to research for development and innovation (aRD_i), which aimed at providing industrial property offices, universities and research institutes in LDCs with free access, and IP offices in certain developing countries with low cost access to online scientific and technical journals. That was an important step given the key role which access to such knowledge played in the innovation process. The Deputy Minister fully supported the Ministerial Declaration adopted at the Forum, appealing for more funds from development partners for LDC-specific projects and urging WIPO to intensify capacity-building assistance for LDCs and to support improved competitiveness of LDC enterprises by providing regular access to new technologies. He welcomed the Director General's statement that the PCT was the backbone of the international patent system, as evidenced by yearly increases in absolute numbers of applications filed and the proportion of all international filings accounting for over 50 per cent of such filings. Many changes had been made in recent years, including a wider electronic environment, electronic filing and data exchange between offices, all of which had resulted in considerable improvements in efficiency. There was, nevertheless, still a need for certain improvements. The development of a roadmap to address those and other issues was a welcome step. Nonetheless, care should be taken so that the roadmap did not go beyond the existing legal framework of the Treaty, the harmonization of the substantive laws of Member States, mandatory effects of international search reports in the national phase and legal presumption of validity. The Secretariat should therefore clarify certain terms of the roadmap, especially the general principles envisaged to guide the future functioning of the PCT within its existing legal framework. The Deputy Minister expressed gratitude to the Director General and the WIPO Secretariat for sending a team of experts to Zambia to organize a series of workshops aimed at raising stakeholders' awareness of registration procedures under the PCT. The workshops, mainly directed at universities and R&D institutions, had enabled those stakeholders to better understand PCT operations and use the PCT more effectively. Zambia's final draft IP policy had been submitted to the Government for final approval. Zambian IP policy would guide the revision of legislation so as to bring it into line with global developments in the field of IP. The Zambian Patent Office would shortly commence revision of the national IP laws, with a view to Zambia becoming TRIPS-compliant by 2013 for general IP provisions and 2016 for pharmaceuticals. The Deputy Minister hoped that WIPO would provide assistance in the revision of Zambia's IP laws. He concluded by commending the work done by the Organization in the face of many challenges,

including the global economic crisis, and it hoped that hurdles would be overcome and that WIPO would meet its objectives for the benefit of all Member States and stakeholders.

31. The Minister for Industries of Bangladesh congratulated the Chair on his election and thanked the Director General for both the effective manner in which since taking office he had led WIPO through a challenging time for the global community and for his support in creating an inclusive and efficient organization that catered for the needs of all Member States. As the LDCs Coordinator, the Minister mentioned the steps taken to strengthen the institutional setup in WIPO for supporting the LDCs and improve the services provided to them. He expressed his appreciation of the high-level segment for facilitating policy level dialogue prior to the start of the regular work of the General Assembly. IP today had a development dimension that related to many fields, from regulation, public health and food security to national innovation studies and climate change mitigation issues, and was part of the solution to the global challenges with which the world was confronted, as had become evident during the WIPO Conference on Intellectual Property and Public Policy Issues held earlier in the year. Effective legislation of IP would be key to overcoming those challenges. Naturally WIPO remained the appropriate forum for deliberations and collective decision making. The high-level segment would encourage dialogue among stakeholders with policy level inputs. LDCs were obliged to become a part of the global knowledge community if they were to develop. One highlight of the 2009 Forum on IP for LDCs organized by WIPO was the launch of the 'Access to Research for Development and Innovation' program, which would provide LDCs with free access to scientific and technological literature. It would be beneficial for WIPO to promote more practical measures with concrete benefits to developing countries, particularly LDCs. Access to technological information was not an end in itself and information on its own would be of little help to LDCs unless they had the capacity to use it. WIPO therefore needed to step up its LDC-related activities aimed at the broader issues of capacity building, legal, institutional and policy frameworks, and create a knowledge-based reverse brain drain in LDCs. The LDC stakeholders should work together to build a conducive international environment to promote technology access acquisition and use by LDCs in their quest for development. Bangladesh had given top priority to using technology, especially information and communication technology, to transform the country into a Digital Bangladesh with an established IP system by 2021. In view of that objective, Bangladesh was increasingly concentrating on the IP issues of its new industrial policy which was in its final stages of preparation, and planned to formulate an IP policy that would foster national innovation. With support from WIPO, the Dacca Chamber of Commerce had begun work on establishing an innovation and technology support center. With that emphasis on IP, the international environment in which Bangladesh and the other LDCs were operating today was being rapidly transformed by forces of globalization, legislation and by new developments in technology and the international legislation of production networks. Technology and know-how, as well as innovation and creativity, therefore, had to be considered as key factors for improving productivity and economic growth. Unfortunately, at present there were more challenges than opportunities for LDCs. IP tools remained unused in most sectors of the economy as many LDCs suffered from limited knowledge. In helping LDCs to address this situation, WIPO should listen closely to what LDCs were asking the organization to pursue. LDCs sought WIPO support in fostering development and improved security, promoting small and medium sized enterprises. That had to be complemented by assistance in developing an appropriate IP policy and institutional framework in line with the development strategy of those countries. LDCs had also stated how WIPO could help the 10- point Agenda of Action for LDCs prepared by the WIPO high-level forum which in 2007 identified the areas on which WIPO should focus. In July 2009, the Ministerial Declaration adopted by the LDCs Ministers participating in the high-level forum had invited WIPO to contribute to the

realization of UN Millennium Development Goals particularly in the context of using IP as a tool for development and had also requested WIPO to announce its assistance to LDCs in meeting all their IP objectives with particular emphasis on supporting inventive and innovative activities across all economic sectors. The Declaration highlighted the importance of using IP for economic, social and cultural development at national level and the need for more cooperation from WIPO in formulating national innovation strategies and institutional capacity building. The Declaration invited LDCs to formulate a number of practical measures that could be undertaken in cooperation with WIPO, including possible assistance in developing selected export products for LDCs and promoting the use of national cultural and artistic creations, particularly major works and traditional cultural expressions, and improving business competitiveness in LDCs. The Declaration called for the full implementation of the WIPO Development Agenda for LDCs by means of the regular budget and through generating additional resources for supporting IP-related activities in the LDCs. It also called on all development partners to actively participate in the efforts of the Director General to establish Trust Funds for the benefit of LDCs. The Minister on behalf of LDCs indicated that it would call on WIPO to undertake specific follow-up activities for the implementation of the 10-point Agenda of Action for LDCs and of the Ministerial Declaration.

32. The State Secretary, Ministry of Science and Technological Development, of Serbia stressed the country's determination to secure high standards of intellectual property protection by the continual implementation of the international norms of WIPO, WTO and the European Union. Legislation alone could not achieve the desired results without awareness-raising and enforcement of legislation. A National Strategy of Sustainable Development had been adopted, with special emphasis on the importance of intellectual property to a knowledge-based economy. Serbia's cooperation with WIPO had been and was in line with this strategic program for creating an environment that promoted a knowledge, innovation and business-driven economy. Since the previous WIPO Assemblies, key institutions of Serbia had committed themselves to developing and enforcing the National IP Strategy with the assistance of WIPO. In 2008 the Government had adopted a National Plan of Accession to the European Union and accordingly draft laws on copyright and related rights, trademarks, industrial designs and the protection of integrated circuit topographies had been introduced into the parliamentary procedure. Novelties in the field of copyright and related rights were proposed as a means of further regulating the collective exercise of those rights, and enabling easier utilization of authors' works. A very important WIPO Seminar on the Collective Management of Copyright and Related Rights had just been held in Belgrade, Serbia. In 2009, the Assembly of Serbia had adopted a Law on the Protection of Plant Breeders' Rights and ratified the Geneva Act of the Hague Agreement, the Strasbourg Agreement and the Vienna Agreement. For the implementation of the Law on the Protection of Plant Breeders' Rights, a new unit had been established in the Ministry of Agriculture, Forestry and Water Management. Pursuant to its policy of supporting innovation, the Government of Serbia was preparing measures to protect and market the results of Government-financed research and development activities. The State Secretary thanked WIPO for its contribution to the information technology capacities of the intellectual property offices of Member States, including Serbia, as well as to strengthening their human resources, and emphasized that the WIPO IPAS system had enabled successful administration of files at the Serbian IP office. He welcomed the constructive work performed by WIPO and expressed particular support for the WIPO program "Intellectual Property for Universities", which contributed to better utilization of the intellectual property system and enabled innovation to be turned into commercial products. Serbia had been a Coordinator of the Central European and Baltic States Group for 2009. That group supported the program of reforms undertaken by the Director General. Further to the sessions of the various committees, including the last

Program and Budget Committee, ways needed to be found to expedite committee work. Finally, the State Secretary thanked the Secretariat, and in particular the Division for Certain Countries in Europe and Asia, for the assistance provided to the Intellectual Property Office of Serbia, especially in promoting intellectual property rights in Serbia and other countries in the region.

33. The Minister of State for Foreign Affairs of Bahrain welcomed the organization for the first time, of a high-level segment, as a starting point for enhancing cooperation and dialogue between Member States and WIPO, and congratulated the Chair on his election. The Minister of State commended the Director General, and the WIPO executive team for having adopted an approach based on transparency and fruitful and continuous communication. Gratitude was expressed for the special efforts provided in developing the global IP system, particularly with a development dimension. In view of the fact that intellectual property organized relationships among nations, and that developing and developed countries were interdependent on the economic, political and social levels, WIPO played a pivotal role in providing support for developing countries in the implementation of development-based strategies that ensured balance between economic and social goals through national development programs for the promotion of economic development, and creative and innovative capacities, particularly among researchers, scientists, authors and artists. It had become important for WIPO to identify strategic priorities for the coming decade, leading the way in facing global challenges, such as climate change, food security and public health. The Minister of State called on developed countries to recognize their responsibility in the transfer of knowledge as a win-win game. Special reference was made to the continuous cooperation with the Arab Bureau, that had produced tangible results, such as the modernization of the IP legislation, facilitation of adherence to international institutions, educational support and capacity-building programs for the judicial and legislative authorities. The Minister of State looked forward to further cooperation with WIPO by making use of its expertise in the fields of investment, design and creativity, in the light of the Economic Vision of Bahrain for 2030, which was considered as the cornerstone for the achievement of long-term objectives through cooperation with the private sector and educational, professional and technical institutions, with a view to encouraging nationals of Bahrain to invest in ideas, providing empowerment opportunities for the youth and promoting the role of women in society. The Minister of State declared that a conference on creativity as an opportunity for increasing productivity, would be held in Bahrain, in February 2010, with the support and participation of WIPO. The conference would be concluded by announcing the creation of the Bahrain Business Support Center for Creativity. Finally, the Minister of State again extended his thanks, hoping for further cooperation between WIPO and Bahrain in the achievement of their common goals.

34. The Vice-Minister for Industry of Angola thanked the Director General for the invitation to attend the WIPO Assemblies and reiterated Angola's support for WIPO's strategic program of intellectual property development. After some three decades of armed conflict, Angola had enjoyed seven years of peace that had enabled the Government to implement sustainable development policies and programs of benefit to the Angolan people. Angola's gross national product (GNP) growth rate in the period 2005 to 2008 had varied between 23.3 per cent and 13 per cent. In the same period, inflation had fallen from 23 per cent to 13 per cent. Following September's legislative elections, the Government had designed a national plan to restore economic and social infrastructures, achieve macro-economic and social stability, develop the rural sector, and build a competitive private sector. Another Government measure intended to mitigate the effects of the global economic crisis had been to diversify the production base, and that principle of diversification had guided the implementation of executive programs in certain sectors, particularly for the processing

industry in the period from 2009 to 2012. One aim was to develop a modern industrial sector and a national matrix, and promote the development of human resources and technical management capacity essential to industrial development. Those measures, combined with increased trade, would require protection of intellectual property rights to ensure fair competition and sound economic development. It was important to acknowledge WIPO's support for the Angolan Institute of Industrial Property, and the Vice-Minister requested increased support. Referring to the IGC, the he advocated renewal of the IGC's mandate, which should include a basic text for negotiation in intersessional working groups. A date should be set for a diplomatic conference on adopting an international instrument for the protection of genetic resources and traditional knowledge. As for the Standing Committee on Patents and the PCT, Angola's position was that the provisions of the PCT system should cover special and differentiated treatment, flexibility and technical assistance for developing countries, in particular the least developed countries. The Vice-Minister also supported the idea of assigning specific funds in WIPO's general budget to technical assistance for Portuguese-speaking countries, and emphasized the urgent need to set up a trust fund with extra-budgetary resources to modernize and computerize the intellectual property offices of least developed countries. Finally, the Vice-Minister expressed support for the new WIPO conference hall project. It was also important to define a clear policy on the utilization of the Organization's reserves. Angola reiterated its support for the WIPO Cabinet elected by the Coordination Committee in June.

35. The Minister of Culture of Iraq congratulated the Chair of the General Assembly on his election and wished him success. Thanks were extended to the Director General of WIPO, and the Secretariat, for their good performance and excellent management. The Minister congratulated the newly elected Deputy and Assistant Directors General. Special thanks were expressed to the Arab Bureau for its significant role in capacity-building activities. WIPO had been playing an important role in Iraq ever since the situation had been stabilized. Iraq had recovered its representation and participation in Arab and Global diplomacy. The Minister expressed support for the efforts made by WIPO to achieve its objectives and hoped for further progress in the protection and promotion of intellectual property throughout the coming years, bearing in mind the need for technical support and capacity-building for development purposes. The past two decades of isolation had prevented Iraq from keeping abreast with global developments, including in the field of IPRs; however national registration offices had continued business in accordance with the existing legislation. In that context, Iraq was in the process of updating its national IP legislation to comply with the tremendous development that had occurred in the field of IPRs, and, equally, in response to the increasing need for protecting copyright and related rights. More specifically, a new award for artistic and literary creativity had been established in the form of a competition, the terms of which complied with international IP standards. A ceremony was organized on a yearly basis on the occasion of the World IP Day, April 24, as part of an awareness-building campaign. A National Center for the Protection of Copyright and related rights had been created and entrusted with, inter alia, registration, training and public outreach activities, participation in WIPO training courses, and creation of a National TK and TCEs Registry using state-of-the-art technology. The expertise of more advanced countries had been used in the process of integrating IP in various investment and sustainable development plans; a number of publications and artistic creations had been made available. Special importance was attached to the creation of websites for national museums. Finally, the Minister again expressed gratitude to WIPO.

36. The State Minister of Justice of Sudan congratulated the Chair for his election and believed that his skills and experience would allow for a positive outcome of the Assemblies

in the form of decisions and recommendations in support of IP worldwide. He paid tribute to the outgoing Chair and commended his outstanding work. He appreciated the invitation by the WIPO Director General to participate in the Meeting and congratulated him for his leadership. Sudan welcomed the Director General's initiatives geared at developing and improving WIPO's performance which would enable it to meet the challenges of the 21st century. Sudan's commitment with WIPO, The Minister recalled, dated back to 1974, being one of its constituting Member States under the WIPO Convention. Throughout those years, Sudan acceded to a number of international treaties, including the Madrid Agreement in 1984, the PCT in 1984, the Paris Convention in 1984 and the Berne Convention in 2002. In that regard, the Minister wished to announce that the country's longstanding relation with WIPO would be furthered through its imminent accession to the 1989 Madrid Protocol. Such accession would undoubtedly boost foreign investment in Sudan and strengthen trade relations with other countries. Convinced of the economic, social and policy importance of IP in all aspects of everyday life, the Ministry of Justice, which is responsible for IP matters in Sudan, was fully dedicated to work on the various IP fields. In fact, the Ministry had been implementing a development plan for the modernization of the General Registrar for Intellectual Property through staff and other support. The Minister was also pleased to point out that the Minister of Youth and Culture, who oversees copyright matters through the Council for Literary and Artistic Works, had announced the establishment of the Collective Management Society for Artistic and Musical Works. In that context, the Minister looked forward to continued and wider cooperation with WIPO. In the name of the Minister of Justice and on behalf of the Government of the Republic of Sudan, the Minister reissued the invitation to the WIPO Director General to visit Sudan in order to witness the efforts made on both government and grass-root level in IP culture dissemination and institution building. Sudan gave its full support to WIPO's specialized committees, in particular, the CDIP. As an important and active LDC country, Sudan reiterated its support to the positive outcome of the High-Level Forum on Intellectual Property for the Least Developed Countries: The Strategic Use of Intellectual Property for Prosperity and Development, held end July 2009. The Minister trusted to see the necessary political will from developed countries to fulfill their obligations for the implementation of the Forum's recommendations in respect of development and capacity-building in LDCs. The Minister also supported the renewal of the IGC mandate. Progress in that field would consolidate country efforts in the promotion and exploitation of their respective valuable assets in all fields of intellectual property for the achievement of sustainable development. The Minister reaffirmed their willingness to work with all other Delegations for a successful outcome of the present Session resulting in additional and new support for the development of intellectual property. He concluded by expressing appreciation to the Director General and the International Bureau for the good preparation of the Meetings.

37. The Minister for Trade, Industry and Marketing of the United Republic of Tanzania, having thanked and congratulated the Director General and newly elected Chair, expressed full support for the statement given by the Minister for Industries of Bangladesh on behalf of LDCs. The Minister thanked WIPO for organizing and facilitating in Tanzania a National Forum on the Role of Intellectual Property in Strengthening Tanzania's Trade Capacity, which had taken place in Dar es Salaam from September 7 to 10, 2009. The successful and well-attended Forum had brought together contributions from the Republic of Korea, Malaysia, Ethiopia and the United Republic of Tanzania, and was the first of its kind to have taken place in any LDC. The Minister was also mindful of the Ministerial Declaration on Intellectual Property on the Strategic Use of Intellectual Property for Prosperity and Development in the LDCs, which had been adopted at the end of the High-level Forum on July 23 and 24, 2009. Abject poverty aggravated by pandemic diseases such as HIV and

AIDS, malaria and tuberculosis, food insecurity, poor communication infrastructure, and lack of access to information were serious challenges for developing countries and in particular LDCs in Sub-Saharan Africa including Tanzania. Since there was no one-size-fits-all strategy for devising solutions to address those challenges for all LDCs it would be necessary for each of those countries to adopt new approaches and where necessary to redesign new strategies. The role of Intellectual Property would be relevant only if it could be strategically mainstreamed into the new strategies. The Minister singled out the HIV and AIDS pandemic and emphasized that there was no known clinical cure. Life-prolonging therapy in the form of anti-retroviral drugs (ARVs) was the only available option for the victims of that disease. Drug distribution in Tanzania and in many developing countries was hindered by poor infrastructure and poor communication. Although capacity for dispensing drugs at the point of distribution constituted a sizable internal problem, the critical challenge remained the inadequate supply of drugs. It was obvious that access to patented and branded drugs, due to the associated cost, was beyond the ability of most of those in need. Access to generic ARVs through the WTO TRIPS Agreement flexibilities was the only available option although most LDCs lacked drug manufacturing capacity. Establishing ARV manufacturing arrangements between LDCs and developed and/or developing countries with the capacity to manufacture them under compulsory licenses or through the manufacture of generic ARVs seemed to be the approach that many LDCs could adopt although developed countries had also been supplying ARVs pursuant to bilateral arrangements. The Doha Ministerial Declaration which extended the transitional period for LDCs for implementation of the TRIPS Agreement's obligations on pharmaceuticals from 2006 to 2016 had had certain advantages for some LDCs, which had started manufacturing generic versions of ARVs for domestic use and export to other LDCs. In Tanzania there was thus far only one company manufacturing ARVs that met about 30 per cent of domestic requirements. The Minister invited pharmaceutical companies to go to Tanzania to take advantage of opportunities in the field of ARVs and other pharmaceuticals. Tanzania had a uniquely strategic geographical location making it one of the best investment destinations in the world in terms of potential markets and other investment incentives within the sub-region. On the issue of food security, the Minister stated that Tanzania wished to transform its agricultural sector and had just rolled out a new comprehensive multi-sectoral strategy aiming to maximize agricultural productivity by applying appropriate technology and deploying skilled human capital. Stronger technology research and development initiatives were essential for Tanzania to shift from exporting raw agro-produce to value-added semi-processed and/or finished products. Improved innovation capacities and skills development to complement the initiative would also be necessary. The Minister believed that that was where intellectual property, particularly patents and other scientific information, had a role to play. In the short term, patent information would assist in the identification of appropriate technology and its source for the purpose of negotiating transfers of technology. Strategies using other intellectual property tools such as trademarks and industrial designs in the marketing of agro-processed, semi-finished or finished products would stimulate healthy and fair competition, particularly at a time of expanding market opportunities resulting from regional and international economic integration. The Minister indicated that she would be pleased to see the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Expressions of Folklore renewed and hoped that its important work would be successfully concluded in the near future. The Minister pledged to help devise solutions to the challenges identified by the Secretariat. She concluded by commending the Assemblies for unanimously adopting the WIPO Development Agenda in a similar session in 2008. She was confident that it was through the successful implementation of the recommendations that the Organization's mandates and activities would fully reflect the interests of all Member States irrespective of

their level of development. On that basis, the Minister looked forward to seeing the immediate implementation of all the recommendations.

38. The Minister of Trade and Industry of Namibia thanked WIPO for having introduced the High-Level Ministerial Segment as a part of the WIPO Assemblies, congratulated the Chair of the WIPO General Assembly on his election and commended the outgoing Chair for his excellent performance during his term of office. The Director General's initiative in highlighting the importance of effective intellectual property rights protection was noted, particularly his continuing drive to demystify the subject matter in a framework of social, cultural, technological, and economic development. Issues pertaining to the IGC were of critical importance and the fact that there was still no concrete outcome was a matter of great concern. The Minister expressed support for the African Group's proposal before the 14th session of the IGC and called for the extension of the IGC with a specific mandate to undertake a text-based negotiation on Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions. He highlighted the involvement of Namibia's Industrial Development and SME Sector in the national development agenda, emphasizing the need for capacity building in human capital, technology acquisition, technical skill development and enhancement in order to realize set goals of achieving economic growth, entrepreneurship development, job creation and poverty alleviation. To that end, the intellectual property agenda was important in improving Namibia's industrial production capacity, productivity, quality, standards and competitiveness in the global market place. Good governance at both the national and the multilateral level was essential, as witnessed by Namibia's fourth place in Sub-Saharan Africa in the World Economic Forum Competitiveness Report achieved through prudent fiscal policy, good governance and accountability at the national level. The Minister concluded with a mention of the USA and its progression over the past 40 years since its civil rights movement underscoring issues of inclusivity and equal opportunity.

39. The Attorney General, Ministry of Legal Affairs, of Grenada extended greetings to all the distinguished participants in the meeting and went on to congratulate the Chair on his election, simultaneously expressing his confidence that the Chair would be able to meet the demands of his role. The Attorney General expressed its thanks to the Director General for the invitation extended to attend the High-level Segment of the 47th series of meetings of the Assemblies of Member States as well as for the arrangements made for attendance of his Delegation. The Attorney General thanked the Director General for his comprehensive report and was pleased to have heard mention of the challenges to be faced, citing, in particular, the conviction that intellectual property was not an obstacle in confronting the challenges presented by climate change but rather a tool in overcoming those challenges. He expressed the view that intellectual property should be used as a tool for development of small island States such as Grenada. In that regard, the Attorney General urged the World Intellectual Property Organization to develop eloquent intellectual property policies to achieve such a goal. He recognized the need for Grenada to pursue new and diverse areas of economic development, and expressed his vision whereby intellectual property was an essential tool in achieving that goal. He referred to a very recent session of the Parliament of Grenada at which the Governor General of Grenada had identified the enactment of the suit of intellectual property legislation as a priority of the Government. In that context, he thanked the Director General and the Technical Assistance and Capacity Building Bureau for Latin America and the Caribbean for their kind assistance in having provided Grenada with a draft suit of legislation. As part of the Government's initiative to establish intellectual property as an integral pillar of its economic development, the Government had already enacted legislation for the establishment of a new department, namely the Company and Intellectual Property Office and had appointed a head of the new office. Grenada was awaiting the outcome of the

current Assembly as well as the WIPO heads of intellectual property offices and ministerial level meetings on intellectual property for Caribbean countries (to take place from November 9 to 12, 2009), which, the Attorney-General added, Grenada was very pleased to host. He indicated that the issues under deliberation in both forums would be very important to Grenada and other similar island States. Such issues included the development of national intellectual property policies, the formulation of national intellectual property strategies, the establishment of a Caribbean framework for protection of traditional knowledge, folklore and genetic resources, and the establishment of a regional, or sub-regional, system for patents for the Caribbean. Those were all very significant issues for Grenada and for other Caribbean countries, and Grenada looked forward to the continued support and assistance of the Director General and WIPO.

40. The Minister for Industry of Benin congratulated the Chair on his election to head the Assembly and assured him of Benin's support for the duration of his term of office. He thanked the Director General of WIPO for having breathed new life into the Organization, stressing that his Government greatly appreciated the streamlining and adjustments which were part of his management. He also paid tribute to the organizers for the material and logistical arrangements made for the Assemblies. Benin was very honored to take part in that new experiment launched by the Director General, which consisted of hosting policy decision-makers, and commended the Organization on that new forum for dialogue at the ministerial level. Like the African Group, it was also in favor of the project for the construction of a new conference room that would enable future assemblies to meet in better conditions. In the framework of cooperation between WIPO and Benin, the latter had taken part, on July 23 and 24, 2009 in Geneva, in the High-Level Forum on Intellectual Property for the Least Developed Countries (LDCs) on the strategic use of IP to further prosperity and development. At the close of its work, the Forum had adopted a 23-point plan of action for the strategic use of IP for prosperity and development in LDCs. The Minister hoped that IP utilization would boost technological progress with a view to wealth creation and that the IP system would become an essential component of efforts to combat poverty and promote development. It was important to emphasize assistance with regard to capacity-building, and for that purpose to identify needs and target projects for accompanying the development of capacities in order to make wise use of intellectual property. There was a need to reinforce knowledge and skills in LDCs and train IP experts to popularize intellectual property and teach related courses in universities and top schools. Clearly, improvements made to the IP system along the lines of public-private partnerships would foster development, boost local business and attract foreign investment. To achieve those goals, however, the developing countries, particularly the LDCs, had to derive maximum benefit from all WIPO mechanisms likely to increase awareness of IP and facilitate the use of patents that had come into the public domain through freely accessible information sources such as the program for accessing research on development and innovation or the WIPO information centers. Support for creation, innovation and the proper utilization of research findings would also be essential. The Minister stressed the need for a platform to bring together inventors and manufacturers in the hope that their joint efforts would create wealth via the production of the works invented. The national body in Benin in charge of IP would become an agency, so as to become more directly involved in the creation of the jobs and wealth needed to overcome poverty and unemployment. Benin intended to make greater use of the fruits of applied research to set up national industries to produce consumer goods which had hitherto been imported. In that same spirit, it wished to position its production of so-called "sugarloaf" pineapples on foreign markets as well as shea-based products, which had difficulty penetrating the international market. A collective mark or adequate geographical indications were the solution. In the field of agrofood industries, the country needed help in drafting a policy for inclusion in the

strategic plan for the industrial sector that was being prepared in Benin. Assistance from WIPO would be particularly appreciated in drawing up suitable communication strategies. The African Group had agreed on the principle of adopting a binding legal instrument to regulate issues relating to the protection of genetic resources, traditional knowledge and folklore, a position which Benin endorsed. Finally, as an LDC, Benin wished to reaffirm its commitment to the WIPO Development Agenda and lend its support to the creation of a WIPO fund to finance the needs of that group of countries. The Minister appealed as a matter of urgency to the Director General to intensify his efforts in support of the Development Agenda by securing the necessary funding for its implementation. He reiterated his gratitude and support to the Director General for his new initiatives to benefit the LDCs, expressing the hope that that program of activities would be continued with a view to reinforcing further the capacities required for wealth creation and the harmonious development of countries.

41. The Minister for Law and Constitutional Affairs, and for Justice, Human Rights and Rehabilitation of Lesotho expressed support for efforts to mainstream development activities in the different programs of the Organization and commended the Secretariat for initiatives to strengthen and streamline technical assistance, in particular to address the special needs of Least Developed Countries (LDCs), the majority of which were in Africa. The Minister highlighted the need for geographical balance in the engagement of the Secretariat's staff and underlined that though innovation and creativity – built on solid foundations and a sound intellectual property system – were essential for sustainable growth and development, the greatest challenge facing Lesotho was how to create an IP culture, encourage and promote creativity and innovation, in an environment with severe constraints, such as limited expertise, weak IP infrastructure and policy framework. It was essential to ensure that IP rights holders received tangible benefits from the system, as an effective system was important to economic development because it provided confidence for business. The Minister also acknowledged that developing countries required a good knowledge of the IP system to ensure that they drew maximum benefit from their own innovative and creative capacity and noted that, as one of the LDCs, Lesotho relied on WIPO's guidance and expert assistance in the promotion of IP and in putting in place an IP infrastructure that allowed for participation in exchanging valuable information at the regional and international levels. The Minister welcomed the Secretariat's efforts aimed at strengthening IP offices through initiatives such as the automation project, training and the ARDi program. She outlined elements of Lesotho's massive outreach program to educate members of the public about IP, which aimed to make people aware that IP was not an elitist and unattainable issue, but an essential and practical tool. Activities to celebrate World IP Day had included a choral music festival and competitions for high school students. The Minister urged development partners to support efforts to establish Funds-in-Trust for the benefit of LDCs to help them, inter alia, to address capacity-building, ensure effective utilization of all aspects of IP and implement strong standards and effective enforcement of IP. The Minister further urged the prudent use of WIPO resources and underlined the need for extensive IPR enforcement education in the curricula of all institutions of learning and for enforcement agencies. In relation to the importance of traditional knowledge and TCEs as a means of broadening IP to make it more responsive to the needs of the developing world, the Minister expressed concern that after years of work there was still no concrete outcome from the sessions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, and called upon the Member States to find collectively creative and innovative solutions that would crystallize the work of the IGC into a legally binding international instrument as proposed by the African Group, and on that basis lead to the renewal of the IGC's mandate. The Minister further recognized the work of the African Regional Intellectual Property Organization (ARIPO) in putting in place a regional legal instrument on

the protection of traditional knowledge and expressions of folklore. The Minister expressed gratitude for the WIPO-organized High-level Forum for LDCs, to discuss policy and technical issues regarding the integration of IP into their national development strategies, and reiterated its commitment to the Ministerial Declaration that had been adopted during the Forum. The Minister called on WIPO to assist in formulating relevant national IP and innovation strategies and policies, as a matter of priority, and hoped that adequate resources would be allocated for Development Agenda-related activities and that approaches for achieving its objectives would, as envisaged by stakeholders, offer an opportunity to reduce significantly the knowledge gap between developed and developing countries. In the words of the Director General during his acceptance speech, "I believe that it is essential that we translate the political consensus into concrete and effective projects. The opportunity exists for the Organization to construct a global knowledge infrastructure, comprising public, freely available databases of technological and scientific information and operating on common standards for data interchange. Such an infrastructure would contribute in a practical way to sharing the social benefit of intellectual property systems. Through office automation and training, intellectual property offices and research institutions and universities in the developing world could be equipped to participate in this infrastructure". The Minister further observed that the presence of women continued to be rare in the decision-making circles of Member States, and that, if put to proper use, intellectual property could even help solve problems of gender equity.

42. The Minister for Science and Technology of Ethiopia welcomed the changes seen during the Director General's first year in office and for introducing changes, such as the introduction of the High-level Segment of the General Assembly, establishment of the Global Issues Sector and strengthening of the LDCs Division. The Minister noted that the Ethiopian economy was dependent on agriculture, for example in terms of foreign exchange income and employment, whereas the industrial sector was in its infancy. Government policies clearly recognised the need to protect IP, to promote local creative and innovative activities and to foster technology transfer and facilitate the exploitation of IP. In Ethiopia, the IP system was becoming increasingly important as a development tool and interest in IP was growing amongst both urban and rural populations. The recently established Ethiopian Intellectual Property Office (EIPO) had so far concentrated mainly on conventional IP protection and the use of IP for technology transfer and development. However, for the EIPO to make the most effective long-term contribution, a realignment of its activities was imperative and had already begun. The Minister highlighted the need for WIPO and other development partners to be involved in capacity building, notably with regard to organizational and human resources. Following the creation of the Ministry of Science and Technology, and in the belief that the ongoing efforts to promote IP as a development tool would be reinforced by the Government's adoption and implementation of a national science and technology policy, the EIPO had embarked on drafting a national policy that would, inter alia, help to integrate IP into national socio-economic development. The Minister noted that the High-level Segment of the Assemblies was taking place only two months after the High-level Forum at which the Director General had launched a project to assist the LDCs. The Director General's proposal to provide centralized technological information for the benefit of LDCs should be highly commended. That major initiative would promote the national IP system and increase public awareness of the value of patent information in technological capacity building. It would also stimulate industrial and economic growth as well as cooperation between the least developed, the developing and the developed countries. The Minister stated that Ethiopia valued WIPO's activities and that technical cooperation in the areas of IP and institution building contributed to his Government's innovative development strategy. Ethiopia attached particular importance to the WIPO Development Agenda and related activities in Ethiopia, notably the

impact-oriented activities initiated by the Director General through the LDCs Division, and stressed the importance Ethiopia attached to WIPO's mandate in the protection of traditional knowledge, folklore and genetic resources. He pointed out that Ethiopia was amongst the twenty five countries of the world with the greatest biodiversity and that traditional knowledge, folklore and genetic resources needing development were concomitant with such rich resources. To capitalize on those resources in the economic development of Ethiopia required WIPO's cooperation. The Minister believed that, in the twenty-first century, the standing of a nation would depend on its ability to make best use of its technological potential. A thorough understanding of practical problem-solving was required to promote excellence and research in science and technology. Science and engineering, the motors of industrial evolution, had become essential to the growth of the developing and least developed economies and to the efforts of those economies to exploit IP for development. The Minister sought WIPO's full commitment to scientific and technological capacity building in Ethiopia and the development of a science and technology infrastructure, including IP. The Minister noted that his Government attached great importance to the project launched by the Director General during the High-level Forum for LDCs in July 2009, and to the Ministerial Declaration adopted at that Forum, and requested that action areas of the Ministerial Declaration be implemented as a matter of priority. The Minister felt that the categorization of patent information in fields such as medicine, engineering and information and communication technologies, which were of great social and economic value especially in the LDCs, would expedite the implementation of the Director General's new initiative for the LDCs. In summary, the Minister concluded that the gap between the rich, developed nations and the poor, developing nations lay in capability and innovation and that the LDCs face the hardest task. Timely, substantive assistance was required from the developed world, namely from the specialized agencies such as WIPO. Ethiopia had clearly identified its science and technology policy options for rapid economic growth and development. It had reformed general and technical education systems and university reforms were under way. It had re-oriented the manufacturing sector to improve product quality and productivity. The creation of a national innovation system and of national priority research programs would lead to the right science and technology landscape. The subsequent phases would be full implementation with fine tuning, then real capacity building in manufacturing, marketing, education and applied research. The infrastructure for science and technology would need the cooperation and collaboration of Ethiopia's partners in development. Knowledge, planning and hard work was the surest basis for successful development and the well being of the people. In conclusion, the Minister again wished the Chair success and reiterated his Government's readiness to cooperate with the Chair to this end.

43. The Minister for Industry and Promotion of the Private Sector of Côte d'Ivoire congratulated the Chair on his election, and assured him of the country's full support for the proceedings of the Assembly. She also expressed her thanks to the outgoing Chair for the remarkable conciliation work he had achieved during his tenure, which had enabled the Organization to make progress in important areas such as the election of the Director General and the adoption of the program and budget for 2008-2009 presenting the strategic objectives of the new Director General. The adoption of the strategic objectives proposed by the Director General, for which Côte d'Ivoire reiterated its support, along with the appointment of a new management team, heralded a new era for WIPO. The Minister paid tribute to the members of the outgoing team for the work they had accomplished. She also congratulated all their successors and wished them great success in the management and implementation of the programs for which they would be responsible. They could rely on the support of the Delegation of Côte d'Ivoire. The Minister also congratulated the Director General for the work achieved in one year. While much remained to be done, several aspects were worthy of

mention: the strategic reorientation that remained a long-term project, the strengthening of communication with Member States, the improvement of services offered in terms of international registrations and the proposed establishment of a culture of service and transparency. Member States now awaited the implementation of the program that would launch the Organization into a new era, one that would enable WIPO to meet effectively the development needs and expectations of developing and least developed countries. The success of such a program was dependent on a consensual approach and a partnership among Member States. The adoption of the WIPO Development Agenda required the transformation of political consensus into concrete actions that would enable developing countries to take full advantage of a balanced intellectual property system, with due consideration for the specificities and needs of each partner. The desired consensus and the vital partnership would take on their full meaning in the implementation of the regulatory dimension of WIPO. It was vital to take a constructive approach to finding solutions to the impasse that had affected WIPO in that area for several years. Life in the multilateral system demanded mutual concessions and compromises that, far from being a weakness, were part of the system dynamics. The Minister also referred to the cooperation for development program that, for her country, was one of the main dimensions of the general program. She was delighted at the special attention that it was given by the Director General and his commitment to making it more concrete and effective for developing countries. That was necessary for the strengthening of infrastructures and human resources, so as to create the necessary environment for development, as intellectual property had an important role to play in defining and implementing economic, social and cultural development policies. Côte d'Ivoire, which believed in the possibilities offered by the intellectual property system in the promotion of technology, trade and the quest for solutions to emerging problems, had recently produced a national intellectual property development plan. The plan, produced with the support of WIPO, featured five main themes: the definition of an intellectual property strategy, the strengthening of the legislative and regulatory framework of intellectual property, the modernization of industrial property administration, the promotion of the strategic use of industrial property by companies and the promotion of intellectual property in the sector of teaching and research. The national intellectual property development plan was a strategic instrument that Côte d'Ivoire intended to use to gain a comparative advantage in certain key sectors of the economy, with a view to boosting its economic and social development. The Government was therefore relying on the support of WIPO to implement the plan. The program devised by the Director General ushered the Organization into a new era, and Côte d'Ivoire was pleased with this and supported initiatives taken in the context of world issues. WIPO was an organization open to economic and social issues, and it should justifiably propose responses to problems such as climate change, food security, public health and technology transfer. In conclusion, the Minister thanked the Secretariat for organizing the High-Level Segment, which provided an opportunity to exchange and share concerns, and give voice to mutual expectations. The Minister called for the next session to be held in a larger conference room, and any proposal aimed at resolving that issue would therefore receive the support of Côte d'Ivoire. She wished the proceedings of the Assemblies every success.

44. The Deputy Minister for Justice of Ghana welcomed the invitation to participate in the high-level segment of the Assemblies and expressed satisfaction with the steps taken to improve transparency and accountability in WIPO and the enhanced participation by Member States in the preparation of the Program and Budget for the next biennium. He was encouraged that attention had been given to activities related to innovation, promotion and technology transfer. His Delegation closely followed the work of the SCP and hoped that future discussions would lead to a balanced program. He appreciated WIPO's ongoing efforts

to promote the use and protection of IP globally as a tool for development and wealth creation, and looked forward to the implementation of the Development Agenda. The Deputy Minister was pleased with the decision of the CDIP to implement the 45 recommendations in a flexible, thematic way and hoped for further consensus and flexibility to ensure that the needs of Member States were met through concrete and effective projects. He thanked WIPO for the many activities undertaken in Ghana to strengthen its IP system and looked forward to the launching of activities under the Development Plan, signed with WIPO in 2008, that were aimed at improving the IP system and using IP protection as a tool for development and prosperity. Ghana recognized that improving the IP system would contribute to economic development through increased local and international trade and investment. An increase had been seen in trademark and service mark registrations as a result of Ghana's accession to the Madrid Protocol in 2008, as well as increased industrial design registrations under the Hague Agreement following Ghana's accession thereto in 2008. Ghana had a culture rich in genetic resources, TK and expressions of folklore and had made efforts to protect those assets. Holders of TK needed protection from infringement of their rights through misappropriation, misuse and exploitation beyond the traditional context. The IGC had made progress in working towards concrete outcomes after a decade of lengthy deliberations and negotiations based on research, studies and consolidated views on the conceptual issues. The Deputy Minister urged Member States to adopt clearly defined time frames and specific targets and to cooperate in a transparent and flexible manner in seeking consensus on areas that had been problematic and in building on the work already completed. He welcomed ARIPO's draft Instrument on Traditional Knowledge and Genetic Resources, which was to be adopted by the Council of Ministers of ARIPO Member States in November 2009 and hoped that the IGC would focus on content and process in securing an international legally binding instrument by setting targets and concrete time frames. The Minister expressed his sincere appreciation to the Member States that had provided technical cooperation activities to Ghana in the area of IP, in particular Switzerland. The Swiss Ghana IP (SGIP) project was being implemented through the Swiss Intellectual Property Institute (IPI), and he looked forward to similar cooperation with Finland following the signature of a Memorandum of Understanding. The Deputy Minister recognized the significance of decisions to be taken during the Assemblies and pledged the full participation and cooperation of his Delegation.

45. The Minister for Trade and Industry of Nigeria paid tribute to the Director General and commended his efforts at reaching out to all through his vision, agenda and priorities, and his commitment to the implementation of the Development Agenda, to capacity building strategies and to IP for sustainable development. Intellectual property rights had never been more economically, socially and politically important, impacting on such diverse issues as public health, agriculture, education, trade, industrial policy, traditional knowledge, biodiversity, biotechnology, the Internet and the entertainment and media industries. Understanding the IP challenges with which senior policy makers were confronted was crucial to making informed policy decisions in all areas of human development. Areas of critical interest were public health, transfer of technology, and the future of IP in a multinational trading system, with due importance being given also to genetic resources, traditional knowledge and folklore, trade-related aspects of intellectual property, the problems of insufficient data, new treaty harmonization, promoting effective national policy formulations and integrating IP policies in developing economies. In tackling some of these issues, developing countries no longer had the policy options and flexibilities that developed countries had in using intellectual property rights to support organizational development, which was partially due to the relatively high minimum standards which were imposed by the TRIPS Agreement, and the challenges posed by these issues to policy makers were considerable. Nigeria greatly appreciated the role of WIPO as a global institution that must

continue to drive contemporary intellectual property evolution, and commended WIPO's assistance in supporting its national IP framework. It was thanks to this cooperation that national effort was now underway to integrate IP, including copyright, trademarks, patents and designs, into microeconomic planning activities. IP was now being taught as part of the curriculum of several institutions, and had also been popularized in governmental society as a whole with the objective of making IP an integral part of national economic development plans. As one of the world's largest film producing nations, Nigeria was especially keen to double its efforts in working with WIPO and all stakeholders to fine-tune the current IP regime with a view to making it more effective in combating piracy and protecting innovation and creativity. Given that piracy undermined creativity, productivity and artistic development, there was a need to take urgent steps so that digital evolution would recognize IP and reward creativity. Nigeria faced a major challenge in tackling the counterfeiting of pharmaceuticals and other industrial products. Existing national mechanisms for dealing with those challenges were overstretched and any help that could be obtained from WIPO to complement current efforts would be most welcome. Furthermore, given that Nigeria was well-endowed with genetic resources, traditional knowledge and folklore, the Minister expressed concern at the current stalemate and lack of progress in finalizing the adoption of internationally-binding instruments for the protection of genetic resources, traditional knowledge and folklore since that aspect of intellectual property was as important to Africa and the other developing countries as other aspects of IP were to the rest of the world. The Minister called upon the current Assemblies to look into that matter critically and consider issuing appropriate guidelines to restart the processes without further delay. In conclusion, he stated that Nigeria was committed to the development of intellectual property and would continue to rely on WIPO's support and cooperation for its national development aims.

46. The Minister of Culture of Ecuador, speaking on behalf of the Forum of Ministers of Culture of Latin America and the Caribbean, congratulated Ambassador Alberto Dumont on his election as Chair of the General Assembly. According to the latest figures on world poverty, at least 1.2 billion people lived in situations of poverty, a fact which not only required the attention of all but should oblige us to state clearly that the most appropriate policy was the one that enabled us to tackle that unpardonable situation head on. In the Minister's view, that figure indicated in particular that we must work to promote the importance of intellectual property insofar as creative intellectual work, scientific research and all knowledge-related activities created opportunities for individuals, communities, peoples and nations. Intellectual property was perhaps one of the best indicators of the value of individual and collective human lives. Creation and innovation were not only vital factors for the progress of the human condition but were also essential for transformation. The WIPO sessions had to focus on the close link between knowledge and development. Development was synonymous with solidarity and was equivalent to the relationship which every people had to their knowledge, artistic expressions and history. There could be no real development if it failed to include the majorities. The recently adopted Constitution of the Republic of Ecuador recognized three types of property: private property, public property and community property. As a plurinational and intercultural State, Ecuador recognized that the purpose of existence was what the Andean peoples called the *Sumak Kausay*, or right living, which naturally depended on communities' production of and access to knowledge with an opportunity to imagine possible worlds. Without that production and without that access there could be no development. As far as culture was concerned, public policy could not be conducted in a void. After acknowledging that creation and innovation were essentially cultural acts, the Minister said that culture was the mainstay of sustainable development. As a result, all efforts to support it were decisive. One of its components was ancestral knowledge and the impact thereof on modern-day well-being. For Ecuador, the future was not possible

without that memory. The Minister was therefore encouraged by the fact that the Assembly was examining the topic in question. He expressed concern at the lack of results after 10 years of work but stated that his Government was convinced that active dialogue, not only final decisions, were fundamental when the time came to decide on the future and on the meaning given to the political expression of such dialogue and decisions. Ancestral knowledge was a genuine opportunity for society as far as the future was concerned, not a decorative element of the past. For Ecuador, memory was a substantive component of a policy of development as a community. The speaker welcomed the fact that political decision-makers had been invited to attend the sessions as that would relaunch and deepen the examination of the topic of intellectual property. As the President of Ecuador saw it, we were living in a change of era, a paradigm shift, rather than an era of change. The notion of intellectual property had to give rise to a process of innovative and creative reflection aimed at facilitating adjustment to the new scenarios, and the Director General was to be congratulated that WIPO was open to those options. Ecuador would support decisions establishing public policies that combated poverty, supported health systems open to all, education in equal conditions, and sustainable, environmentally friendly industries. The change of era could not take place outside development, not so much of the new technologies but rather of our relationship to those technologies. As far as technologies were concerned, cultural opportunities were available to renew our understanding of the economic scenarios linked to the production and enjoyment of knowledge, and WIPO faced an enormous challenge in that respect. Finally, intellectual property had to be considered a cultural category. If that were not the case, it would end up becoming an anachronism. In times of world crisis, international organizations were duty-bound to provide correct answers.

47. The Minister for Industry, Energy and Small and Medium-Sized Enterprises of Tunisia congratulated the Chair on his election and thanked the Director General of WIPO for his invitation. He also commended him on his welcome initiative to hold a Ministerial segment at the start of the Assemblies, which would show the importance of protecting intellectual property, which was WIPO's fundamental mandate and the reason for its creation. As a founder member of the Paris and Berne Conventions, Tunisia attached particular importance to international standards and rules and was convinced that those rules would lay the foundations for balanced international economic relations. It was in that spirit that Tunisia, under the leadership of President Ben Ali, had succeeded in establishing avant-garde relations which had strengthened the mechanisms for the protection of intellectual property, copyright and related rights. That approach was in line with the anchoring of the Tunisian economy in its international environment, since on January 1, 2008, Tunisia had become the first southern Mediterranean country to have introduced effectively a free trade area with the European Union. That process of opening up the economy had yielded very positive results and had been marked by the quadrupling of trade, especially Tunisian industrial exports which had increased from 2.3 billion euros in 1995 to more than 11 billion euros in 2008, which was enabling Tunisia to set itself even more ambitious objectives under its 2016 industrial strategy. The accelerated integration into the European economy had been facilitated by the reforms undertaken, in particular with regard to respect for intellectual property and conformity with European standards. In that context, in 1982, Tunisia had created the National Institute for Standardization and Industrial Property (INNORPI), responsible, in particular, for harmonizing the Tunisian administration with relevant international law. Furthermore, Tunisia was constantly working to reform its administrative framework governing intellectual property. The Minister mentioned the law on literary and artistic property and the creation of a National Anti-Counterfeiting Council. He added that Tunisia maintained excellent cooperation relations with WIPO and benefited from a regular and structured cooperation program governed, in particular, by a framework cooperation

agreement and periodic implementation programs. Tunisia was pleased with the satisfactory level of those relations which had been achieved thanks to the exemplary spirit of coordination and dialogue between the national authorities concerned and the various International Bureau bodies, especially the Arab Bureau. In that regard, the Minister hoped that those links would be strengthened, in particular through continued assistance from WIPO in the areas of training and awareness raising in order to develop and extend the action plan. He noted with great satisfaction the personal commitment of the Director General of WIPO to develop WIPO's role further in order to establish a balanced and accessible international intellectual property system which rewarded creativity and stimulated innovation. He added that Tunisia endorsed WIPO's new revised and expanded strategic goals and would spare no effort to give its full support to the reform program envisaged for WIPO and to the development of WIPO's Medium-Term Strategic Plan for 2010-2015. He hoped that the work of the Assemblies would result in practical decisions that would help to realize the aspirations of all.

48. The Minister for Economic Development of Maldives noted with pleasure that this was the first WIPO General Assembly that had begun with a high-level segment, reflecting the dynamic vision of the Director General. He applauded that timely and important initiative and expressed his thanks to WIPO. The Minister recognized the crucial role that IP played in the technological, economic, cultural and social progress of his country. Since the first democratically elected Government of Maldives had come to office, it had been committed to working with international committees in all areas of development, including the implementation in Maldives of internationally acceptable IPR standards. The economic reform policies were designed to address existing challenges and transform the role of government into that of facilitator in rejuvenating and restructuring the domestic economy. The thrust of the policies were centered on three critical elements: corporatization of public service delivery; expansion of the role of SMEs in the economy; and diversification of the economic base. Maldives recognized IPRs as a means to knowledge-based wealth creation. As a small and vulnerable economy, Maldives was faced with many development challenges some of which required concerted efforts from the international community. Those challenges included building capacity within the country as well as combining the efforts of the international community. The Minister hoped that the Assemblies of Member States would be instrumental in building the momentum needed to address the challenges faced by countries such as his. At the national level the Government of Maldives gave high priority to fulfilling its international obligations, in particular under the TRIPS Agreement, by creating a conducive IP regime and culture. That effort was made more pressing by the fact that Maldives was set to graduate from LDC status in December 2010. Creating an internationally compliant IP regime would provide an enabling environment and give producers of, in particular, environmentally-friendly technologies confidence to invest in the Maldives. An effective international IP regime was also a prerequisite for encouraging research and development in the country, which was rich in biodiversity and TK. The Minister highlighted the holding, in July 2009, of the WIPO High-level Forum on the Strategic Use of IP for Development by LDCs. That Forum had been an opportunity for dialogue among Member States on issues of common concern to LDCs. He called upon Member States to maintain the development dimension of WIPO. With regard to the work of the CDIP, he urged Member States to allocate the necessary human and financial resources to ensure that implementation of development agenda recommendations could commence promptly. A particular challenge facing Maldives was the environmental threat posed by climate change, and the Government was exploring ways in which to address the adverse effects thereof. Maldives' greenhouse gas emissions were negligible, but although the country had not been part of the climate problem it was determined to be part of the global solution. It had pledged

to become a carbon neutral economy in one decade, spearheaded by the switch from oil to 100 per cent renewable energy production. The Government was committed to placing environmental sustainability at the center of its socioeconomic development while pointing to a new clean development path for all developing countries. The Government was keen to cooperate with others in mitigating the effects of climate change, including through advocating environmentally-friendly technologies and patents. It believed that WIPO had an important role to play in climate mitigation through measures allowing affordable access to technology and building capacity for climate-friendly innovation. In those areas, Maldives sought continued cooperation and partnership with multinational agencies and the global private sector, rather than technical assistance. The Minister commended the Director General and the Secretariat for the excellent Program Performance Report on WIPO's activities. He was pleased to note that there were very few "red lights" but mostly green and amber ones, reflecting the dynamism of the WIPO leadership and its dedication to Member States.

49. The Deputy Minister for Industry of Paraguay congratulated Ambassador Alberto Dumont on his election as Chair of the General Assembly and highlighted the intensive work that had been done by WIPO to contribute to the development of his country's IP system, bearing in mind that the support given was essential to achieve the Government's objectives. He said that IP played a fundamental role in the progress of his country given the great potential of its natural wealth. In that regard, he said that the Paraguayan Government was promoting a strategic action plan designed to establish an enhanced IP system that ensured order, transparency and control with a view to offering an accessible, safe and flexible service with regard to the procedure for the registration, protection and enforcement of IP rights. The Deputy Minister said that Paraguay had a wide variety of genetic resources, traditional knowledge and cultural expressions and that the healing properties of medicinal herbs originating from indigenous culture and handed down from generation to generation were beneficial to the health of human beings. To illustrate the variety of medicinal plants, he said that more than 500 species of medicinal plants were marketed in Paraguay and that 90 per cent of the population consumed medicinal and aromatic plants in considerable quantities on a daily basis with the indigenous drinks mate and tereré. He pointed out that the specific values of each nation tended to be misappropriated by major interests or laboratories, which patented those values, thereby generating what was known as biopiracy. Paraguay had started to analyze and implement a system to combat biopiracy given that it was essential that there was a State policy to prevent the misappropriation of those values. For those reasons and others, Paraguay supported the renewal of the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, so that it could continue and complete its work in the most effective way possible. The Deputy Minister pointed out that the main objective of the action plan was to turn Paraguay into a nation based on IP, in which creators and innovators were genuinely respected and in which a balance was preserved between the interests of owners and those of society in general. To achieve that, the patent and trademark system had to be more accessible, especially to researchers and managers of small and medium-sized enterprises (SMEs). With regard to health, it was crucial that all Governments helped national pharmaceutical companies to become competitive at the international level, without sacrificing the quality of medicines or neglecting their commitment to the consumers of those products. Before the approval in 1995 of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (the TRIPS Agreement), many countries had not granted rights in respect of pharmaceutical innovations, even though those same countries had been facing the dual dilemma of inadequate access to healthcare and insufficient research and development into the diseases that affected their populations. In the economic area, the Deputy Minister mentioned a study conducted jointly

by WIPO and the United Nations University which assessed the impact of IP rights in six Asian countries in accordance with economic data collected over the past 20 to 30 years, the conclusions of which confirmed that there was a positive correlation between strengthening the IP system and economic growth. Paraguay's action plan also included initiatives designed to promote innovation, provide more efficient services relating to the examination of patents and the registration of trademarks and models, increase the measures aimed at combating counterfeiting and piracy, promote the creation of new content for the creative industries and improve IP education. Finally, the Deputy Minister, after observing that any intellectual creation fulfilled a function in society, given that the IP system aimed to promote the development of each country, the result of which was closely linked to the product of human intellectual capacity, expressed his thanks for the opportunity that he had been given to explain the work that was being done in Paraguay to improve and optimize IP and above all to promote national progress.

50. The Minister for Commerce and Industry of Liberia expressed her thanks to the outgoing Chair of the General Assembly for his excellent leadership and congratulated the new Chair on his election. The Minister acknowledged with appreciation WIPO's assistance in preparing a comprehensive IP development plan for Liberia prior to the visit of a needs-assessment mission in March 2009. The Government of Liberia had endorsed the findings and recommendations of that mission and pledged its full support to implementing them. The Minister was pleased to convey that the Government had made an initial contribution of US\$100,000 to the work of the Liberian Copyright and Industrial Property Offices and the Coordinating Unit of IP Systems to stimulate implementation of the development plan. The Coordinating Unit had begun the first phase with a sensitization workshop for relevant stakeholders. However, the resources required to implement fully the IP development plan were currently beyond what the Government could afford and it had therefore requested WIPO's assistance in capacity-building and in harmonization of Liberian IP laws. Lastly, the Minister was pleased to announce that Liberia had acceded to the Madrid Protocol on September 1, 2009. The Minister looked forward to working with WIPO and its Member States on a dynamic agenda proposed by the able Director General.

51. The Vice-Minister for Science and Technology of Viet Nam congratulated the Chair on his election and thanked the Director General and the Secretariat for the comprehensive reports on the work of WIPO in the past year and for the excellent arrangements for the meetings. IP had become a powerful tool for economic development; the success of each country in grasping this tool would depend upon its ability to develop, utilize and protect its national creativity and innovation. In that connection, the Vice-Minister expressed appreciation to WIPO for: the significant progress which had been made with IP issues such as the promotion of an IP culture to encourage creators and innovators to obtain, use and license IP rights and assets, and seek greater respect by the public for IP rights and assets; the development of balanced international IP laws; the provision of consistent and customized assistance to Member States in developing national/regional IP systems, including legal infrastructure, institutional framework and human resources; the enhancement of global protection systems to make them more easily accessible and affordable to all stakeholders; the further streamlining of the management and administrative processes within WIPO to achieve greater efficiency, as well as the initiation of improved monitoring and evaluation systems to examine the achievement of expected results. WIPO had been running a range of programs aimed at increasing the effective use of IP by developing nations as a tool for economic development, and welcomed the efforts and initiatives for the implementation of the WIPO Development Agenda and the achievements under the CDIP were welcomed. The Vice-Minister reiterated the commitment to cooperate with WIPO in the development and

implementation of proposals and activities within the framework of the WIPO Development Agenda, and also recognized the importance of the work of the IGC and urged Member States to extend the mandate of the IGC toward achieving tangible outcomes, expressing their view that the outcome of the SCP should be comprehensive and balanced, taking public interests into account, and took note of the work done within the Madrid Union, the PCT Union, the PLT, the SCT and related bodies within WIPO with a view to making the IP system become a tool for economic growth and sustainable development. The Vice-Minister expressed appreciation for WIPO's work to reconcile IP with the global challenges that were being faced today: climate change, desertification, epidemics, access to health care, food security, the preservation of biodiversity, etc. Recognizing the crucial role of IP protection, the Government of Viet Nam had taken major legislative steps over the past years, including the amendment of its Intellectual Property Law in June 2009, with a view to full compliance with international standards, in particular, the TRIPS Agreement. This, together with its membership of the WTO (since January 2007), offered both opportunities and challenges to the Vietnamese business community, including manufacturers, exporters and importers of goods and services, WTO membership being considered by the international community of traders and investors as a guarantee for a more stable and transparent business environment which attracts more. However, along with the opportunities, the major challenge of joining the WTO for all stakeholders in Viet Nam, was the obligation to implement the requirements of the WTO. To cope with that challenge, the Government of Viet Nam has developed a "Post-WTO Accession Action Plan" which covered all fields, including the obligations under the TRIPS Agreement and the related international agreements for the protection of intellectual property rights. The support and technical assistance that it had received from WIPO over many years had been much appreciated, including, the organization of a number of seminars and workshops on various aspects of IP, the translation and publication of a number of WIPO publications in the Vietnamese language. Viet Nam was currently cooperating with WIPO to launch the DL 101 course in the Vietnamese language and to implement the patent digitization project. Also, with the support of WIPO, a project on establishing a national IP strategy for Viet Nam was being implemented. Those activities had made a significant contribution to building the capacity of the National Office of Intellectual Property of Viet Nam, raising public awareness of IP, especially among enterprises and R&D institutions, thus ensuring a sustainable and balanced national IP system. The Vice-Minister looked forward to further strengthening of cooperation with the Organization, and concluded by re-emphasizing that nowadays, creativity and innovation were the new drivers of development, and that an IP protection system had therefore become a dynamic tool for wealth creation and dealing with global challenges such as climate change, food security and public health. He hoped that the new Director General with his extensive professional knowledge and experience, would lead the Organization to new developments which would ensure the balanced interests of all WIPO members, especially developing and least developed ones, so that it could successfully accomplish its mission of developing a balanced and accessible international intellectual property system, which rewarded creativity, stimulated innovation, and contributed to economic development while safeguarding the public interest.

52. The Minister for the Economy and Industry of Madagascar thanked the Director General for inviting him to participate in the High-Level Segment held as part of the Assemblies and praised him for the enthusiasm that he had shown since his appointment. He also thanked the WIPO Secretariat for the excellent preparation and organization of the 2009 General Assembly and congratulated the Chair and the two Vice-Chairs. He said that Madagascar's participation in the General Assembly and, very recently, in the high-level forum on intellectual property for the least developed countries demonstrated Madagascar's

interest in making strategic use of intellectual property as a development tool. He emphasized the efforts being made at the national level to strengthen intellectual property with the aim of promoting economic development, with the invaluable support of WIPO. After a year of implementing the Madrid Protocol, the tasks relating to the international registration of marks under that Protocol had been completed perfectly by the National Office, largely thanks to the assistance given by the International Bureau, in particular with the establishment of systems for the automation of procedures and services under the Madrid System to facilitate communication between the International Bureau and the offices of the Contracting Parties. As a result of those advantages, intellectual property was creating not only the conditions conducive to the blossoming of local creativity, but also an attractive environment that promoted technology transfer and therefore the development of direct foreign investment. Furthermore, so that intellectual property played its role in driving progress to the full, effective protection of IP rights should be ensured with a view to safeguarding the interests of owners and ensuring healthy competition, which required the establishment of a system of protection and effective instruments to combat counterfeiting and unfair competition. Nowadays, counterfeiting had become a major source of concern for the international community, since it caused serious harm to national and commercial interests, compromising the health and security of consumers, causing losses in tax revenue and business profits, preventing the development of the local economy and discouraging foreign investment. The Minister also stressed the fact that invention and innovation should play a key role in the economic growth of a country. They should serve as a lever for industries to maintain their competitiveness in the current context of globalization and should remain essential tools to fill the gap separating the economies of developed countries from those of emerging countries and other developing countries. The Minister emphasized the importance of biodiversity and its role in Madagascar's development and therefore called for continued dialogue between all interested parties with a view to achieving a consensus-based measure, if not a binding one, on the protection of traditional knowledge, genetic resources and traditional cultural expressions. The Minister further indicated that although achievements had been made in Madagascar – for example, in terms of strengthening the capacities of human resources, WIPO had provided considerable training for technicians from the Madagascar Office of Industrial Property (OMAPI) and the Madagascar Copyright Office (OMDA) – much remained to be done, especially in terms of integrating an intellectual property strategy into Madagascar's national development policy, setting up an information center relating to innovation and information technologies, modernizing the infrastructure and building capacities. With regard to copyright and related rights, the needs of OMDA needed to be assessed as it was considering preparing for the ratification of the two most recent WIPO Treaties, decentralizing the representation of OMDA on the island and introducing, in the course of 2010, an anti-piracy measure for sound recordings. Other objectives included the implementation of measures to promote the recognition and protection of traditional knowledge and folklore, enhance the value of geographical indications (in particular for local products such as clove and vanilla, of which Madagascar was the leading global exporter) and make inventories of and protect industrial property in the various sectors of industry through local research centers and universities. Aware of the importance of intellectual property in economic, cultural and social development, the Minister hoped that the collaboration between Madagascar, WIPO and Member States would be strengthened and indicated that Madagascar intended to benefit fully from the advantages arising from the implementation of the Development Agenda.

53. The Delegation of Uganda congratulated the Director General, the Chair and the Secretariat on the successful organization of the Assemblies and welcomed the opportunity to acquaint itself more with contemporary topical policy issues in IP, and pointed out that the

interaction with fellow Ministers from other Member States, Ambassadors and technical staff would create the necessary synergy to ensure that what was discussed and agreed upon would be implemented. The Delegation had confidence in the leadership of WIPO and appreciated the broad policy framework objectives of continued technical support to least developed and developing country members of WIPO to deal with the challenges of harnessing IP for economic development. It stressed that Uganda continued to pursue constructive engagement with the International Bureau to support its national IP development needs in the areas of policy and strategy development, legal reforms, innovation and research, public awareness and sensitization, as well as enforcement. The design and implementation of national projects and programs related to IP would henceforth be in accordance with the “National Development Plan” (NDP), a five-year development policy framework which Uganda had adopted with effect from that financial year. The Delegation stated that, in the previous financial year, the Government of Uganda had approved in Cabinet and tabled in Parliament new bills, which addressed new policy and legislative reforms that catered for international best practices in the areas of trademarks, industrial property, geographical indications and plant variety protection. It was expected that they would be enacted by the end of the first quarter of 2010. The Delegation reported that Uganda had continued to facilitate the transformation of the IP Office into an autonomous body, “The Uganda Registration Services Bureau”, adding that, with the support of WIPO in May 2009, it had launched the automation of the Trademarks Register. In the area of public awareness, Uganda had successfully held national workshops on licensing and technology transfer, and on the teaching of IP in universities and other tertiary institutions in Uganda. The Delegation added that other projects undertaken had been research on licensing and the inclusion of their IP laws on the WIPO web site. It was also planned to hold a seminar for Members of Parliament on the importance of IP legislation and its linkage with economic development. The Delegation concluded that Uganda would continue to engage constructively with WIPO to pursue IP policies development that were considerate of the needs of the least developed and developing Member States, through the framework of the African Group and that of the least developed countries.

54. The Minister for Industry of Nepal stated that it was a great pleasure and privilege to be at the first high-level ministerial meeting of the WIPO General Assembly and commended the leadership of the Director General of WIPO for sharing his innovative approach and putting IP at the center of the Development Agenda. The Ministerial meeting stood as an example of that commitment towards achieving the objectives of the Organization. He associated himself with the statement made by the Minister of Industries of Bangladesh, on behalf of the LDCs. A number of programs had been launched within the strategic framework of IP and it was encouraging to see IP emerging as a driving force for promoting innovation and creating new products for markets in a time of economic crisis. Nepal had greater potentiality in IP especially in traditional knowledge, traditional cultural expressions and biodiversity and was committed to developing those resources to serve its people. The Minister expressed support for equal distribution of benefits derived from genetic resources and traditional knowledge. Nepal was of the view that while using those resources, users should always disclose the country of origin, acquire the prior consent of the country of origin and confirm the benefit-sharing scheme with it. The Minister hoped that the meeting would open a new chapter by taking a clear and strong position and, in that regard supported the renewal of the IGC with a fixed mandate and timeline to formulate an effective and efficient legal instrument to protect the interests of the real owners of such property. The Minister urged for full implementation of the Development Agenda and, while commending the progress made to date, stated that there should be no doubt as to the allocation of funds for its implementation. The Minister called on Member States to allot funds for important activities

from the regular budget of WIPO and help LDCs to create knowledge-based trade for development. For that to happen, LDCs required technical and financial resources. For a LDC such as Nepal, transitioning towards democracy after over a decade-long armed conflict and with specific needs, support was even more important. The Minister requested its development partners to extend technical and financial support to develop that sector. He welcomed the attention of WIPO to the world's poorer countries and appreciated the efforts of the Director General to bring membership closer to the Organization and create a sense of belonging. Initiating LDC Ministerial Meetings, creating a high-level segment at the General Assembly, planning a Ministerial Donor Conference, emphasizing inclusiveness and fair geographical representation in the Organization, launching the Access to Research and Development initiative (ARDI) and the project approach to implementing development programs are all striking examples of that approach. Due to the specific situation of LDCs and numerous difficulties and challenges they faced a WIPO LDC policy was necessary to help LDCs to develop and modernize their IP systems in a changing context and make them a powerful instrument of poverty reduction. Intensifying the use of IP to create a knowledge-based society to promote linkage between development and IP and correct imbalances posed by the current economic crisis was also necessary. That should also be extended to include climate and biodiversity, IP creation and protection, technology transfer, and the development of small and medium sized enterprises in the WIPO Agenda. Nepal advocated a special and differential treatment for LDCs and believed that there should be a separate, focused and sufficient program and budget for LDCs. The LDC unit needed to be further strengthened and representation in the Organization made more inclusive and geographically and linguistically balanced. Nepal was undergoing political transformation after more than ten years of armed conflict and was engaged in the process of socio-economic transformation within a democratic framework. Nepal required huge investment in the process of recovery and reconstruction in the post-conflict phase to ensure rapid economic progress. The Minister noted with satisfaction the ongoing cooperation between Nepal and WIPO as it had helped to build human and institutional capacity in the IP sector, to formulate new rules and regulations, to revise existing legal documents and to automate IP systems. He believed that the visit by high-level Nepalese officials to WIPO Headquarters in June 2009 had been an important dimension in advancing and institutionalizing that cooperation. The Minister concluded by extending its sincere appreciation for that cooperation to the WIPO leadership and to the Technical Assistance and Capacity Building Division for Asia and the Pacific Division, and to the Division for Least Developed Countries in particular.

55. The Deputy Minister for Science, Technology and the Environment of Cuba expressed confidence in the experience and wisdom of the Director General of WIPO, which would help him take up, in his future work, the challenges faced by the Organization as the world's leading forum for the discussion of IP issues. Those challenges were reflected in multiple facets and generated questions and expectations which required responses. At the dawn of the twenty-first century, the international community had rethought development from a holistic perspective, as reflected in the policy terms of the Millennium Declaration. Moreover, the principle of "joint but differentiated responsibility", as one of the principles of the Millennium Declaration, was a basic political means whereby developed countries took on greater commitments than developing countries. Instead, the developed countries had been building up and consolidating a paradigm aimed increasingly at gearing the international economy to normative standardization in both commercial and extra-commercial areas with a view to ensuring that free market forces, spearheaded by multinational players, acted as the driving force of development. As surrogates for multilateralism, bilateral and regional agreements, the pillars of the new paradigm, glossed over deep asymmetries between developed and developing countries. As a result, the latitude of States to design freely their own

development strategies had been substantially curtailed and replaced by “supposed future benefits” meant to alleviate present difficulties. As far as IP issues and development needs were concerned, in the light of events in the first years of the twenty-first century, unless there was a change of course, the answers found to questions and expectations would not be suited to pressing needs. The Deputy Minister underscored the historic dimension of the support that all WIPO Member States had extended to the Development Agenda, while warning that much remained to be done in order to ensure that IP was compatible with and promoted development in developing countries. The repeated assertion of the developed countries that IP was a means rather than an end in itself should not become a slogan, as it was already a basic principle that had to guide and mark the implementation of all activities foreseen in the Development Agenda. With regard to that principle, the Agenda had to help check the distortion of the main IP goals due to serious problems with the design and management of the international system and to ensure that the principle constituted an effective and credible means for development. One such example was patent rights, which had previously been justified as tools for the protection of assets produced by human ingenuity that contributed to the enrichment of technological wealth but which now consisted of strategies for the protection of investments and markets based on redesigns of traditional criteria for patentability. In addition, flawed examination systems led to the improper granting of trivial patent rights; acceptance of foreign rulings which ran counter to the needs of legislation; or unjustified extension of patent rights which prevented creations such as generic medicines from entering the public domain and being used for social purposes. In that connection, an intricate patent network had turned prior research on the state of the art and technological monitoring into an intricate maze with various purposes. That had created much legal uncertainty and discouraged innovation in the vast majority of developing countries, given the shortcomings in infrastructure, qualified staff and financial capacity to promote innovation and very costly processes for protecting and defending rights against infringements. While multinational players granted each other cross licenses via clearing house payments, to access technologies companies from developing countries were obliged to seek consent from rights holders, who either refused to negotiate, failed to grant licenses, or attached unacceptable terms and conditions to such licenses. Clearly, the idyllic aim of striking a balance between the public interests of society and lucrative private interests was nothing more than a rhetorical approach that was defended through sophisms and political pressures which hampered rather than furthered efforts to reach development targets and goals at the national and international level. To ensure that intellectual property played a role as a source of enrichment and growth and as an instrument for development, every country needed IP legislation, policies and systems suited to its specific circumstances. As State bodies, patent examination offices had to be efficient and rigorous overseers in the public domain. It was essential to avoid accepting foreign standards as benchmarks that transplanted foreign realities. Until that was the case, the justification of IP as a source of wealth and growth was a chimera or even a sophism. Notwithstanding, Cuba understood that IP was an appropriate vehicle, albeit not the only one, for recognizing the creative endeavors of citizens. The Deputy Minister referred to the Science and Technology Forum, the National Association of Innovators, which contained a robust movement of women creators, and the Youth Technology Brigades, which provided a forum for Cuban creators and benefited from moral and material recognition by different means in accordance with legislation on innovators, which was being enhanced, all of which constituted a reliable and enriched expression of the principles enshrined in the Universal Declaration of Human Rights that was adopted by the United Nations in 1948. Devised as a set of knowledge, procedures and behaviors, the use of intellectual property had become a systemic instrument in different systems: that of science and technology, domestic and foreign trade, that relating to foreign investment and technology transfer, and international collaboration in R&D activities, which covered

biological prospecting. The use of IP thus helped development-related decisions to be taken. Those results had been gradually achieved by means of a national industrial property management system, which found expression in each of the social players with functional responsibilities in the system, in accordance with its *raison d'être*, a system which, on the basis of principles and guidelines for compulsory application by ministerial decision, channeled the integration of IP as a tool to be used by organizations. In Cuba, steps had been taken at a very early stage to facilitate the acceptance of international agreements ensuring adequate integration into the international order, provided that such integration did not conflict with national policy aims or inadmissibly harm national autonomy in the pursuit of social and economic development. Intellectual property, a necessary field of knowledge, was part of plans for the acquisition of general culture and the creation of specialized skills. IP was taught through a variety of activities, primarily consisting of national and international conferences, seminars and workshops, postgraduate courses, and a Master's degree in Intellectual Property Management. The Deputy Minister rejected the present unacceptable status quo where only matters which interested the developed countries and implied compromises for the developing countries were high priorities generating pressure from the developed countries. One example was negotiations to give an international dimension to problems regarding respect for the rights of indigenous and local communities to their traditional knowledge, whether or not such knowledge was tied to genetic resources, and to traditional expressions and folklore. A drawn-out process, with the aim of obstructing a solution to that problem, was not in keeping with the Development Agenda. In the fields of public health and medicines as elsewhere, fears that the excessive profits of the holders of rights in medicines competing with generic drugs would fall off had led to difficulties and arbitrary measures. The reform adopted several years previously, the TRIPS Agreement, had not entered into force. Change depended on the commitment and political will of all governments, because certain foolish claims obeying a dangerous logic had to be seen in their true perspective: more development for the developed and perpetual underdevelopment for the underdeveloped. The Deputy Minister then mentioned that the member countries of the Bolivarian Alliance for the Americas and the Peoples' Cooperation Treaty (ALBA – TCP) were deeply committed to reviewing the genesis and evolution of the different modalities of IP rights. Indeed, the outcome of that process of analysis and reflection could help highlight the sophisms on which the present international order was based, within an increasingly complex framework of standards preventing the social appropriation of knowledge. She further referred to the situation created in Cuba by the application of an article of a US law, aimed at divesting the US rights of the Cuban firm that held the mark HAVANA CLUB and its successors, which she viewed as a legal artifice to circumvent that country's obligations within WTO. To date, the US had failed to implement the recommendations of the WTO Appellate Body, following their adoption by the Dispute Settlement Body seven years previously. That artifice introduced principles and standards that did not exist in the international trademark system: a requirement to secure the authorization of the original holder when, curiously enough, that original holder had not used the mark for some time and had not renewed his registration. As a result, the producer and present legitimate holder of the HAVANA CLUB brand of rum was unable to assert his rights. Notwithstanding, Cuba had always placed on record respect, without discrimination, for the international undertakings it had assumed in the field of intellectual property. Meanwhile, the Deputy Minister recalled that the Conference of Parties to the United Nations Framework Convention on Climate Change would be meeting in Copenhagen shortly. The international IP system had to provide solutions in that respect; it could not operate on the fringe of general public policy issues, such as ways to meet basic human needs like health, food and a clean environment. Those were undoubtedly complex questions, but the developing countries could not answer them without technological and financial support for climate change adaptation

and mitigation programs, in particular the small island developing States, whose special vulnerabilities had to be recognized and addressed. Cuba was confident that WIPO was capable of taking up current challenges, in its inescapable duty of channeling its creativity, efforts and immediate goals through its Development Agenda, in the promotion of a new IP order whereby apparently irreconcilable interests and rights could converge in the task of building a better future for the good of all despite the ongoing world crisis. To ensure such convergence, the developed countries had to listen to and address the just claims of the less privileged countries. In that way, intellectual property could contribute to development and to the transfer of innovative, clean technologies on flexible terms, all of which required indispensable and substantial changes to the international system.

56. The Minister for Industry, Investment and Commerce of Mali joined the other delegations in congratulating the Chair on his election and was convinced that he would successfully perform the difficult tasks entrusted to him. As it was the first time that Mali had taken the floor since the election of Mr. Francis Gurry to the post of Director General of WIPO, he wished likewise to congratulate him on his brilliant election. It was certain that his professional and human qualities, his intimate knowledge of the workings of the Organization as well as his diplomatic and political skills would enable him to consolidate and further expand the gains made by the Organization. The way in which the Director General had tackled the Organization's problems and the prospects and challenges he had mapped out in his acceptance speech pointed to a bright future for WIPO. Today, the world faced structural developments characterized by a shift from traditional systems of production to new forms of work organization based on innovation and reliance on intellectual assets. That fundamental change was accompanied by new challenges and shed new light on perceptions of the role of the IP system in the creation of values, the achievement of productivity gains and access to market opportunities. In that connection, the Minister wished to inform the General Assembly of efforts under way to make IP a key component of the strategy of accelerated growth in Mali. By basing itself on a consensus with regard to the future of the country towards 2020–2025 and on the Millennium Development Goals (MDGs), the Government of Mali had prepared and adopted for 2007–2011 the document on the Strategic Growth and Poverty Reduction Framework (SGPRF). That document described the policies and programs which Mali intended to implement on the macroeconomic, structural and social levels in order to promote growth and alleviate poverty. It provided a unifying framework for the country's development policies and strategies and was designed to ensure average annual economic growth rates of at least seven per cent with a view to accelerating progress towards the achievement of the MDGs. That goal was reaffirmed in the project for economic and social development, which reflected the political will to make the SGPRF operational. Aligning those development strategies and programs with IP objectives was currently at the heart of countries' concerns. In that respect, steps taken in Mali included the fifth edition of the National Fair for Technological Inventions and Innovations, the introduction of focal points for industrial property in several ministerial departments, the adoption of a plan of action for the industrial development policy for 2010–2012 with a view to the commercial exploitation of local inventions, patents for free use and the enhancement of at least five products by means of geographical indications. In today's knowledge economy, IP assets were a decisive component of sustainable economic growth, an ideal tool at the disposal of States for shaping and implementing public policy in the field of agriculture via the system of new plant varieties and geographical indications; in the field of health, through the patent system aimed, inter alia, at improving access to medicines; in the field of education, through technical information contained in patents with a view to strengthening scientific and technological capabilities in universities and institutions for higher and technical education; in the field of governance, to reduce the information gap and strengthen managerial capacity in companies

operating in a competitive environment; in the field of art and culture, through effective protection of literary and artistic ownership rights; and in the field of protection of elements of folklore and biodiversity in countries. The achievement of economic and social development goals depended to a large extent on the effective implementation of such policies. Yet it was precisely in those fields that the least developed countries (LDCs) were at a disadvantage today when it came to opening up their markets. It was therefore more difficult for them to integrate into the multilateral trade system because of their weak industry and, more generally, their uncompetitive productive sectors. Accordingly, the goal for LDCs, including Mali, was to revitalize and modernize their productive sectors as soon as possible in order to make their economies competitive in a world where change driven by technological progress had become the rule and stability had become the exception. In order to do so, it was necessary to implement policies for supporting modernization based on systematic exploitation of IP assets to pursue the goal of closing the socio-economic gap, regardless of how remote and difficult that might seem. There were many challenges to be taken up along the way, such as education, access to healthcare, food security, access to housing, epidemic control and preservation of biodiversity. Moreover, other equally important challenges in other sectors were just as important. First, in the field of the creation of literary and artistic works, which constituted an expression of culture, it was necessary to ensure that the remuneration of creators and performers, which was based on the dissemination of the physical medium containing the works, was not threatened by the convergence of forms of digital expression and the Internet's power as a tool for dissemination. Second, there was a need to address the vulnerability of indigenous peoples and traditional communities with regard to the loss and illicit appropriation of the products of their system of traditional knowledge. A third priority was combating counterfeiting, a problem which was no longer limited to luxury goods and had long affected all sectors of the economy. By virtue of the principle of solidarity which formed the bedrock of the Organization, Mali cherished the hope that WIPO and the other donors in attendance would support and assist it with the implementation of those IP strategies and policies. It had backed the implementation of the various major projects launched by the Organization in recent years, especially the WIPO Development Agenda and the different projects and programs designed to take up some of the challenges. With regard to the Development Agenda, the Minister was pleased that it was consistent with the strategic goals and guidelines of the development programs initiated by Mali and hailed progress made, particularly within the framework of the CDIP. The recent consensus within the Organization on its implementation would help reduce inequalities in the field of knowledge. The Minister was pleased at the progress made by the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore and welcomed the future prospects opened up by the Committee's decision to examine the question of preferential treatment of genetic resources at its next session. The project to analyze gaps in the protection of traditional knowledge would make it possible to establish working guidelines and, over time, to define and ensure adequate protection for such knowledge. The Minister further welcomed the fact that the question of the protection of audiovisual performances and that of the protection of broadcasting organizations had been on the agenda of the Sixteenth Session of the Standing Committee on Copyright and Related Rights held in March 2008. He hoped that the analysis which the General Assembly had commissioned the Chair to carry out during his term of office would move the debate forward and help achieve a consensus rapidly. In view of the magnitude of counterfeiting and piracy throughout the world, the Minister felt that the Advisory Committee on Enforcement should encourage the pursuit of very enriching exchanges of views between delegations with a view to identifying means to combat the phenomenon. Lastly, he recalled the urgent need for WIPO technical assistance to developing countries based on demand and on a balance struck between the interests of all stakeholders with a view to improving their institutional capacities

and IP systems. In conclusion, the Minister hoped that the current session would reach realistic decisions that would guide WIPO activities along the path of sustainable national development.

57. The Commissioner of the Korean Intellectual Property Office of the Republic of Korea stated that since his appointment in 2008, the Director General had met its high expectations relating to WIPO reform. WIPO had made positive changes to its strategic goals and had begun to show leadership in tackling pending issues relating to global IPR policy. Many countries were now making IP a high priority on their national agendas and the Republic of Korea had also stepped up its efforts to transform its industrialized economy into a knowledge-based economy. To that end, the National IP Policy Council had set up a national IP policy committee and had proposed the enactment of the Intellectual Property Framework Act. Given the global nature and universal applicability of the IPR system, efforts should be made to make the international IPR system more efficient and to strengthen global cooperation and work-sharing between IP offices. Members needed to work together to tackle their common tasks, including reducing examination times, preventing the duplication of work and improving the quality of examination. To that end, the Republic of Korea was actively involved in the PCT reform initiative and had proposed a three-track PCT system, which had already been introduced into the Republic of Korea's domestic patent system, allowing customers to choose between an accelerated, regular or deferred examination. If the three-track system were to be adopted by the PCT, it would provide wider options for PCT users. The three-track system also allowed optimum use to be made of limited resources and therefore improved the operational efficiency of IP offices. The Republic of Korea was also promoting international work-sharing by expanding its patent prosecution highways with new partners. Furthermore, as a member of the IP Five Cooperation Framework, it had been working to implement the 10 foundation projects, and in October 2009 it would host the first IP Five Examiners Workshop, which was expected to play a significant role in improving the efficiency of the global IPR system. The Commissioner believed that any divergent views between IP offices could be set aside if a user-oriented perspective was adopted. In 2008, the Republic of Korea had proposed a mechanism for disseminating technological information for the purpose of addressing basic human needs, as well as a project aimed at raising the marketing power of local products. As a follow-up to those proposals, it had recently launched the "IP Share" project, which consisted of two-key programs: one concerning technological solutions for basic needs and the other entitled "One Village – One Brand". The aim of the first program was to disseminate information on appropriate technology so that locally available technologies could be used to satisfy basic needs, such as water, food and energy. The program included a website giving access to a database of more than 200 technological solutions for basic needs. IP Share was now linked with other external programs such as "Design for the other 90 per cent". The Republic of Korea also aimed to help farmers and producers in LDCs to acquire trademarks for their products through the "One Village – One Brand" program, the goal of which was to strengthen the marketing power of products in developing countries and establish marketing channels on the basis of information provided by participating NGOs in major consuming markets. Consultations were also offered on building brands for locally produced products, including on-site consultations in two countries to date. Funds for those projects were drawn from the Funds-In-Trust and the Republic of Korea intended to continue expanding the programs in collaboration with WIPO and other international organizations such as APEC. In addition, free access was offered to the e-learning programs which had been developed in cooperation with WIPO and APEC. An Arabic version of IP Panorama would be launched at the end of the year. It was planned to make it available in other languages for the benefit of a wider cross section of the international community. On-campus educational programs such as

examiner training courses for ASEAN countries had also been established and there were plans to expand the programs on offer. In an effort to enhance the IP administration of developing countries, the Republic of Korea was currently collaborating with WIPO with a view to digitizing the patent documents of developing countries and was in the process of developing a next generation version of KIPOnet, which was a modular assistant that could be modified easily to suit new user needs and was designed to accommodate most application document formats and produce high-quality patent information automatically. The world today was one of complex global challenges, such as climate change, poverty, and energy shortages, and the international IP community was well placed to provide innovative solutions to those global challenges. The Korean Government was actively involved in the climate change negotiations under the United Nations Framework Convention on Climate Change and the IPR system was an important infrastructure for fighting climate change, particularly in terms of technology transfer and technological innovation. In that regard, a new highly accelerated fast-track examination system for green technology would take effect in the Republic of Korea on October 1, 2009. By facilitating innovation and the transfer of green technology, the new system was expected to make a significant contribution to global efforts to alleviate the problems of climate change. The Republic of Korea was fully committed to the international sharing process under the PCT system, the Madrid System and other treaties administered by WIPO, as well as to contributing to the Development Agenda discussions and other assistance programs for developing countries. The Republic of Korea had a unique experience of growth. In a matter of decades it had transformed itself from a least developed country into a major economy. It was keen to use that experience to help the people of developing countries, especially those who had benefited least from IP to realize their dreams for a better future. In conclusion, the world was facing various challenges in the age of open innovation and the Commissioner believed that under the Director General's leadership, the new team would be able to tackle those challenges successfully and serve the different needs of Member States.

58. The Minister for Legal Affairs of Trinidad and Tobago thanked WIPO for its work in coordinating various fora. He announced that the Government had embarked upon a multidimensional transformation vision to ensure that the country would attain developed nation status before the year 2020, and that the realization of that ideal necessitated a modernization of national systems so as to achieve among other things sustainable growth and development. The Minister was therefore heartened by the call for Member State governments to reflect on the importance of intellectual property to their overall developmental objectives by incorporating it into policy decisions, stating that Trinidad and Tobago had fully embraced the view that the development of a knowledge-based society was fundamental to overall national development and that it was one of the Government's five developmental pillars. Access to education being a key to achieving a knowledge-based society, the three levels of education had been made free of charge, and the University of Trinidad and Tobago had been established in 2004 to discover and develop entrepreneurs and to commercialize research and development. The Minister endorsed the statement of the Minister for Trade and Industry of Namibia that opportunities must first be created to enable everyone to have an equal chance to excel. The Government's investment in education was reaping dividends as highlighted by the Investors' Choice Award won by one of the University's post-graduate students for an invention. Traditional knowledge, folklore and genetic resources were important to developing countries in general, and to the Caribbean in particular. The challenge for policymakers was to find ways and means to monetize the benefits of them for those cultures and communities that gave life to them using the principles of the intellectual property system. The Minister announced that the Intellectual Property Office, in collaboration with WIPO, would host a national consultation from October 6 to 9,

2009, on that topic, and expressed the hope that the event would bring about strong political and practical commitment to enable the commercialization, monetization and exploitation of cultural expressions to aid in the alleviation of global poverty. There was a dichotomy in trying to make copyright work in a digital environment and yet, at the same time, have it work for everyone at nominal cost. The Minister highlighted several of Trinidad and Tobago's success stories in the field of industrial property, and indicated that the Cabinet had approved the establishment of a special purpose company to manage all intellectual property in which the Government had a controlling interest. By virtue of the country's strategic position in the North-South fiber optic highway, it could play a supportive role in fulfilling the mission and vision of WIPO in achieving a key United Nations Millennium Development Goal. The Minister confirmed commitment and unconditional support in respect of the CDIP, and recommended the allocation of the necessary budgetary resources for financing that strategic vision and ensuring effective implementation of the program. He commended the work of various sectors of the Secretariat, stating that there was every justification for WIPO to reinvent itself - through creative evolution and adaptation to devise global systems that realistically balanced all interests by providing equitable benefits to all concerned - as it sought to maintain its relevance in an ever-changing global environment.

59. The Director General thanked the Ministers for their statements and made the following comments on closing the High-Level Segment:

“Thank you very much Mr. Chairman and good morning honorable Ministers and distinguished delegates. I shall be very brief. I want to mark the conclusion of this High-Level Segment by first of all thanking all of the Ministers for their participation. We greatly value their presence here at these Assemblies. Secondly, to say that this was a good opportunity to take a step back and to look from a high political level at some of the issues that we are contending with in the world of intellectual property. In the course of the next 12 months we will be engaged in a very intensive process with the Member States to develop a Medium-Term Strategic Plan for the Organization. That process will start shortly after the conclusion of these Assemblies, and I think that much of what has been said during this High-Level Segment provides rich material for that strategic look at the Organization's program in the medium-term, and how it should evolve in the next four to five years. Indeed, this time next year there would be an opportunity for the High-Level Segment to look at that Medium-Term Strategic Plan itself and to approve it.”

“I will offer just a few brief observations on some of the comments that were made. They were so extensive that I could not possibly seek to address them all here, but I would like, first of all, to express our thanks for the support given by so many of the Ministers for the new strategic direction that has been set for the Organization, as well as for the positive feedback on our capacity building and technical assistance programs. We have noted carefully the particular emphasis that was placed on the need to reinforce technical assistance and capacity building for the Least Developed Countries; the emphasis that was given to national strategies for innovation and intellectual property; the emphasis given to the Development Agenda and the importance of seeing that the Development Agenda continues and is strengthened in the Organization; the emphasis given also to the renewal of the mandate of the Intergovernmental Committee on Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources; the endorsement of the engagement of this Organization in global policy challenges, and the assessment of the contribution of intellectual property is able to make to global policy challenges. Finally a number of

the Ministers have mentioned the structural difficulties that we encounter in the area of copyright and the digital environment and the consequent impact that that is having in terms of piracy, as well as in its counterpart in the physical area of counterfeiting.”

“I thank once again all the Ministers for their participation in this segment. Thank you Mr. Chairman.”

60. The Delegation of Yemen, on behalf of the Asian Group, congratulated the Chair and the members of the Bureau on their election and expressed confidence that the goals of the Assemblies would be achieved under their wise leadership. The Delegation thanked the Director General for his comprehensive report and also his team and the Secretariat for their hard work in making the meeting a success. The Delegation stated that the Asian Group welcomed developments such as the first ever High-level Segment, which provided an opportunity for political dialogue, in addition to the discussion of IP and public policy issues, as well as a High-Level forum on IP for the least developed countries. The Asian Group was pleased to participate in WIPO's success. The Group welcomed the nomination of new Deputy Directors General and Assistant Directors General and thanked the outgoing Deputy Directors General and Assistant Directors General. The Group particularly welcomed the progress made during the Third Session of the CDIP and called on the Secretariat to allocate the human and financial resources required for implementation of the projects to commence promptly in January 2010, and to take into account the development dimensions. The Asian Group welcomed the work of the Audit Committee as a means for strengthening governance, accountability and transparency within the Organization, and noted that the consensus reached by the Member States during the Fourteenth Session of the Program and Budget Committee regarding the composition of the WIPO Audit Committee was a good example of the manner in which Member States could work together to realize their common interests. The Asian Group welcomed the Proposed Program and Budget 2010-2011 and thanked the Director General and his team for taking note of the Member States' comments and suggestions. The Group also welcomed the Conference Hall Project, which would promote the effective participation of all delegations in meetings, and called upon the Secretariat to consider increasing the number of countries receiving funding to facilitate the participation of capital-based delegates in WIPO Standing Committee meetings. The Asian Group supported the renewal of the IGC's mandate and an acceleration of its work toward a tangible outcome. Although most of the Group's members supported a legally-binding international instrument for the effective protection of Genetic Resources, Traditional Knowledge and Folklore, other members felt that the IGC's work should not preclude any outcomes at the current stage. In conclusion, on behalf of the Asian Group, the Delegation expressed its best wishes for a successful meeting and emphasized its readiness to participate actively and positively in the discussions.

61. The Delegation of Ecuador, speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC), congratulated the Chair on his election and commended the International Bureau on the organization of the Assemblies, which for the first time included a high-level segment with more than 40 Ministers of State in attendance. Although no specific topic had been chosen for the High-Level Segment, GRULAC members shared the view that in the future, such segments could focus on a specific theme agreed in advance by the Member States and, as far as possible, conclude with the endorsement of an act or declaration. Similarly, when studying the benefits that high-level segments could bring in the future, thought should be given to the possibility of holding such meetings every two years, in conjunction with the ordinary sessions of the Assemblies of Member States. The Delegation thanked the Secretariat for preparing the documents submitted and expressed special thanks to

the Director General. In his first year at the helm of the Organization, the Director General had focused on practical aspects of interest for the region such as the Development Agenda, the use of flexibilities in public policy, the debate on appropriate mechanisms for the protection of genetic resources, traditional knowledge and traditional cultural expressions, the balanced participation of the various geographic regions in the human resources of the Organization, technology transfer, the strengthening of cooperation and IP training. Naturally, GRULAC hoped that the policy of transparency which the Director General had introduced would lead to other proposals of real interest for the region that would make it possible to develop IP systems properly. GRULAC gave high priority to the full implementation of the 45 recommendations of the Development Agenda and the ongoing endeavors of the Committee on Development and Intellectual Property to ensure that the development dimension was mainstreamed into each of the Organization's activities. In that connection, GRULAC warmly welcomed progress made towards the adoption of a coordination mechanism and arrangements for the supervision, evaluation and submission of reports on the implementation of the Development Agenda that would guarantee the necessary human and financial resources for the implementation of those 45 recommendations within the ordinary Program and Budget for future biennia. With regard to copyright exceptions and limitations, various GRULAC countries had submitted concrete proposals in the Standing Committee on Copyright and Related Rights with a view to facilitating access to knowledge for vulnerable or high priority social sectors in their respective countries, especially in the field of education, libraries, archives and innovative services. GRULAC had further backed negotiations for the conclusion of a WIPO treaty on books for the blind, the visually impaired and other persons with disabilities. Those initiatives, which had been taken in the Latin American and Caribbean region, were in keeping with a new, more people-centered and development-oriented vision of intellectual property. GRULAC was mindful that those proposals had to be taken up without delay and therefore urged Member States to participate constructively and conscientiously in the deliberations. With regard to the budget for WIPO programs, GRULAC was in favor of the adoption of the budget for the 2010–2011 biennium. It recognized the importance of providing the necessary ordinary resources for the implementation of the Development Agenda and earmarking budgetary allocations for the establishment of a special program for small and medium-sized enterprises (SMEs) and specific programs for restructuring the WIPO Academy, for the benefit of the developing and least developed countries. It was essential to be able to count on the necessary financial resources for the technological restructuring of IP offices in the region. GRULAC supported the construction of the new WIPO Conference Hall. It welcomed the Secretariat's efforts to provide more information and ensure greater transparency in the oversight of WIPO finances with a view to presenting a balanced budget that was sufficiently well funded to meet the needs of the Member States as far as the statutory and regulatory obligations of the Organization were concerned. GRULAC supported the vision of the Director General with regard to the optimization of human and financial resources, in particular the "Zero Carbon-Emissions Balance" launched in February 2009 within the UN system and aimed at taking up the global challenges of sustainable development and climate change. Moreover, GRULAC was pleased to see the resumption of debate as well as progress made on the Standing Committee on the Law of Patents. It further welcomed the resumption of deliberations in the Advisory Committee on Enforcement, which was due to meet in November 2009 after a three-year hiatus. Likewise, GRULAC hoped that the deliberations of the General Assembly with regard to the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore would serve to identify common ground between the Member States that would make it possible for that body to renew itself, continue its work and define its terms of reference accordingly. Lastly, the Latin American and

Caribbean region attached great importance to an adequate geographic and gender balance, together with the right professional skills, as far as WIPO staff recruitment was concerned.

62. The Delegation of the Russian Federation, speaking on behalf of the Group of Central Asian, Caucasus and Eastern European States, welcomed participants of the 47th session of the Assemblies and expressed the hope that under the leadership of the new Chair, it would be possible to achieve mutually acceptable results which took into account the interests of all WIPO Member States. The Delegation also expressed satisfaction that a High-Level Segment had been incorporated in the work of the session. The addresses of the ministers of the various countries demonstrated the meaning and influence generated by an IP system as a key factor in securing sustainable development and the achievement of national interests in economics and the social sphere. Intellectual property mechanisms were called upon to influence the enhancement of well-being and standard of living, enabling entry, after the current crisis, into a new technological knowledge-based society. The question was, how could that be done taking into account the interests of all participants in the process? One organization specialized in the field of IP could answer that question: WIPO. Referring to the negative consequences of the crisis, the Delegation also noted the unprecedented coordination of efforts on the part of governments of various countries, aimed at the prevention of financial collapse. During the addresses made, the issues of food security, climate change and poverty reduction were discussed. However, the Delegation emphasized the threat connected with the developed system of views in the IP sphere. In its opinion, the IP system was based on the triumvirate of legal defense, legal protection and utilization. Illegal usage of the results of creative intellectual work, the scale of which achieved the turnover of pirated and contraband, counterfeit goods was not simply malfeasance, it was a real threat which could upset the balance on which the IP system was based. The balance had been achieved because of the coordination and harmonization by States of their national IP systems and measures to prevent piracy. Likewise related to that was the desire of businesses to profit from the competitive principles which lay at the very heart of intellectual property. As research showed, that balance was maintained by several figures as follows: in order to obtain legal protection, a business spent one unit, but in order to protect its interests from counterfeit goods, it spent 25 units. The current crisis had facilitated the development of unfair competition, and an explosion of piracy on the Internet, which had undermined that equilibrium. Those negative phenomena had become ever more complicated by the fact that around four million applications remained unexamined. In that way, until the moment that protection was obtained, the business lacked an interest in the subject matter, since the period of the product's innovation cycle could be compared with periods for conducting examinations. That undermined the foundations of small and medium-size businesses, which essentially became defenseless and were unable to withstand unfair competition and the explosion of piracy. Moreover, efforts made separately by countries were also ill-advised, since they could bring only temporary success. In the Delegation's opinion, it was in that area that WIPO's role was indispensable. The Delegation considered that the 1996 Internet Treaties were morally obsolete, and that legislative standards in international law must in the first instance be directed at regulating and curtailing counterfeiting, piracy and forgery. In that area joint, coordinated efforts were needed. In WIPO itself, a process of strategic restructuring was also underway, i.e., resetting of all strategic targets and programs, which gave rise to definite hope. Over a long period of time the issue of transparency in the disbursement of funds had remained on the agenda. Currently, such transparency had been achieved, but with some disappointment the Delegation noted that financial provision of the development of patent systems in its region had been valued at 22,000 Swiss francs for each country. The Delegation cited that example in order to demonstrate the inadequacy of WIPO's organizational, financial and method-related provisions. The Delegation stated that

in the current year, 150,000 applications for industrial property subject matter were expected to be filed, which was five to seven per cent higher than the number of filings in the previous period. The number of international registrations had likewise increased: 15,000 applications filed under the PCT procedure, 20,000 registrations under the Madrid system, and around 3,000 applications filed under the Eurasian system. All that bore testimony to the concentration of powerful innovative potential in the region. The Delegation believed that such potential must be appraised adequately, something which also corresponded to the interests of the Organization. The Delegation welcomed further reform of the PCT system, and in particular the “Roadmap”. The exclusion of duplication of work expenses and funds gave rise to the need for a review of the system by international search authorities. The criteria in that area should not be quantitative, but qualitative, indicators, with which international search authorities should comply. A constructive resolution of that issue should be reached in the near future. In particular, the Delegation proposed examining and reworking the issue of devising a single standard for international searching authorities, which would allow duplication of work to be excluded and the quality of the results of their activities to be enhanced. Among the positive points, the Delegation noted the holding of summer schools in the countries of the region, in particular in Ukraine, and in Russia, in St. Petersburg. Among the participants was the Governor of St. Petersburg, who had asked for his gratitude to be relayed to the Director General and to the representatives of the WIPO Academy. In conclusion, the Delegation called upon heads of national offices to work constructively and effectively in devising solutions. The Delegation also expressed the hope that the new management team formed by the Director General would approach its work responsibly, and in that regard it could count on the support of the Group.

63. The Delegation of Germany, speaking on behalf of Group B congratulated the Chair and the two Vice-Chairs on their election and thanked the outgoing Chair for his efforts and dedication over the past two years. Group B was looking forward to constructive, efficient and fruitful meetings, was prepared to engage in frank discussions on the many items of the agenda and was committed to making progress on them so as to serve the common cause. WIPO faced many challenges and reforms but could meet those challenges. The 2009 General Assembly was the first comprehensive series of meetings under the new Director General and the high-level segment initiative would provide for enriched discussions. The Strategic Realignment Program was seen as vital to strengthen the Organization and further improve the International Bureau’s performance. WIPO should pursue its work of encouraging creativity and promoting a balanced and effective international IP system to foster economic, social and cultural development for all sectors of society throughout the world. Group B believed that the collective work of the Member States as well as effective communication with the International Bureau would give rise to more extensive discussions on using IP as a tool for innovation and development, and particularly as regards assistance to Member States. Development collaboration had become an increasingly important part of WIPO’s mandate. It noted with satisfaction the progress achieved in the three sessions of the CDIP and saw much value in enhancing the coherence and efficiency of the implementation of the Development Agenda through a thematic approach and hoped that this would facilitate, improve and accelerate its process while keeping to the substance of the 45 recommendations adopted two years ago. Proper implementation of the agreed recommendations would strengthen the capacity of developing and least developed countries to take full advantage of IP. It was obvious that a balanced and effective IP system conducive to social and economic welfare could only be achieved if such a system was globally respected and that it was vital to create an environment in which such respect was promoted sustainably, including but not limited to IP rights enforcement. Group B therefore welcomed Strategic Goal VI entitled “Building Respect for IP” and hoped that that would lead to WIPO taking a more active role

on the subject. As regards the IGC, Group B was concerned that the Committee had failed to agree on a proposal for the extension of its mandate. It reaffirmed its strong commitment to the work of the IGC and stressed the importance of retaining the expertise and efforts of the IGC for addressing unprotected areas of traditional knowledge, traditional cultural expressions, expressions of folklore and genetic resources on the national and international levels. The IGC's mandate thus needed to be renewed. Despite its disappointment at the last IGC session failing to make headway, Group B noted the broad consensus to continue deliberations and stated that Group B would constructively participate in a spirit of open-mindedness and cooperation. As regards renewing the mandate of the IGC during the 2009 Assemblies, Group B particularly believed that the terms of a new mandate should establish a balanced work program, accelerate the work of the IGC and place a high priority on reaching consensus on concrete, achievable international outcomes. Many stakeholders including IP Offices would benefit from a simpler and more harmonized international legal framework, including substantive provisions of Trademark, Patent and Copyright Law, inter alia, and there were already quite a few areas of convergence in national IP legislation. Whilst welcoming the two reports on a variety of non-traditional marks and trademark opposition procedures, the Group B looked forward to other areas of convergence being analyzed in the future. On the work of the SCP, Group B welcomed the continuing valuable work and balanced work program, and stated that the SCP's substantive discussions served to enhance their understanding of the patent system. The Study on the Dissemination of Patent Information, for example, had shown the far-reaching effects of patent information for public welfare and economic advancement in all Member States which went well beyond the realm of the mere patent system. The Conference on Intellectual Property and Public Policy Issues, held in July of this year under the aegis of the SCP had been a success and had very clearly underpinned WIPO's leading role in the discussions of the IPR aspects of today's global challenges, notably, health, the environment, climate change and food security. Group B welcomed that the protection of audio-visual performances and the protection of broadcasting organizations were kept on the agenda of the SCCR and commended the International Bureau for its work in the seminars and informative sessions as that would help to build awareness and consensus. Group B particularly thanked the Secretariat for its efforts to facilitate progress on the protection of audio-visual performances and also recognized the special needs of the blind and visually impaired. Group B supported efforts to find timely and practical solutions for better access to protected works and especially appreciated the initiatives of the Director General. The first-rate global IP services that the International Bureau provided to Member States, particularly as regards patent cooperation, the international registration of marks and of industrial designs, and the Arbitration and Mediation Centre were of paramount importance for all stakeholders and continuing to improve such services in a cost-effective manner had always been and would remain a major strategic goal. Concerning the report of the Second Session of the PCT Working Group, Group B welcomed and supported the principles of the roadmap as a way of organizing work and addressing the critical needs of the PCT system swiftly within the existing legal framework. The principles of the roadmap provided a sound basis to avoid unnecessary duplication of work amongst offices and to supply the users with the high quality products they justly expected from the PCT system. Group B encouraged all Member States to help maintain the momentum of this initiative. Expenditures incurred for the registration of trademarks under the Madrid System, and of industrial designs under the Geneva Act of the Hague Agreement, had already been contained through the use of information technology and it seemed that the first generation of the IP platform on which the operations were run was now outdated. As regards the project to modernize the IT environment, new steps were now required and Group B supported the allocation of the necessary resources because such investments would certainly pay off. Lastly, as regards questions on resources in general, Group B thanked the Secretariat for

having prepared a balanced budget with a prudent estimation of WIPO's revenue for 2010-2011. The Secretariat had chosen to follow a base case strategy which provided for a relatively humble 1.6 per cent decrease in WIPO's income and this had led to a respective decrease in the overall budget envelope for the next biennium. Group B supported the approach that the Secretariat had applied as it believed that a balanced budget was a sound and sustainable way of running the Organization, and endorsed the respective budget decision of the PBC. The discussion in the Program and Budget Committee also served to review the challenges which WIPO was facing on the current initiative to improve transparency, accountability and good governance and Group B indicated that it would be working in a constructive spirit to advance this initiative.

64. The Delegation of Senegal, speaking on behalf of the African Group, warmly congratulated the Chair and the other officers on their election and stressed that the trust that underpinned the election of the Chair was without a doubt based on his qualities as a listener and promoter of dialogue. The Group thanked the outgoing officers, especially the Chair, for the excellent work that they had done during their term of office and also extended its sincere thanks to the Director General and to all his staff for the remarkable work that they had done in preparing the Assemblies. The Delegation commented on some of the subjects which concerned the Group, in particular the implementation of the WIPO Development Agenda, the discussions of the Program and Budget Committee (PBC), which concerned in particular the composition of the WIPO Audit Committee and the construction of a new conference hall, and the renewal of the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. In the context of an ever-changing global economy that was built on new paradigms, many of which were based on knowledge playing a role as a driving force, it was no exaggeration to think that IP strategies should be guided by development and public policy concerns and that any development plan which did not include an IP dimension would be incomplete. Yet, in most African countries, the use of IP as a development tool had not yet reached the level achieved in the Northern States. The reversal of that trend would depend largely on a collective awareness of the wealth that could be created by the use of IP and the need for that use to be adjusted for the purpose of development. Welcoming the initiative to organize a High-Level Segment, the Group hoped that that forum would enable Ministers and other senior officials not only to deliver messages, but also to become more aware of how urgent it was for developing countries to take IP aspects into account properly when formulating national development policies. Furthermore, in a more tangible way, the trend could be reversed by enhancing the value of traditional knowledge, traditional cultural expressions and genetic resources through proper international protection. To achieve that objective, the Group had proposed, at the last session of the IGC in July 2009, that the IGC's mandate be renewed in order to hold negotiations during the 2010-2011 budgetary biennium based on texts concerning traditional knowledge, genetic resources and traditional cultural expressions, with a view to drawing up one or more legally binding instruments. The Delegation considered that, after nine years of discussion, the time had come to achieve concrete acts in order to move forward. The proposal annexed to document WIPO/GRTKF/IC/14/8 Rev. was known to be supported by many countries. The Group was aware of the fact that producing one or more binding instruments was only a means, not an end. It therefore hoped one day to see the peoples of the region market goods or services based on traditional knowledge, cultural expressions and genetic resources which would be protected by intellectual property. The Group also hoped that those peoples would be able to conclude licensing agreements, not as licensees but as licensors, and sell IP assets to enterprises or indeed use them to obtain financing from enterprises. That hope was neither theoretical nor purely hypothetical; there were plenty of illustrative examples already, especially in the area of pharmaceutical products. For all those

reasons, the Delegation, on behalf of the African Group and those countries which supported its proposal, hoped that, in the interests of achieving a balanced platform for the administration of IP, built on rights and obligations, Member States would, in a strong spirit of cooperation and solidarity, do justice to a legitimate request for effective international protection of the community heritage which constituted traditional knowledge, traditional cultural expressions and genetic resources, which was the only effective means of putting an end to their misuse and misappropriation. Furthermore, the Delegation noted that, before the new appointments and changes to the management team, the implementation of the WIPO Development Agenda had been placed under the supervision of the Director General, whereas it was now envisaged that the supervision would be transferred to the future Deputy Director General for Development. The Group hoped that the shift in the level of supervision would not result in a distancing on the part of the Director General and therefore lead to a wavering in his commitment not to spare any effort in ensuring that the implementation of the WIPO Development Agenda was a success. The Group also hoped that the resources allocated to projects developed under that Agenda would be allocated on a projected basis to ensure the immediate implementation of those projects. At the recent session of the PBC, most of the concerns expressed by the Group had been satisfied, even though the amounts obtained with regard to the upward adjustments requested had been symbolic. However, the issue of the creation of two separate programs for Africa and the LDCs, as well as its corollary, the subprogram aimed at Portuguese-speaking African countries, remained a concern. During that same session of the PBC, two issues had been the subject of intense debate: the composition of the WIPO Audit Committee and the construction of a new conference room. With regard to the composition of the Audit Committee, the Group welcomed the consensus reached on the proposal to renew the Committee's mandate for another year and to establish a working group to examine the different options for its composition. The Group also believed that the idea mentioned at the most recent session of the PBC to set up a sort of steering committee within WIPO should be studied in more detail. Furthermore, the Group welcomed the construction of a new conference room which, besides the number of seats and comfort that it would offer to government delegates, could allow WIPO to manage its calendar of meetings better. It endorsed the idea of opening up the conference room to external use without prejudice to the activities of the Organization. The Delegation concluded by indicating that the Group supported the following requests: the appointment of the Egyptian Patent Office as an International Searching Authority and International Preliminary Examining Authority under the PCT, the candidacy of Mr. Adil El Maliki, Director General of the Moroccan Industrial and Commercial Property Office, for the position of Chair of the Madrid Union, and the candidacy of Ambassador Philip Richard Owade of Kenya for the position of Chair of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore.

65. The Delegation of China referred to the statement already made by the Commissioner (Vice-Minister) of the State Intellectual Property Office of China in the High-Level Segment. Regarding the Hong Kong Special Administrative Region of China, attention had focused on reviewing the existing legislative framework aimed at having more effective copyright protection in the digital environment. Topics under review included introducing a technological neutral right of communication, introducing an exemption for temporary copying of copyright works by online service providers, clarifying the role of on-line service providers in combating Internet piracy, and introducing a limited media shifting exception. Following extensive public consultation, proposals were being refined prior to the introduction of the necessary legislative amendments. Attention had also been given to the relationship between company names and trademarks. Abuse of the Hong Kong, China, company name registration system had been observed, with companies registering names very

similar to existing company trademarks, and then presenting themselves outside Hong Kong, China, as having the authority of owners of such trademarks when producing counterfeit products. Legislative amendments would be introduced by the end of 2009 to empower the Registrar of Companies to act pursuant to court orders to direct such companies to change their names and substitute their names with company registration numbers where necessary. Hong Kong, China, would be honored to host a WIPO Regional Symposium in Hong Kong, China, on October 29-30, 2009, having the theme “Management of Intellectual Capital, Intellectual Assets and Intellectual Property”. The Symposium was the climax of the pioneering Intellectual Capital Management Consultancy Program launched in March 2009. More than 240 Hong Kong enterprises had already taken part in the Program. They each received a simple set of management tools to allow them to tap into reservoirs of knowledge and expertise including intellectual property rights that they already possessed but might not be exploiting effectively. That formed the basis of a self-help “prevention is better than cure” approach to intellectual property protection. The Delegation thanked WIPO for the continued support of Hong Kong, China, and looked forward to continued cooperation with WIPO in the coming years.

66. The Delegation of Sweden, speaking on behalf of behalf of the European Community and its 27 Member States, thanked the Chair and congratulated him on his election. The Delegation also thanked the Director General and the WIPO Secretariat for their valuable work in preparing the numerous documents for the Assemblies and for their efforts made throughout the year. The European Community and its Member States (EC) expressed support for the statement made by Germany on behalf of Group B, and reiterated the gratitude expressed by previous distinguished speakers to the outgoing Chair for his work and dedication during the previous two years. The EC looked forward to a constructive, efficient and fruitful meeting and remained committed to making progress on the important issues which would be addressed during the session. The EC supported the development of a balanced and effective international IP system which would promote the economic, social and cultural development of all, and encouraged all other Member States also to have a positive attitude towards the work of the Assemblies. The EC emphasized the importance of IP protection and the work of WIPO, and expressed the wish for WIPO’s work to continue in the same constructive spirit that had characterized the Organization over the years. The Delegation thanked the Director General for his initiative to deepen collaboration through a dedicated High-Level Segment. In the face of an economic downturn, the EC stressed the importance of promoting IP protection due to its significant impact on economic growth and competitive business. It was important that WIPO continued to work with those issues even during the current financial crisis in readiness for economic recovery. The EC reaffirmed commitment to the implementation of the 45 recommendations of the Development Agenda and indicated that progress had been achieved and several thematic projects started. The Committee had proved the ability for Member States to work constructively and build common ground. The EC looked forward to the Fifth Session of the ACE in view of the extent of counterfeiting and piracy in the world and believed it possible for delegations to have rewarding exchanges so as to combat the phenomenon more effectively. The EC expressed satisfaction that issues concerning the protection of audiovisual performances and broadcasting organizations had appeared on the agenda for the 17th and 18th sessions of the SCCR, and remained on the agenda for the 19th Session. The ongoing discussion on exceptions and limitations was also considered useful. As regards the protection of audiovisual performances, the EC hoped that the new initiatives currently being carried out by the WIPO Secretariat, including informal, open-ended consultations among all WIPO Member States would provide a solution to the current deadlock. On the protection of broadcasting organizations, initiatives would be welcome that could move the debate forward

towards a conclusion. Furthermore, the EC remained committed to participating actively in the important and urgent ongoing process to facilitate and enhance access to copyright-protected material for the visually impaired. For the SCP, the EC welcomed the fact that delegations had agreed to instruct the Secretariat to carry out expanded studies as well as new preliminary studies. Progress made during the previous session of the SCP formed an excellent basis for future discussions. Those discussions, if conducted with an open-minded approach, would make it possible to define a balanced work program rapidly. As regards developments under the PCT, the EC strongly supported the initiatives of the WIPO Secretariat on the future of the PCT, welcomed the outcome of the Second Session of the PCT Working Group, and consented to the focus of the Working Group on the improvements of the PCT System remaining within the existing legal framework of the treaty provisions, yet without limiting the freedom of Contracting States to prescribe, interpret and apply substantive conditions of patentability and without seeking substantive patent law harmonization or harmonization of national search and examination procedures. As regards the work of the SCT, the EC welcomed the fact that the SCT had agreed on areas of convergence concerning the representation of non-traditional marks and on areas of convergence concerning trademark opposition procedures. The documents presented by the SCT would be an important reference corpus. The Delegation, speaking on behalf of the EC, recognized the importance of the work carried out by the IGC and expressed deep concern that although there was broad support in the IGC for the renewal of the mandate, WIPO Member States had still been unable to agree on the content of a renewed mandate. Strong efforts were to be made by all Member States to find a solution which was acceptable to all and, in that respect, the EC had submitted a proposal for a renewed mandate that included the adoption by the General Assembly of a declaration on the value of traditional knowledge, traditional cultural expressions and genetic resources, and their protection against misappropriation. The EC remained committed to discussing the future work program of the IGC with all interested Member States. Lastly, the EC noted with satisfaction that the Singapore Treaty of the Law on Trademarks had entered into force on March 16, 2009, and that it provided for a modern and dynamic international framework for the harmonization of administrative trademark formality procedures. The Singapore Treaty would constitute an important instrument in simplifying procedures for applicants and holders of trademark registrations. Both the entering into force of the Treaty and the inauguration of the Singapore Treaty Assembly were therefore significant events. The European Community and its Member States were convinced that positive and balanced results could be achieved on all issues during the Assemblies and called on all WIPO Member States to approach the meeting with a similar positive attitude.

67. The Delegation of Tunisia, speaking on behalf of the accredited Arab Ambassadors in Geneva (Arab Group), welcomed the idea of opening the Assemblies with a high-level segment, thanked the outgoing Deputy and Assistant Directors General and wished success to the new management team. Special importance was attached to the Development Agenda as a means to ensure effective use of the IP system in serving development and integrating development priorities in IP policies. The Delegation called for more efforts and resources to be provided in the CDIP context. The importance of protecting genetic resources, TKs and national folklore was underlined, in view of the direct relation between such protection and economic, cultural and social development of developing countries and, particularly, Arab countries. In that regard, the Delegation expressed concern that the IGC had failed to achieve results, including the conclusion of international binding instruments on the protection of GRTKF, and expressed support for the proposal made by the African Group and other Member States sharing the same view point. The Delegation requested that all WIPO documents and studies be submitted in Arabic and welcomed the proposal by the International

Bureau to prepare a study on that issue. It also called for more human and financial resources to be provided for the Arab Bureau, ensuring enhanced participation in various WIPO committees, and expressed concern that a Director had not been appointed for that Bureau. The Delegation expressed support for the designation of the Egyptian Patent Office as an International Research Authority under PCT. Finally, the Delegation welcomed the outcome of the 2010/2011 Program and Budget process, the report of the Audit Committee, organizational restructuring, and the proposal for the construction of a new conference hall, provided that rationalization of expenditure in the light of the global economic and financial crisis was taken into account.

68. The Delegation of Serbia, speaking on behalf of the Group of Central European and Baltic States, expressed its pleasure at the election of the Chair and the two Vice-Chairs of the WIPO General Assembly and wished that for the next two weeks their work would be successful and smooth and would be to the satisfaction and benefit of all WIPO Member States. The Delegation proposed to share the views of the members of the Group of Central European and Baltic States. After expressing warm thanks to the Secretariat for the efforts deployed in preparing all the documents for the 47th series of meetings of WIPO Member States and for the consultations convened prior to the start of the Assemblies, the Delegation confirmed the support of the Group of Central European and Baltic States for the Director General and his team and encouraged implementation of the program of reforms, aimed at a more rational and efficient management of the Organization. The Delegation hoped that those reforms would move the Organization to higher productivity levels and would result in strengthening WIPO's potential to address global challenges and to contribute to the economic, social and cultural development of its Member States. The Delegation was confident that the new WIPO top management, including the recently appointed DDGs and ADGs, would show their commitment to transparency, concrete results, quality work and the timely delivery of the services offered by the Organization. The Delegation welcomed professional behavior and strongly encouraged and supported its continuation and suggested that if all partners in the relationship assumed their responsibilities, WIPO would evolve into a more result oriented and innovative Organization. The Delegation hoped that WIPO would strengthen its leading position in developing the international normative framework for intellectual property and gave the support of the Group of Central European and Baltic States to initiatives in that respect. The opportunity was taken to express appreciation for WIPO's initiative in organizing a High-Level Segment during the Assemblies of Member States. Such high-level meetings could be useful for advancing multilateral discussions on various IP and development related issues. The Group of Central European and Baltic States fully supported the strategic realignment of WIPO and encouraged the Audit Committee to continue monitoring its implementation and reporting on the progress. Support was voiced for the Secretariat strategy aiming at eliminating duplication of efforts, mainstreaming development within WIPO activities and adopting a rigorous methodology that would be project driven. The Delegation had witnessed the sessions of various WIPO Committees during the year, including the last PBC Session, and reiterated the point made during the 46th series of meetings of the Assemblies of Member States that it would be necessary to find ways to speed up the work of the various Committees. The Group of Central European and Baltic States recognized the importance of the Development Agenda for a great number of Member States and would be ready to facilitate its implementation such that it should yield tangible results. The Delegation strongly supported a balanced Program and Budget based on principles such as value for money and a culture of performance and quality, and further supported the implementation of the Program and Budget in that sense. The Delegation expressed its trust in the promises that the different WIPO sectors and divisions would be given necessary resources, particularly human resources, that would allow them to develop and implement IP

related projects in respective countries and regions. The Delegation reaffirmed the interest of the Regional Group in a well-balanced, representative composition of highly professional staff in the WIPO Secretariat. Due to having witnessed some kind of a stalemate on some crucial matters over the past few years, the Delegation wanted to recall that WIPO, as an intergovernmental organization within the UN System, should follow an approach that reflected the interests, priorities and concerns of its Member States. The Delegation called for the Member States to help move forward the work of the Assemblies on substantial issues and on a consensual basis and offered the support of the Group of Central European and Baltic States by taking part in the discussions with an open mind and in a constructive spirit.

69. The Delegation of Turkey commented that the Director General's initial year of service had already proved that WIPO would gain a more dynamic structure under his guidance and that the management teams would enhance WIPO's effectiveness in promoting innovation and awareness of intellectual property rights. Among the wide-ranging activities carried out the previous year, the Delegation particularly welcomed the Strategic Realignment Program and the studies in the field of alternative dispute resolution. The Delegation noted that the global economic crisis of 2008 was still taking its toll on developed and developing countries - specifically, the crisis had adversely effected investment in innovation and there was, in that regard, greater need for WIPO's guidance, leadership and initiatives and for countries to cooperate and learn from each other. The Government of Turkey was aware of the issue and wanted to preserve the recent years' high performance: Turkey ranked among the top three countries in Europe with regard to the number of trademark applications and design applications and had the second-highest rate of increase in the world in patent applications. The Delegation emphasized that the government of Turkey continued to provide substantial financial assistance to R&D activities despite the financial constraints, and noted the importance of stronger IP protection. It was widely accepted that there should be certain protection standards to ensure that the long-term progress of innovation was not undermined by infringements. The Delegation commented that Turkey had always been at the forefront in pursuing advances in IP protection since the introduction of its first trademark law in 1871, which was the second in Europe. Through the development of its IP system, Turkey became party to most of the major international agreements concluded within the framework of WIPO. Turkey had also taken part in the establishment of the European Patent Office and had fully revised its national legislation in 1995 upon accession to the European Customs Union Agreement. It had also established the Turkish Patent Institute (TPI) as a specialized institution solely responsible for the registration of industrial property rights. The Delegation outlined some of the developments achieved in the area of IP rights in Turkey over the previous year, which showed a clear desire to protect the interests of intellectual property rights holders and in doing so establish a knowledge-based economy through faster innovation and competitiveness, an objective which, on a global level, WIPO alone was able to promote. The TPI had been carrying out awareness-raising and informative activities which had resulted in a marked improvement in terms of quality and productivity, despite the heavy workload. Business support activities were also being carried out for SMEs and entrepreneurs, and cooperation and information sharing with stakeholders had been improved through collective projects and the signing of protocols. Furthermore, the Delegation said that the TPI was developing its practical knowledge and strengthening communication with industry under a patent search project which was designed to enhance the innovation capacities of SMEs. The TPI had also organized patent seminars in collaboration with local chambers of commerce and universities. Progress had been made with regard to the online search service and online application system and there had been an increase in the number of e-filing applications for patents, trademarks and industrial designs in 2008. The TPI's website had also been updated and reorganized, including the addition of an information

section and database containing the answers to frequently asked questions. Other developments included the introduction of an automated telephone line which provided an instant update on the status of applications and plans for a postgraduate course in IP to be developed in collaboration with WIPO and the EPO Academy. The TPI continued to administer bilateral cooperation protocols with the IPR Offices of other countries and had recently signed protocols with offices in China, Tunisia, Syria and Albania. The Delegation explained that Turkey and the United Nations Economic Commission for Europe had organized a workshop on the role of IPRs in technology transfer problems and solutions, the aim of which was to allow the exchange of good practices and experiences relating to the management of IPRs and technology transfer issues. In 2008, the Turkish Intellectual and Industrial Property Rights Coordination Board had been established, the purpose of which was to promote effective cooperation between relevant institutions. The Board had the authority to invite other public institutions and private sector representatives to discuss topical issues such as the EU accession process and national IP strategies. The Turkish Design Advisory Council had also been established in 2009, with the main function of creating the national design program and helping to implement design policy and strategy. The Delegation said that WIPO should strengthen its normative framework, particularly since in the last decade it had been unable to succeed in adopting new treaties or making new moves with regard to different areas of IP. The recent failure of the IGC to renew its mandate was a case in point. The Delegation hoped to see the IGC start discussions with a renewed mandate. Still on normative matters, the Delegation emphasized the importance of guaranteeing the access of the visually impaired to copyright material. On the contribution of WIPO to the developing world, the Delegation expressed satisfaction with the significant progress that had been achieved with the Development Agenda since 2006 and looked forward to the effective implementation of the agreed proposals that were taken up in the new and important CDIP. The Delegation believed that the Development Agenda and the work carried out by the CDIP would have a positive impact on WIPO's committees and the international IP system since it also served as a review mechanism on the functioning of the relevant WIPO department. The Delegation concluded by confirming that intellectual property had grown to be a major factor in the economic lives of the people in almost every country and expressed confidence that WIPO, as a UN Specialized Agency, would continue to foster awareness of IP as an instrument for economic development and creativity even in such difficult circumstances. In the context of a globally changing information environment and the inter-linkages between global problems and intellectual property rights, WIPO had an important role to play in promoting better understanding of the issues as well as in developing solutions. The Delegation thanked the Director General for his initiative with regard to the global conference on IP and public policy issues and concluded by expressing its highest consideration for WIPO and the Director General, and in wishing all the Member States fruitful deliberations during the Assemblies.

70. The Delegation of Iran (Islamic Republic of) associated itself with the statement made by Yemen on behalf of the Asian Group. It looked forward to WIPO's support for developing countries in establishing and promoting policies and procedures to ensure transformation of IP into an effective engine for economic growth and for building the required knowledge-based economic capacity in its Member States. The Delegation requested that WIPO consider the various needs and characteristics of countries in its technical assistance programs and continue the further improvement of the institutional capacity of Member States to enable them to meet the requirements of the IP system in their respective development aims. The Delegation highlighted the cooperation between the Islamic Republic of Iran and WIPO in the preceding year through the WIPO National Seminar and Workshop on Industrial Design in Teheran in April 2009, and requested further technical assistance and capacity building in the

future. The strong determination of the Government of the Islamic Republic of Iran in combating piracy and counterfeiting was emphasized by the Delegation which stressed that the existing customs, traditions and cultural diversities of the different Member States should be also taken into account in the protection of intellectual property rights. In recent years, the Islamic Republic of Iran had adopted appropriate measures regarding the protection and promotion of intellectual property rights at the national level, which included inter alia: the final approval of accession to the PCT; the approval of the bill on trademarks, industrial designs and geographical indications; the start of automation of the IP office with WIPO assistance; the preparation for accession to international treaties on industrial property including the Hague Agreement; the preparation of the draft bill on protection for utility models and prevention of unfair competition; the celebration of World IP Day; the promotion of the knowledge of IP through the establishment of IP law courses; the improvement of the National Industrial Property Office and the creation of a committee for protection of Iranian carpets internationally. The Delegation reiterated the urgent need for a legally binding instrument to protect the intellectual property rights for Genetic Resources, Traditional Knowledge and Folklore (IGC) and extended its support of the renewal of the IGC's mandate and acceleration of its work including the establishment of a benefit-sharing system, calling for the work program for the IGC to be clearly defined to let Member States pursue text-based negotiations. The Delegation stressed the need for development to be mainstreamed in the existing WIPO activities for the speedy implementation of the 45 recommendations under the WIPO Development Agenda. The Delegation maintained that the successful and concrete implementation of the programs of the CDIP would prove the commitment of WIPO as well as of all Member States to create a more effective and balanced intellectual property regime. In that regard, the Delegation added that the adequate financing of CDIP-related projects through the regular budget and the creation of a coordination mechanism for Development Agenda implementation was indispensable. In conclusion, the Delegation requested that the General Assembly carefully consider the recommendations made by the Audit Committee in its report and act upon them, with the belief that the implementation of those recommendations would transform the Organization into a more efficient UN body. The Delegation also requested that the Secretariat would ensure the equitable geographical distribution of posts within the Organization according to the rules and procedures of staff recruitment in the United Nations.

71. The Delegation of Singapore congratulated the Chair on his election and joined other Delegations in committing to work towards a satisfactory conclusion to the meetings of the Assemblies of Member States. Having thanked the Director General for his leadership in initiating the reform and renewal process and pledging its support in advancing those efforts, the Delegation went on to welcome the recommendations presented by the Program and Budget Committee, which embodied, not only the Director General's vision for WIPO, but also the hopes and aspirations of the entire membership. The Delegation stated that it fully supported WIPO's program and strategic objectives, and welcomed the recommendations of the Audit Committee as a positive step in strengthening governance and oversight in WIPO. In that context, the Delegation pointed out that the Audit Committee's recommendations merited deeper study and deliberation. The Delegation expressed its happiness in having hosted the Director General's visit to Singapore which took place in July 2009 and had provided the opportunity for the Director General to meet with the heads of IP Offices of APEC economies and thus demonstrate the Director General's commitment to the Asia-Pacific Region. During his visit, the Director General had also had an opportunity to address delegates to the Trading Ideas Symposium (an APEC side event organized by Singapore) on the impact of the financial crisis on the IP system. The Delegation stressed that Singapore shared WIPO's commitment in promoting IP to support social and economic

development and referred to Singapore's MOU with WIPO for joint cooperation activities in the field of IP. Furthermore, Singapore had conducted and planned to continue to conduct, each year, a number of useful capacity building activities and dialogues relating to policy. Those activities covered key areas such as public health, innovation and IP, and the formulation and implementation of national development plans. In 2009, Singapore had jointly conducted workshops with regional participants on policy options in the application of copyright law and on patent information. The Delegation indicated that Singapore planned to hold a forum on copyright and related rights later in the year. Turning to the provisions under the Singapore Treaty on the Law of Trademarks, the Delegation hoped to see more WIPO technical assistance programs benefiting developing and least developed countries. It stressed Singapore's readiness to share its experiences and to lend its technical expertise in cooperating with, and supporting, technical assistance programs by WIPO, especially for the Asia Pacific region. Singapore had provided facilities for the WIPO Arbitration and Mediation Center to establish a new office to serve Member States in the Asia Pacific region, and was collaborating with the WIPO Arbitration and Mediation Center to develop an international WIPO mediation and arbitration scheme for film-related disputes. The intention of the scheme was to draw on WIPO's arbitration and mediation expertise to serve the specific dispute resolution needs of the film industry. At this point the Delegation took the opportunity to commend WIPO for its good work carried out in the area of dispute resolution relating to Internet domain names at a global level. The Delegation then stated that Singapore was continuing its efforts to improve its national IP regime, efforts that included finalizing changes to the scope of its Copyright Tribunal to hear and resolve disputes so as to serve the needs of IP right owners and users more comprehensively, the completion of a public consultation on proposed changes to its patent regime to improve the quality of patents granted under its laws. The Delegation confirmed Singapore's continued emphasis on the importance of respect for IP through investment in outreach activities. Efforts in that regard focused particularly on young people. The Intellectual Property Office of Singapore (IPOS) had organized IP awareness talks in schools and conducted an annual IP champion camp for students. During the 2009 camp, the students were taught illustration skills and a basic understanding of copyright and had participated in a comic strip design competition depicting the importance of respecting copyright. The camp inculcated in its participants an appreciation of the effort necessary in creating IP. The Delegation referred to its strong belief in the value of IP management capabilities for businesses and its hard work in equipping Singapore's small and medium-sized enterprises (SMEs) with the requisite know-how to successfully turn their IP into a competitive advantage. The capacity to obtain such a competitive advantage was, in the opinion of the Delegation, important for SMEs in all countries, whether they be developing or least-developed. The Delegation reported on outreach to more than 2,000 SMEs with the intention of making them more aware of IP and the importance of IP management. Indeed over the past three years approximately 120 SMEs had embarked on a more comprehensive review of their IP management systems and capabilities through a program for IP Management for SMEs, and the Delegation also referred to its engagement with public sector agencies and its training of public officials so that they could provide better management of IP in the public sector. The Delegation stated that its efforts benefited from the close cooperation and support of WIPO and its officials and from that perspective wanted to thank the outgoing WIPO Senior Management Team for its efforts and contributions over the past years as well as looking forward to working with the incoming Senior Management Team to strengthen the existing partnership. The Delegation expressed its confidence that WIPO, under the able stewardship of the Director General, would continue to play a leading role in maintaining a responsive and effective international IP system.

72. The Delegation of Australia stressed the important role of intellectual property for the achievement of public policy objectives with an emphasis on economic development. It was in the interest of all WIPO Member States to ensure that the international intellectual property system was able to respond to the various challenges that had arisen from rapidly evolving technological, economic and social circumstances. Australia had a strong interest in issues under discussion in the IGC, due to its megabiodiversity, vibrant indigenous culture, and established and growing biotechnology industry. Not only did the IGC have cultural and commercial implications for Member States, it also had been identified as a means of broadening intellectual property to make it more relevant and responsive to the interests of people in the developing world and indigenous populations everywhere. For that reason, the Delegation expressed deep disappointment in the failure of the Committee to agree on a recommendation to renew its mandate, and expressed hope that the General Assembly could progress on that issue. The Delegation called on all Member States to demonstrate the flexibility necessary to agree on the terms for an extension of the IGC mandate that would deliver tangible and meaningful outcomes in that important area. The Delegation welcomed the progress achieved so far by the CDIP and supported the continuing implementation of the Development Agenda. It acknowledged the work of the SCCR including a continuation of constructive work on the protection of audiovisual performances and broadcasting organizations. Australia emphasized its commitment to the development of effective and timely solutions to the special challenges faced by the visually impaired. The Delegation also recognized the ongoing work on the reforms to the PCT system which would provide practical steps to improve the system without impacting on the sovereignty of contracting States.

73. The Delegation of India congratulated the Chair on his election and said that a crucial juncture had been reached in the development of an international IP regime that was not only equitable and progressive but also reflected the concerns of the developing countries. It also congratulated the Director General on having completed his first year in office and said that it had been a challenging year, with the world facing one of the worst global slowdowns. It appreciated the Director General's leadership in steering the Organization through a fairly difficult period. Addressing the concerns of a vastly dissimilar world in which stimulating innovation and disseminating technology were both vital for sustainable development was one of the key challenges facing WIPO. In recent years, India had introduced a number of initiatives to develop an IP regime which was vibrant, modern and in line with its development needs. It was implementing the second phase of a very comprehensive modernization plan to develop the soft and hard infrastructure and enhance the efficiency of its IP offices. The measures included the introduction of an e-filing facility and digitalization of the patent, trademark and design records and significantly enhancing the human resources of its IP offices in terms of both quantity and quality. Learning was the indispensable investment required for success in the information age. The National Institute of Intellectual Property Management was being developed as a national center for excellence in training, education and research. With the measures being implemented, the Indian IP Offices should soon be able to perform satisfactorily the functions of international searching and international preliminary examining authority. With regard to the Development Agenda, the Delegation was pleased that it was in the implementation phase and considered it to be a positive step towards achievement of WIPO's mandate as a United Nations specialized agency which supported the socio-economic development of its Member States. The project-based approach adopted at the third session of the CDIP for the implementation of the recommendations of the Development Agenda had its benefits given that it set out specific time-bound monitored outputs. The Delegation hoped that such an approach would also make it possible to examine the project's impact on achieving the spirit of a particular

recommendation and therefore facilitate further intervention in the area. It wished to see greater focus on innovation promotion and IP wealth creation in developing countries through technical assistance and capacity building with particular emphasis on small and medium-sized enterprises. It was essential that adequate human and financial resources were provided for effective implementation of the activities agreed upon and that resources were allocated promptly to the remaining projects under the Development Agenda. It hoped to see the effective mainstreaming of the Development Agenda with the deployment of adequate resources. India had been involved in very fruitful cooperation with WIPO with regard to technical input and capacity-building programs conducted under the bilateral framework. In his acceptance speech the previous year, the Director General had highlighted pendency issues in patent offices around the world and had stressed the need to systematically address the problem. His concern had been reflected in the deliberations of the PCT working group over the previous year. The need for an efficient PCT system could not be stressed enough. It was essential, however, that procedural reforms respected the core of the PCT which provided for sovereign rights while determining the scope of patentability. It was also to be borne in mind that the Member States of WIPO were at different levels of development and efforts to streamline and harmonize procedures across patent offices around the world needed to recognize those differences. Developing countries needed their national space and needed to develop their IP systems at their own pace and based on their own capacities. With regard to its pioneering initiative of setting up a traditional knowledge digital library (TKDL) to create an institutional framework for the defensive protection of Indian traditional knowledge, India had concluded a TKDL Access Agreement with the European Patent Office (EPO) in February 2009, which enabled EPO examiners to use the TKDL for search and examination purposes including the citation of TKDL printouts. However, no third-party disclosure was permitted under the TKDL Access Agreement. One of the most important agenda items to be discussed by the General Assembly was perhaps the extension of the mandate of the IGC. The Delegation was strongly committed to an extension of its mandate and believed that it was time to make meaningful progress in the extensive and valuable work done over the previous nine years. The IGC should undertake text-based negotiations with the objective of developing a legally binding international instrument on genetic resources, traditional knowledge and folklore within a clearly defined timeframe. India urged Member States to demonstrate the necessary political will to take that process forward. In that context, efforts to undermine the flexibilities available under the TRIPS Agreement by stretching the definition of counterfeiting to prevent the flow of affordable and genuine generic drugs to the developing world had an adverse effect on the legitimacy of the global IP framework. With regard to the special provisions relating to persons with disabilities in accessing copyrighted works, the Delegation appreciated the efforts made by the Secretariat to establish the stakeholder's platform and to suggest a future plan of action. While it supported the continued activities of the stakeholders' platform, India believed that there was a need to move beyond that, with a view to bringing in positive international obligations to facilitate access to copyrighted material in special formats for disabled groups. In that context, India reiterated its support and commitment to the initiative taken by Brazil, Ecuador and Paraguay to move towards an internationally binding obligation to protect the disabled. It was fully committed in principle to developing an internationally binding instrument. On the protection of broadcasting organizations, India reiterated its commitment to comply with a signal-based approach, as mandated at the 42nd session of the General Assembly in October 2006, to develop a treaty to protect broadcasting organizations in the traditional sense. India was willing to engage in any constructive discussion to achieve an agreement on the nature, scope and object of protection of broadcasting organizations. Development was to be made more sustainable and that meant fostering and nurturing innovation and allowing the speedy transfer of technology. The challenges posed by climate change added a critical dimension to

the problem. The development and deployment of new green technologies across sectors should be accelerated so that the economies of scale could bring the benefit of lower costs. The national IPR regime and the global IP system needed to be seen as facilitating the resolution of the key global challenges of climate change, sustainability and food security. As the Director General rightly pointed out, the global IP regime was facing considerable pressures not only from a very dynamic external environment but also as a result of developments that called upon the IP system to broaden its horizons.

74. The Delegation of Thailand looked forward to a constructive working relationship with the new Chair and assured him of its support. Thanks were extended to the outgoing Chair and the outgoing senior management team, and a close working relationship was anticipated with the incoming team. The Delegation associated itself with the statement made by the Minister of Cambodia, on behalf of ASEAN. The Delegation expressed its admiration with relation to how, over the course of the past year, the Director General had managed to ensure progress of a number of important issues in WIPO. Thailand, currently holding the Chair of ASEAN, provided its assurance that ASEAN was ready to extend its full cooperation and support to move forward the WIPO agenda. The delegation stated its belief that while it sought to address each issue individually, it was imperative to simultaneously promote a spirit of dialogue and cooperation and to build bridges. Indeed, the Delegation expressed the need to look at issues from broader and fresh perspectives. The Delegation agreed with the Director General's earlier comments relating to capacity building, specifically referring to his remarks relating to the importance of creating linkages between economic objectives, priorities, resources of countries and the use of intellectual property such that intellectual property spoke the language of economic circumstances as well as social context. The Delegation stated its belief that such a line of thinking should apply to other areas of WIPO's work as well, including norm setting. On behalf of the Thai Government, the Delegation thanked WIPO for the technical assistance rendered to Thailand, namely conducting a study on collective management of copyright and related rights and the organization of national and regional seminars in Thailand on different topics, such as creative industries and IP management. In the context of beginning the deliberations to set WIPO's mandate for the next year and beyond, the Delegation alluded to some key points that it would like to make. With relation to the Development Agenda, the Delegation supported the setting up of a coordination mechanism to ensure coordination between relevant WIPO committees. Moreover, an appropriate and efficient budget and resources should be adequately allocated to the projects endorsed by Member States such that shared goals might be transformed into operations. The step-by-step implementation of proposed projects by relevant WIPO committees would ensure that, over time, the effort exerted and the good faith expressed during technical deliberations under the responsibility of the different bodies would produce desirable outcomes. Indeed, the Delegation stated that it had always supported mainstreaming the work of the WIPO Development Agenda into the activities of other WIPO committees due to the cross-cutting nature of the work. External relations with other relevant international organizations, including WHO and WTO, should be maintained and those international organizations should be encouraged to share their work and expertise relating to IP and development. The Delegation asserted that Thailand, like several other WIPO Member States, sought to preserve its traditional knowledge and cultural uniqueness. There was a growing need for effective protection of intellectual property and cultural capital. It was the hope of the Delegation that intensifying efforts in that area would eventually lead to the creation of an appropriate solution for adequate legal protection of TCEs and TK at the international level. For that reason the Delegation supported the extension of the mandate of the IGC for the 2010/2011 biennium and urged members to intensify both bilateral and plurilateral exchanges as well as exercising flexibilities with a view to unblocking the current

impasse. Creative economy was Thailand's flagship policy and the official launch of that policy by the Prime Minister in August 2009 had received much publicity. Nevertheless, the Delegation attached more importance to Thailand being able to ensure a significant level of actual implementation of government pledges to strengthen the IP regime, introduce necessary legislative changes, increase access to funds and funding sources by creators and inventors, to step up efforts to curb piracy and counterfeiting and to build human resource capacity. During the implementation phase, the strong support of WIPO was vital. The Delegation pointed out that the nature of creative sectors required good IP infrastructure, both regulatory and institutional, to encourage further investment and sustain growth and development. Thailand had devised a national IP strategy which was endorsed by the Council of Ministers in July 2009. Thailand's strategy covered six policy areas along the IP value chain that started from creation and included protection, public education and awareness, suppression of rights violation, finance utilization and commercialization. Those were policy issues that WIPO dealt with on a regular basis. The national strategy could serve as a vehicle to deliver future WIPO capacity building activities in Thailand and from that perspective the Delegation expected to work closely with WIPO in those areas and contribute to the discussions in relevant committees. The Delegation was particularly pleased to inform the membership that Thailand would become the 142nd Contracting State of the Patent Cooperation Treaty upon the deposit of Thailand's instrument of accession the following day with the consequence that in three months time nationals and residents of Thailand would be able to file applications through the PCT and enjoy the benefits of the system. The Delegation concluded by hoping that the flexibility and cooperation amongst members of the Assembly would promote mutual understanding, help the deliberations of the Assembly and achieve a successful outcome.

75. The Delegation of Cameroon commended the Director General on his competence and foresight in handling the Organization's affairs and thanked the Secretariat for the quality of the organization of the Assemblies. The Delegation also paid tribute to Mr. Martin Uhomoibhi, Ambassador of Nigeria, for his work over the course of his mandate as Chair of the General Assembly of WIPO and congratulated Mr. Alberto Dumont, Ambassador of Argentina, on his election as Chair of the General Assembly. Cameroon supported integrating IP and innovation strategies in national development programs and, by means of the research-development equation, aimed at making companies more competitive and fostering economic diversification. Cameroon, a founding member of the African Intellectual Property Organization (ARIPO), had participated in the International Conference on Intellectual Property and Economic Development, jointly organized by ARIPO and Senegal. The Conference had given rise to some important prospects for developing IP in Cameroon and Africa, which required the participation of partners. WIPO was expected to build capacity by means of training and starting businesses which created jobs, and access to technical information was also considered crucial. Topics of note, from among the challenges facing the international community, were the promotion and popularization of IP rights as well as issues relating to access to medicines, the Patent Law Treaty, and genetic resources, traditional knowledge and folklore. Cameroon placed special emphasis on promoting IP, which had undergone in-depth reforms for many years both in institutional and legislative terms. The Delegation stated that the priority for Cameroon, which had more than 200 ethnic groups, was to use IP as a tool for improving the quality of life by creating sustainable wealth. The Delegation listed various activities carried out by Cameroon with the support of WIPO and ARIPO, in particular: developing a national IP strategy, the project to create a national IP center, organizing in Yaoundé an international colloquium on IP in the knowledge economy and in Douala a national seminar for SMEs on IP. It would be useful for WIPO to develop some audiovisual or similar media explaining the importance of IP. Cameroon had also

recently organized several major events: the celebration of World Intellectual Property Day on April 26 and African Intellectual Property and Technology Day on September 13, the holding of National Technology Days, organizing the Anti-Counterfeiting and other Infringements of IP Rights Week, the International Crafts Fair, and the National Scientific Research and Innovation Fair. Cameroon was also continuing its public awareness campaign on IP, including by means of activities for companies, civil servants and students. The Delegation had been delighted at the visit by senior WIPO officials to Yaoundé in April 2008. In the field of copyright and related rights, four collective rights management societies had been created (SOCADAP, SOCILADRA, SOCAM and SCAAP) but had encountered enormous difficulties. In the field of scientific research, the Delegation hoped that WIPO would strengthen awareness-raising for researchers as to the benefits of IP. In the field of culture, the issue of protecting genetic resources, traditional knowledge and folklore was still relevant currently and the Delegation expressed the firm hope that the mandate of the relevant Committee would be extended and that discussions would lead to the conclusion of a binding legal instrument which ensured the protection of Cameroon's heritage. In conclusion, the Delegation expressed the determination of the President of Cameroon, Mr. Paul Biya, to develop an appropriate forum and means devoted to IP and to step up cooperation between WIPO and Cameroon.

76. The Delegation of Botswana congratulated the Chair and indicated its commitment to participating fully in the discussions of the many developments that had occurred since the last meeting. Referring to important developments in Botswana's intellectual property regime, the Delegation pointed out that intellectual property had been recognized as an important area in economic development and diversification, as reflected in Botswana's national vision, known as Vision 2016. Concerted efforts had been made to reform intellectual property legislation to ensure that national laws were aligned with international treaties. Botswana had also created an Innovation Hub intended to spearhead innovative projects by inviting companies with the right know-how to set up in Botswana and develop home-grown solutions. The Delegation acknowledged the IP development assistance received from the WIPO Secretariat. Botswana had received technical assistance in the drafting of a Copyright and Neighboring Rights Act, which enabled the establishment of the Copyright Office, strengthened copyright enforcement and reduced piracy, imposed a levy on technical devices, and established a Collective Management Organization (CMO). WIPO had also played a pivotal role in drafting Botswana's Industrial Property (Amendment) Bill 2009. The Bill was a major achievement for the development of Intellectual Property in Botswana since it was intended to enhance Botswana's global competitiveness. New provisions included protection of geographical indications, integrated circuit layout designs, traditional knowledge and handicrafts. The protection of traditional knowledge and handicrafts was at the heart of Botswana's community development. Botswana wished to provide adequate protection in order to curb exploitation of traditional knowledge without benefits accruing to communities. Botswana had benefited from WIPO's technical assistance in the modernization of the Industrial Property Office. The project had involved providing IT equipment and deploying the Industrial Property Automation System (IPAS). In February 2009 WIPO had also trained Industrial Property Office staff on the Patent Cooperation Treaty (PCT). A course on Copyright and Related Rights in the Global Economy had also been organized with the co-sponsorship of the Government of Sweden. Commending the work of WIPO in assisting developing countries such as Botswana, the Delegation believed that greater effort was needed for developing countries to share the benefits of intellectual property with developed partners. It was important for WIPO to understand the different needs of developing countries. The Delegation called for concerted efforts to forge alliances and establish national frameworks to guide cooperation. At the regional level, Botswana was

an active member of the African Regional Intellectual Property Organization (ARIPO). Botswana would host meetings of both the Council of Ministers and the Administrative Council of ARIPO in Gaborone, Botswana from November 23 to 27, 2009. The meetings would discuss the adoption of a regional instrument to protect traditional knowledge and traditional cultural expressions, the harmonization of Industrial Property and Copyright Offices in Member States, and national studies of the contribution of intellectual property to economic development. In conclusion, the Delegation reiterated that national and regional protection of traditional knowledge, cultural expressions, folklore and genetic resources, and other intellectual property issues would benefit from greater consensus within the international community. The Delegation had underscored this message during the meeting of the Intergovernmental Committee in July 2009. The Delegation registered regret at the conclusion of the Committee's discussions and hoped that a more favorable conclusion would now be reached. The Delegation looked forward to a successful outcome of the Assemblies.

77. The Delegation of Pakistan expressed confidence in the ability of the Chair to lead the Assembly to a successful conclusion. The Delegation aligned itself with the statement made by the ASEAN group coordinator. It was looking forward to the proposed Medium-Term Strategic Framework. With key positions now having been filled, the Delegation hoped for tangible progress so that WIPO remained relevant on the IP landscape and regained the ground lost as a result of "forum shopping". The Delegation welcomed the progress made in the past year towards the implementation of the Development Agenda recommendations, the new dynamism imparted to the process, and the initiatives to take on board the concerns of all stakeholders. Effective implementation of the Development Agenda required a clear distinction between Development Agenda programs and regular technical cooperation activities. Even if there were some overlap, it should be made clear that the Development Agenda recommendations affected all areas of work at WIPO. The Organization's policy and analytical work would have to be development-oriented to give pro-development outcomes of the normative discussions. The Development Agenda should not be reduced to an array of technical assistance activities that duplicated on a larger scale what had already been achieved. The Delegation expressed concern over the continued impasse affecting the IGC since it might have repercussions on the Organization's other normative initiatives. Clearer principles and norms were needed to protect GRTKF and prevent their misappropriation. The issues of disclosure of origin, benefit sharing, prior informed consent and defensive protection needed to be addressed before WIPO became marginalized as other organizations moved forward with the IP norm-setting agenda. Pakistan was co-sponsoring the African Group's proposal regarding the renewal of the Mandate of the IGC on GRTKF and supported timely text-based negotiations on a legally binding instrument. On patents, the Delegation was concerned about shortcomings that stifled innovation and made it costly for developing countries to acquire and develop new technologies, and noted that the patent system was overloaded. Carefully considered measures were needed to enhance the efficiency of the patent regime without compromising available flexibilities and policy space. Regarding the SCCR, the Delegation expected discussions and progress on exceptions and limitations, since that area contributed to granting access to educational and scientific material, and looked forward to measures to enhance access to published materials for the visually impaired. On enforcement, the Delegation expressed concern at a one-dimensional approach that focused on ever stricter enforcement measures. Economic benefits for all IP system stakeholders needed to be increased. Regarding oversight, the Delegation took note of the important work of the Audit Committee but was concerned about the reported failure of the Secretariat to comply with certain Audit Committee recommendations, and the inadequate opportunity for Member States to examine the Audit Committee's reports. The Delegation was currently working on four initiatives at WIPO: (1) Pakistan together with Algeria and Brazil had tabled

a proposal to establish a Coordination Monitoring and Assessment Mechanism for the implementation of Development Agenda recommendations. The Mechanism would be discussed at the CDIP meeting in November 2009. (2) The Delegation intended to make a proposal on the implementation of recommendation 38 regarding Impact Assessments. The lack of impartial impact assessments was a brake on progress in the normative area. The proposal would be made available to the Member States for consideration at the CDIP meetings. (3) Pakistan and other co-sponsors intended to table a proposal on “Creating an Enabling Environment for Building Respect for IP” at the ACE session in November. The only way to build respect for IP was to address concerns relating to access to and affordability of key goods. The economic stakes of all Member States in the IP system also needed to be increased. (4) Pakistan and like-minded countries were working on a fair geographical representation on the Program and Budget Committee and the Coordination Committee, where all regional groups should be represented equitably. For WIPO to become the forum of first choice on IP issues, IP had to provide equal opportunities and safeguard the interests of all. The Chair would be the “bridge of trust” between Member States, the Secretariat and other stakeholders. The Delegation pledged its support to steering the Organization to higher planes of productivity and engagement.

78. The Delegation of Brazil welcomed the presence of representatives from civil society, the private sector and the academic community, all of whom had traditionally enriched the debates held in the Assemblies, and thanked the Director General and Secretariat for their work. As a specialized agency within the UN system, WIPO had both the credentials and the necessary expertise and human resources to influence the evolution of the international intellectual property system. It was in the interests of all Member States to preserve the role of WIPO. Initiatives outside WIPO would lack legitimacy and would not attract the support of the world’s most dynamic economies. Brazil was in favor of multilateral approaches. In intellectual property, multilateralism meant working with WIPO. The Delegation highlighted its readiness to contribute to building a balanced agenda that would address all the interests and socio-economic realities represented in the Organization. Referring to the Director-General’s report to the Assemblies, in which it had been stated that he and the Secretariat should ask what benefit a Member State derived from being a member of the Organization, the Delegation considered that the Development Agenda constituted one answer to that question and further progress in its implementation was key to strengthening WIPO’s role. The Delegation noted that the main goal of the Agenda was to extend the benefits of the intellectual property system to developing countries as well as those communities not yet integrated into the economy of innovation. To implement the Development Agenda, WIPO would have to adjust the way it had traditionally operated. Firstly, the Organization’s culture would have to become more accountable, while giving Member States more control over the Organization’s activities. Secondly, a systemic focus was needed to mainstream Development Agenda recommendations into Committee work. Brazil supported the establishment of a system for monitoring, coordinating and assessing progress, a proposal currently being considered by the CDIP. One pillar of the Development Agenda was capacity building but the Delegation believed that capacity building was not limited to compliance with obligations; it had to enable developing countries to benefit from the intellectual property system. With the Development Agenda, WIPO was entering unknown territory, and Member States needed to adopt a path-finding mindset. The challenge was to learn “on the job”. Methodologies used for implementing and monitoring the Agenda had to remain flexible. The fundamental aim of the Development Agenda, namely the extension of the benefits of intellectual property to countries and communities excluded from innovation, should guide the deliberations on the renewal of the IGC mandate. The Delegation hoped that the Assembly would be able to overcome the circumstances that had prevented agreement at

the last IGC session, and further hoped that the IGC would be given a strong new mandate to negotiate binding legal instruments. In the SCCR, Brazil favored further discussions on limitations and exceptions. Progress on talks about a legal instrument that granted access to education and culture for the visually impaired would test WIPO's ability to live up to the values of the United Nations and contribute to achieving the Millennium development goals. Work on convergence between the international intellectual property and human rights systems should continue. At the ACE, resumption of work was an opportunity to change the approach to dealing with enforcement issues. Success in controlling intellectual property rights infringement had to be sustained over time, dealing with all aspects of the question, and contributing to achieving the objectives of the international intellectual property system, as defined by the TRIPS Agreement. Enforcement measures that did not respect the principle of territoriality and created barriers to trade in generic drugs had to be avoided. The Delegation emphasized that it was in Brazil's interest to support, through intensified contributions, the Organization's role in the international intellectual property debate. Brazil would submit concrete contributions in the coming months. At the SCP, submissions would relate to (i) exceptions and limitations, (ii) sufficiency of disclosure, (iii) databases, and (iv) South-South cooperation between patent offices, for the ACE, Brazil would submit a work program proposal. At the CDIP, Brazil would promote a debate on: (i) the interplay between intellectual property and competition policy and (ii) transfers of technology. In the SCCR, Brazil would continue to contribute to progress on exceptions and limitations. Brazil was also open to a debate on PCT reform. In conclusion, the Delegation again referred to the question asked in the Director General's report on the benefit for a Member State to be part of the Organization. WIPO's future course would be determined by the ability of developing countries to adequately answer that question from their standpoint. The temptation to impose answers had to be resisted. They were to be found collectively.

79. The Delegation of the United Kingdom thanked the Director General and Secretariat for their hard work in preparing the Assemblies, and also the incoming and outgoing Chairs. The Delegation stated that the WIPO Secretariat had made considerable progress over the past year in providing a transparent and efficient service to its Member States and hoped that WIPO would pursue its organizational reform so as better to deliver its mandated aims and objectives. The Delegation indicated that, to make that possible, the Secretariat and the Director General would need the full cooperation, support and trust of all Member States. The Director General had appropriately set an ambitious agenda of reform for WIPO. As the only global IP institution, the Organization had a key role to play in meeting the challenges facing the intellectual property system. Those challenges required not only implementing WIPO standards and norms but also developing and enforcing new IP policies to help address some of the common challenges facing all Member States. WIPO also had a leading role in promoting the advantages of IP rights to Member States and their constituents. The Delegation explained that the United Kingdom was pleased that WIPO was focusing on specific IP issues and noted that delivering on detailed policy proposals would be vital to maintaining WIPO's credibility and relevance. The United Kingdom also welcomed the proposed reform of the PCT and considered that the Director General's roadmap represented positive progress. Progress on accessibility for the visually impaired was also seen by the United Kingdom as important. Effective financial governance and project management would be critical to the success of the Development Agenda and the Delegation supported a thematic approach to implementing the remaining recommendations of the Committee on Development and IP. The Delegation also hoped that WIPO could make progress on a treaty on the protection of broadcasts and that a renewed mandate was achieved for the Intergovernmental Conference on IP and Genetic Resources, Traditional Knowledge and Folklore. The United Kingdom looked forward to the arrival of WIPO's new senior

management team which was seen as crucial to helping the Director General translate his strategic vision into reality. The Delegation pointed out that, over the past twelve months, WIPO had made considerable progress in its internal reform and encouraged the Director General and the senior management team to maintain that momentum. It particularly mentioned that it would appreciate seeing an extension of WIPO's Risk Register, a clear roadmap of how its Strategic Reform Program would be implemented and an annual Statement of Internal Control, as employed in other UN bodies. The United Kingdom also believed that the establishment of an executive committee would be a key element in improving coordination and decision-making within WIPO. The Delegation called on Member States to demonstrate their commitment to WIPO by constructively meeting its current challenges and finding solutions to standoffs that had been an obstacle in the past. It also called on Member States to concentrate on what they could achieve at WIPO rather than what they could not do. The Delegation concluded by stating that it looked forward to a positive General Assembly and to making real progress on all the issues for discussion.

80. The Delegation of the United States of America supported the statement made by the Delegation of Germany on behalf of Group B. Throughout the first half of 2009, WIPO's ongoing strategic realignment process had reformed the Organization's programs, resources and structures through new strategic goals that had enabled WIPO to respond more effectively to the rapidly evolving technological, cultural and geo-economic environment, as well as to urgent global challenges that IP could help address. While the United States continued to support the goals that had traditionally been the focus of WIPO, such as a balanced evolution of the international normative framework for IP, facilitating the use of IP for development, and providing premier global IP services, it also supported the new strategic goals. At a time of worldwide economic difficulties, the United States stressed the importance of WIPO maintaining a tight financial and budgetary discipline, including initiatives to eliminate duplication, cut costs and increase efficiency. The United States supported the Director General's efforts to reform WIPO and bring in a new era of good governance, accountability and transparency. The Delegation was pleased that staffing adjustments and other streamlining efforts had been made following the 2007 desk-to-desk audit, and it looked forward to further WIPO efforts to address the issues raised in the audit. The United States would continue to work with Member States and the Director General in the creation of a better functioning, more effective WIPO in order to improve its substantive work, establish it as a leader on IP policy issues in the UN, and increase its IPR-related development activities, while ensuring that staffing and spending were streamlined, and that respect for IP continued to be the major emphasis of the Organization. The United States had collaborated with WIPO's Communications Division Outreach Section, and with several WIPO member countries, to improve IPR outreach coordination. Awareness and education about the use and protection of IP were critical in improving the IP system, and the United States was working with WIPO to improve links between Member States, NGOs, the private sector and United States officials engaged in IP outreach efforts. The United States believed that global worksharing was key in helping IP offices to meet the increasing challenge of efficiently managing their workloads, while delivering the highest possible quality. A number of worksharing projects between the USPTO and other IP offices were currently underway. The Patent Prosecution Highway (PPH) framework was one important step toward maximizing reutilization of work done by other offices, and the United States hoped to increase its participation in such worksharing projects. Applicants and patent offices worldwide would reap time and cost benefits by seeking and removing unnecessary burdens for participation, finding new office-led worksharing initiatives, and listening to applicants' suggestions for new and better ways to reutilize the work of other offices. In order to reutilize and maximize the use of PCT work products, the United States recently had established a PCT Task Force

within the USPTO that was examining how the PCT might function more effectively. The Task Force would also review the USPTO's functioning as a receiving Office, ISA and IPEA. The United States hoped thereby to improve the USPTO's internal PCT operations as well as the PCT as a whole. It aimed to integrate the PCT into all of its worksharing efforts, including the PPH and SHARE. The United States Copyright Office and WIPO were jointly planning international training, in Washington, D.C., for officials from developing countries and countries in transition on emerging copyright and related rights issues pertaining to blind and visually-impaired persons (VIPs). The training would include relevant international legal and business frameworks, case studies on existing exceptions for VIPs worldwide, technical standards for accessible materials, the role of trusted intermediaries, market considerations and information reports on the WBU treaty proposal and WIPO's stakeholders platform. The Delegation would constructively engage in the discussions of the Assemblies to seek outcomes acceptable to all WIPO Member States.

81. The Delegation of Finland congratulated the Chair and his deputies on their election and thanked the WIPO Secretariat for the excellent work done, as well as the outgoing Chair for his efforts over the previous two years and his dedication to the work of WIPO. The Delegation endorsed the statements made by the EC and by the group coordinator on behalf of Group B and was committed to working in a positive spirit. It was looking forward to an effective and constructive meeting. The PCT system was one of WIPO's key areas in the field of intellectual property and Finland wished to reaffirm its support for the reform of the PCT system along the lines drawn up in the roadmap first presented by the Director General. One improvement of the PCT system was the option of requesting the supplementary international search, which had entered into force on January 1, 2009 and which Finland's National Board of Patents and Registration had decided to offer as a new service for its PCT applicants from January 1, 2010. The Patent Prosecution Highway (PPH) was an interesting initiative designed to enhance and speed up the patenting process in the world, reduce duplication of work and improve quality. Finland had now signed two pilot PPH agreements, one with the Japanese Patent Office and one with the United States Patent and Trademark Office. A third would be signed that week in Geneva with the Korean Intellectual Property Office. Finland was very keen to expand the PPH network for the benefit of its applicants. The 5th International Forum on Creativity and Inventions entitled "A Better Future for Humanity in the 21st Century – Intellectual Property (IP) in a Changing World: New Challenges and Opportunities" would be held in New Delhi, India, on November 11 to 13, 2009. Finland had played an active part in organizing those biennial events in cooperation with WIPO since the first Forum held in Helsinki in 2000. In 2009, the Forum was being organized by WIPO in cooperation with the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry of the Government of India and the Federation of Indian Chambers of Commerce and Industry. The Fora had succeeded in gathering together an eminent expert group to discuss vital IP issues. The global financial crisis and recession had affected the operations of Finland's National Board of Patents and Registration, although the number of patent applications had not decreased substantially and the number of PCT search requests had even increased by 40 per cent in the first half of 2009 compared to the same period last year. However, the number of trademark applications had decreased significantly. In May 2009, the National Board of Patents and Registration had hosted an international symposium entitled "Intellectual Property Valuation in Business", the second in a series of four international symposia that were being held on that topic with the primary aim of raising awareness of IP valuation issues and increasing dialogue among stakeholders. The event had been organized by the Finnish Patent Office, together with the Hungarian Patent Office, the Austrian Patent Office and the UK Intellectual Property Office. In May 2009, the Finnish Government had also approved an IP strategy which included a comprehensive set of

measures to improve the Finnish IP environment. The emphasis was on the need to improve the level of knowledge within the schooling system and among small and medium-sized enterprises.

82. The Delegation of Panama congratulated Ambassador Alberto Dumont on his election as Chair of the General Assembly. It said that Members were living in a time of innovation in a global environment which required them to be more competitive and said that they were aware of the importance and socioeconomic and cultural potential of intellectual property and of the opportunities presented by that system as a development tool, for example through the recognition of geographical indications or the use of technological information, among many other value-added services. It said that it would nonetheless be necessary to raise the awareness of the sectors involved at the national level, so that intellectual property was not only recognized but also used, including appreciating the value of international cooperation and the progress that was sought through organizations such as WIPO, based on the new vision of its Director General, who was devoted and committed to the strategic use of intellectual property, as reflected in the refocusing of the Organization's activities and its process of change, renewal and the establishment of new rules, applying lessons learned for the benefit of all, while maintaining the balance of the system. The Delegation said that intellectual property in Panama had become a priority issue and that there had been improvements in the public administration in terms of devising appropriate policies and conducting joint efforts with the private sector, strengthening technical and administrative management capacities through the creation of a services infrastructure which was allowing the establishment of solid IP institutions in Panama. It said that the existing legal framework would be modernized based on new information and communication technologies and that the result of the Government's trials over the previous years would also be incorporated. It also mentioned other specialized bodies, including the competition disputes tribunals, the department of the Prosecutor's Office responsible for those offenses and the IP offices in customs and in the Colón Free Zone, which were responsible for implementing measures in the border areas, as well as the National Environment Authority and the Judicial Investigation Directorate of the Police. The Interagency Intellectual Property Committee had also been created with the aim of harmonizing, coordinating and implementing IP policy. The Delegation said that considerable efforts were being made in Panama with regard to the enforcement of IP rights and that support was also being given to less conventional sectors, including the protection of the traditional knowledge of indigenous groups. It added that international technical cooperation and the support of the private sector were also available. With regard to industrial property, an intensive work program had been carried out, aimed at protecting, promoting and disseminating IP at the national level. It mentioned that progress had also been made in the development of technological platforms and that the country was equipped with database servers and data management applications and that a user portal had been created which included a facility for searching and consulting information. The E-Power database had also been implemented, which was a result of the digitization of trademark and patent records, which would allow the electronic filing of trademark and patent applications, once the security and electronic signature authentication applications had been developed, the regulations for which had recently been approved, and once the electronic payment system was operational. Those activities had complemented the implementation of two major projects, one entitled "Intellectual Property Development and Promotion", implemented with the support of the Inter-American Development Bank (IDB), and the social investment project entitled "Rescue and Conservation of Current and Endangered Traditional Knowledge". Thanks to the support provided by WIPO, the Secretariat for Central American Economic Integration (SIECA), the Spanish Patent and Trademark Office, the European Patent Office and the Mexican Institute of Industrial Property, a manual for patent examiners

was now available in the countries of Central America, the Dominican Republic and Panama. Progress was also being made in the preparation of the Manual on Trademark Registration Criteria, with the direct and firm collaboration of WIPO. The Delegation said that the efforts to build national capacities, specifically in the training of human resources, had always been supported by WIPO and it highlighted the organization of four specialized conferences and the introduction of a diploma on the subject. It also said that a study was in the process of being completed which would allow the national IP system to be modernized through the creation of a single administrative body. With regard to copyright, the Delegation said that it was conducting a study which would show the contribution of the cultural industries to gross domestic product and that a seminar had been held on that subject, as part of the Book Fair, with the support of WIPO. After observing that Panama gave full support to the sectors creating intellectual capital, such as universities, the business sector, research centers and the National Secretariat for Science and Technology, the Delegation requested support from WIPO for the design of a national IP strategy. Furthermore, it pointed out that Panama believed in the need to protect traditional knowledge and expressions of folklore and regulate access to genetic resources, as shown by the progress made in that field with the support of the IDB in the implementation of special projects, such as the one on indigenous entrepreneurship. The Delegation therefore aligned itself with those delegations that had expressed support for the renewal of the Intergovernmental Committee's mandate. Finally, the Delegation said that it was willing to strengthen WIPO's strategic initiatives, based on the search for comprehensive solutions through collaboration and consensus, and paid tribute to the professionalism and efficiency of WIPO staff.

83. The Delegation of Malaysia congratulated the Chair on his election and expressed its confidence that his guidance would enable the Assemblies to achieve fruitful results. Gratitude and appreciation were extended to the outgoing Chair for his dedicated chairmanship of the Assembly over the past two years, to the Director General for his statement, and the WIPO Secretariat for the effort and diligence in preparing the comprehensive documents for the 47th series of Assemblies of WIPO Member States. The Delegation associated itself with the statement made by Yemen on behalf of the Asian Group as well as the statement made by Cambodia on behalf of ASEAN. The Delegation welcomed the proposed program and budget for the 2010/2011 biennium and looked forward to the positive strategic approach that would be taken by WIPO in the face of the financial and economic crisis, and expressed the hope that the budget would be allocated with an equal geographical balance. The Delegation was pleased to refer to not only the progress made by WIPO programs in 2008 towards achieving the biennial objectives, but also the expected results of the program and budget for the 2008/2009 biennium. It strongly urged that the Development Agenda should be reflected in the performance indicators and be assessed in the context of the program performance report. It was noted with satisfaction that the available reserve fund of WIPO had exceeded the target level established by Member States, due to an increase of international applications for intellectual property rights, in particular PCT filings. The Delegation expressed its satisfaction with the CDIP for the progress made during its 3rd session at which tangible results had been reached. It was important for the Development Agenda to remain the core focus of WIPO as its full and successful implementation would ensure fruitful results for all Member States. One of the core tasks of WIPO was to promote progressive development and harmonization of intellectual property legislation, standards and procedures among its Member States and therefore that spirit should also be reflected in the coming sessions of the CDIP at which, in the view of the Delegation, there was an urgent need for the Member States to compromise and to achieve mutual understanding in order to achieve the objectives. The Delegation welcomed the progress made by the SCCR at its 18th session and in particular the proposal on "limitations and exceptions" in relation to the

visually impaired treaty proposal, and associated itself with other delegations in the view that the proposal should be viewed and discussed on the basis of humanitarian grounds and not be influenced by economic and political factors, particularly from the perspective of adopting minimum standards on “limitations and exceptions”. The Delegation strongly supported the SCCR and wanted it to continue its work regarding the protection of audio visual performances, the protection of broadcasting organizations and the limitations and exceptions to copyright and related rights. The opinions of the SCCR and of stakeholders should be considered seriously before decisions were taken or conclusions reached. The Delegation encouraged the Secretariat to report to the General Assembly on the continued work on that issue at the General Assembly session in September 2010. The Delegation congratulated the IGC for the successful further implementation of the WIPO voluntary fund for indigenous and local communities since monetary support had been provided for participation of all the community representatives that had been recommended by independent panels (panels that included indigenous representation) at both the 13th and 14th sessions. The Delegation acknowledged the efforts of the IGC in strengthening the mechanism to ensure that indigenous peoples and local communities had an effective voice. The Delegation supported the proposal on the renewal of the mandate of the IGC for the 2010/2011 biennium, put forward by the African Group during the 14th session and reiterated its support on the three underlying principles of the African Group’s proposal, namely, a legally binding instrument, a text-based negotiation and a definite time line. On the domestic front, and in line with the Malaysian National Intellectual Property Policy launched in 2007, the Delegation reported that Malaysia was in the midst of reviewing and amending all its IP legislation to keep abreast of the rapidly moving international developments, new challenges and new issues. Stakeholders, both Malaysian and foreign, were being involved. A pilot project had been launched to set up a traditional knowledge digital library in April 2009, and at present 8,000 traditional knowledge genetic resources related species had been documented. The data base would be utilized by patent examiners as part of their prior art search of non-patent literature. Furthermore, in 2007 a committee had been appointed to look into the possibility of drafting national legislation on genetic resources and traditional knowledge, and thanks were extended to WIPO for the assistance rendered. Further assistance on the draft would be requested from WIPO. The Delegation indicated that, notwithstanding the economic slowdown, patents and trademark applications filed by residents were tending upwards, indicating the continuation of Malaysia’s creativity and innovation. Such a trend was an important indication that Malaysia was riding a wave of economic recovery. The Delegation expressed its appreciation for the opportunity to participate in fruitful activities organized by WIPO with special reference to capacity building of human resources and the opportunity to join organized workshops and seminars for various target groups which benefitted from WIPO cooperation. Indeed, it was a privilege for the Delegation to express its gratitude to WIPO for co-organizing seminars and workshops with the Malaysian IP office. The seminars and workshops related to the International Patent Classification (IPC) and WIPO/ASEAN training on the Madrid Protocol and its implementation. The Delegation reaffirmed its commitment to supporting WIPO policies and programs so that intellectual property would be an effective tool designed to enable nations to make progress.

84. The Delegation of Hungary thanked the Director General for his opening statement and for holding the High-Level Segment and said that it represented an excellent opportunity to enter into strategic discussions at an appropriate level and to start a wide-ranging common thinking process concerning the future role of intellectual property and the way it should respond to the global challenges it faced. The Delegation fully associated itself with the statements made by Serbia on behalf of the Group of Central European and Baltic States, and Sweden on behalf of the European Union and its Member States. The efficient enforcement

of intellectual property rights had remained high on the Hungarian Government's list of priorities and was based on a clear understanding of the harm that counterfeiting and piracy caused to its society and economy in terms of the jobs lost, the stifling effect on innovation and creativity, the health and safety risks, the connection with organized crime and the loss in tax revenues. In that context, the previous October, the Hungarian Government had adopted its long-term National Strategy against Counterfeiting on the proposal of its advisory body, the National Board against Counterfeiting. The implementation of the strategy had been entrusted to five working groups involving both government agencies and interested circles which carried out activities such as collecting statistical data on infringement and establishing reliable methods for that purpose; studying and further developing IP-related jurisprudence and legal practice; fighting counterfeiting of pharmaceuticals as well as foodstuffs and beverages; training law enforcement bodies and judges; launching well-targeted awareness-raising campaigns; and cooperating with service providers against Internet piracy. Further development of the enforcement-related cooperation between WIPO and Hungary was expected in the implementation of the national strategy, as it was necessary to provide global solutions in the combat against the worldwide phenomena of counterfeiting and piracy. In that regard, the Delegation greatly appreciated the initiatives that had been taken by the International Bureau, including the organization of the Fourth Global Congress on Combating Counterfeiting and Piracy and the continuation of the highly valuable work in the Advisory Committee on Enforcement. In times of economic hardship, it was even more important for all stakeholders to manage efficiently the risks of innovation and to understand properly the way in which intellectual assets and their protection could contribute to their long-term business success. With that in mind, the Hungarian Patent Office had launched a series of symposia involving domestic and international stakeholders on the valuation of intellectual assets and related IP rights, which were expected to be of particular interest and benefit to SMEs, which might lack the necessary resources to identify and value properly their creations, innovations and other intellectual assets. In that respect, the Delegation welcomed the separate program dedicated to SMEs in WIPO's proposed Program and Budget for 2010/11. Strengthening legal certainty for innovation was also of paramount importance to businesses, both big and small, and offering affordable, high-quality and speedy procedures for obtaining or defending IP rights had therefore become a central concern to the Hungarian Government. In addition to streamlining its own procedures through expanding e-business and shortening pendency times, the Hungarian Patent Office had been actively looking for ways to step up cooperation among IP offices in the world with a view to reducing backlogs, pendency times, unnecessary duplication of work and the ensuing legal uncertainty for applicants and rights holders. In Europe, Hungary had consistently advocated a more systematic use of the European Patent Network, which would enable it to realize its full potential. It was also in that spirit that the patent offices of Austria and Hungary had extended their cooperation to PCT work and that the Hungarian Patent Office had recently concluded a PPH agreement with the Japan Patent Office. Those work-sharing initiatives were mutually complementary and it was hoped that the Patent Cooperation Treaty could, as originally intended, become the main international instrument for work-sharing. In that context, the Delegation was ready to consider, and contribute to, further refinements to the operation of the PCT system. No scheme for enhanced work-sharing could ever become really efficient without harmonizing, in a balanced manner, the underlying provisions of substantive patent law. The Delegation therefore looked forward to reviving and continuing work in the Standing Committee on Patents. The Delegation also noted with satisfaction that the Singapore Treaty on the Law of Trademarks had entered into force on March 16, 2009. As a signatory State, Hungary was actively considering its accession to that instrument and planned to take the necessary steps in the near future. Traditional and high-quality products played a very important role in the Hungarian economy, especially in the agricultural sector

and Hungary was therefore a dedicated promoter of global protection for geographical indications. Protection of GIs could serve as an excellent example of how intellectual property could efficiently meet the special needs of developing countries and was certainly an area in which different regional groups could and should find some common ground. The Delegation therefore welcomed the results of the Working Group on the Development of the Lisbon System. It hoped that the proposed new procedural flexibilities and the more extended use of e-business tools would make the Lisbon System more attractive and might lead to a further widening of the geographical scope of that system. The Delegation was following the activities of the Standing Committee on Copyright and Related Rights with particular interest and sincerely hoped that its norm-setting activities would soon gather new momentum in respect of the protection of both audiovisual performances and broadcasting organizations. One of the numerous challenges copyright faced in the digital era was ensuring that copyright should not become an obstacle to meeting good faith, legitimate exploitation needs, for example in cases where the author of a work could not be traced in spite of all reasonable efforts. In order to enable such uses to become or remain lawful, a recent amendment to the Hungarian Copyright Act had established an administrative system for authorizing the use of orphan works. The Delegation also welcomed WIPO's recent activities in the region of Central Europe and the Baltic States, in particular the preparation and publication of studies and guidelines on topics such as the special features of the region's copyright systems or the methodology for drawing up national IP strategies. Hungary intended to incorporate those best practices in its general IP policy and looked forward to continuing its cooperation with WIPO in that regard. The Delegation greatly appreciated the fact that the special characteristics of its regional group tended to be given more weight in WIPO's program. An excellent opportunity to deepen its relations with WIPO and to explore further areas of cooperation would be presented by the Director General's much-awaited visit to Hungary. His participation as a keynote speaker at the World Science Forum, to be held in November 2009 in Budapest, would certainly greatly stimulate and facilitate the dialogue between academia and IP experts on all the challenges posed by globalization and newly emerging technologies.

85. The Delegation of Barbados warmly supported the many projects and initiatives introduced during the last year and assured the Director General of its full support in their implementation. The Delegation also expressed its thanks to the Secretariat for its hard work since the last Assemblies. Barbados welcomed the progress made in the CDIP and reiterated its intention to fully support that Committee and WIPO in the implementation of the 45 Development Agenda recommendations. With respect to the SCCR, the Delegation underscored the need for a timely solution to the issue of access to copyright-protected material for visually-impaired persons. Barbados also supported the various recommendations of the Program and Budget Committee and looked forward to the approval of the proposed new conference hall. With respect to the PCT Working Group, the Delegation welcomed the Working Group's recognition of the importance of fee reduction and capacity-building measures to increase access to the PCT for, in particular, nationals of developing countries. It welcomed the Working Group's decision that WIPO carry out further studies on eligibility criteria for determining the group of developing countries whose applicants should benefit from a reduction of certain PCT fees. The Delegation stressed that any criteria established should be equitable and balanced, taking into account the special needs of developing countries including small, high-income, vulnerable economies such as Barbados. Barbados supported the renewal of the IGC's mandate in a form which would lead to international protection of genetic resources and TK against unfair misappropriation. The Delegation thanked WIPO for its ongoing assistance to the Caribbean region in developing an appropriate regional framework for the protection of that region's resources. During the last

year, Barbados had benefited from WIPO's technical assistance in formulating a National Intellectual Property Strategic Plan. It therefore wished to express its continued appreciation for WIPO's assistance in establishing an appropriate framework for harnessing IP assets and thereby contributing to economic development in Barbados. Finally, Barbados assured the Secretariat and Member States of its commitment to work with all relevant agencies in the protection of IPRs and of its continued full support.

86. The Delegation of the Republic of Belarus welcomed the efforts of the Director General and employees of the WIPO Secretariat, aimed at improving WIPO programs, structure and resources in order to resolve the multifaceted problems brought about by dynamic scientific, technical, social and economic development. The Delegation expressed confidence that the appointment of a new leadership team at WIPO would facilitate the strengthening of the Organization's potential and of Member States' ability to benefit from advantages which should accrue as a result of the new development strategy. The Delegation stated that Belarus, having set innovative development as a priority for itself, attached great significance to the role of an intellectual property (IP) system. The country's government was faced with the task of setting up an effective mechanism by which to obtain economic benefits from the use of aspects of intellectual property in order to enhance the competitiveness of the national economy, based principally on effective management of IP. The future aim was the systemic integration of the tools of the administration of IP into the economic policy of the State and every economic subject. The Delegation noted that enhancement of the role of IP in a knowledge-based economy that was becoming firmly established, imposed additional obligations and requirements on the national IP Office of Belarus both in relation to enhancing the quality of the fulfillment of traditional functions, and in relation to the future development of the direction of work in order to assist the effective integration of IP administration tools into the social and economic policy of the State. The Delegation said that under the State program for innovative development as ratified by the President of the Republic of Belarus, work was carried out by the Government to create an integrated complex which was required to combine the key trends of activity in IP protection and administration in a single information-organizational resource, fully aligned with the needs of a developing, innovative economy, and which was envisaged to modernize the national patent Office, which assumed the resolution of the issue regarding the development of appropriate human resources, the organization of the Office's work on the basis of modern information technology, including the transition to electronic filing of applications, and also the expansion of the range and quality of IP services rendered. The Delegation emphasized that, in that connection, of particular importance for Belarus was WIPO's assistance in training IP specialists. On the issue of personnel resources, the Delegation supported the statement of the Coordinator of the Regional Group, of which Belarus was a member, regarding the necessity to expand the representation of that Group in the WIPO Secretariat and the due rotation of Secretariat personnel, taking into account the specialist potential which the region, and Belarus in particular, had available. In the Delegation's opinion, that would not only facilitate geographical balancing, but would also correspond to the potential and significance of the countries in the Group, which comprised virtually one-sixth of all WIPO Member States, and which had a significant market and considerable resources behind them. That would reflect the importance of the knowledge-based economy developing in the countries of the Group. Taking into account the importance of those issues, the Delegation expressed hope that the Government of Belarus's initiatives for the improvement of the national IP system, training of IP specialists, and also the participation of Belarusian representatives in WIPO's work, its relevant committees and working bodies, would find support among the WIPO leadership. Successful implementation of those initiatives with the assistance of the Organization would not only enable the corresponding potential to be created in order to derive benefits from the

modernization both at the national level and also for the implementation of those projects currently being discussed, the fulfillment of which was envisaged by WIPO's new development strategy. Support for those initiatives by WIPO would be proportionate to the challenges which stood before the IP system as a whole, and the national Patent Office of Belarus in particular, and would confirm the effectiveness of WIPO's new development strategy.

87. The Delegation of Colombia said that it was clear from the statements made by Ministers followed by national delegations that intellectual property was increasingly a subject of great interest for governments at the highest level. It appeared in a wide variety of contexts, for example in discussions with Ministers of Health, those responsible for competitiveness and development, Ministers of the Environment and officials in charge of culture. In Colombia, thanks to a firm undertaking by the national government and technical support from WIPO, a cross-cutting high-level public IP policy had been defined. It featured clear-cut goals and a perspective based on reconciling individual interests with the Government's pro-investment approach while observing the need for social cohesiveness and a commitment to development for all with respect for human dignity. Colombia viewed the system of recognition for the value of human creative activity as a key tool for promoting competitiveness through technological development and innovation. That was an especially relevant factor for the purposes of guaranteeing sustained national economic growth and that was precisely why the Government attached special importance to the need to move ahead with the identification of tools for strengthening the different IP systems at the same time as supporting investment in science and technology. The Delegation said that that had been one of the clear aims of the policy document to which reference had just been made. As a matter of fact, the "2008–2010 Plan of Action for Adapting the Intellectual Property System to National Competitiveness and Productivity" acknowledged that value generation based on creative intellectual activity and the use of available knowledge were fundamental tools for the production of innovative goods and services capable of performing well on competitive markets. Just like the most developed countries, the developing countries saw innovation and technology transfer as an opportunity to enhance firms' ability to compete – an alternative way to stand out in the production of affordable, high-quality consumer goods. Such an approach was essential for developing countries and required the adoption of a knowledge-based State policy that generated individual rights while respecting the overriding general interest. Yet an acceptance of that reality implied a need to rethink the role of national patent offices. They could not merely register patents, isolated from those in charge of entrepreneurial development or those who were called on to support creative activities. Paradoxically enough, the world economic crisis had provided a very strong stimulus in that respect. At the end of 2008, the volume of applications filed in Colombia had begun to decline as a result of the drop in market activity. The slowdown had freed up institutional capacity for closing the gap while highlighting a need for funding, thereby also creating an opportunity: the Office had to do its utmost to provide technical support to the various institutions in charge of corporate support and the creation and development of entrepreneurial activities and to those responsible for research promotion. Colombia had taken steps to make small and medium-sized enterprises (SMEs) aware of the benefits of trademark registration. It had further run campaigns for the promotion of patents as ideal tools for furthering the process of innovation protection, in addition to promoting the registration of industrial designs to help its businessmen and businesswomen compete on national and international markets. In short, it had moved away from a solely demand-driven approach towards firm and prompt support for the promotion of industrial property, taking the measures in the policy document mentioned previously, adding value to SMEs and thus encouraging economic development and its corollary, job creation. Now that the link between

IP and development was plain to see, Colombia felt that WIPO had a fundamental role to play. First, it had to act decisively to ensure that the developing countries reaped the benefits of the system, especially through dissemination and technical support. Second, it had to take the lead in helping combat undesirable barriers to free competition and consumer protection stemming from the misuse of intellectual property. The international instruments administered by WIPO had to serve both purposes, and it was important to acknowledge the suitability of such instruments as the Madrid Protocol, accession to which was being examined in the Colombian Congress, and a tool which benefited those whose products stood out on markets because of their high-quality image. The patent system also had room for improvement. Moreover, it was essential to prevent the formalism and possible complexity of such well-designed instruments as the PCT, together with their related costs, from becoming entry barriers to the IP system. Recognizing that available mechanisms for the protection of industrial property had to evolve constantly, the Delegation said that Colombia was somewhat concerned by the difficulties that its microenterprises were experiencing in using the technological means provided by WIPO to facilitate the filing of applications, as with the PCT-Safe system. It therefore urged the Organization to step up its support to countries in the form of capacity-building programs targeting microenterprises. Although it felt that the introduction of increasingly efficient instruments should make it easier to use the system, Colombia feared that without adequate training and back-up, they would become an obstacle rather than an advantage. In conclusion, the Delegation referred to a topic that was becoming a matter for intense debate at WIPO: access to genetic resources and traditional knowledge. As a megadiverse country, Colombia supported all forms of technological progress based on its resources, provided that that was done properly, on the assumption that access to such resources should be open and controlled and the resulting benefits should be shared. Colombia stressed the need to support such mechanisms as the disclosure, in patent applications, of the origin or source of the resources on which the patent and corresponding application were based. That would serve a twofold purpose: stopping the bulk of biopiracy while facilitating the examination of such patent applications relating to inventions with a genetic resource and/or traditional knowledge component. The Delegation ended by thanking the Organization for its support and the respect for national autonomy and backing for its own tasks and challenges, and stated that Colombia would continue along that path, as well as building on its own experience and identifying, with WIPO's support, the challenges, successes and failures arising from the experience of others.

88. The Delegation of Egypt congratulated the Chair on his election and thanked the outgoing Chair for the efforts provided throughout the previous biennium. Special thanks were extended to the Director General of WIPO, and the International Bureau. The Delegation underlined that Egypt extended its full support for the efforts aimed at fostering development issues within WIPO. Support was expressed for the statements made on behalf of the African and Arab Groups. Intellectual Property was increasingly acquiring importance for developing countries, particularly from a development point of view. Furthermore, as shown in the World Economic and Social Survey (WESS), recently published by the UN Department of Economic and Social Affairs, and as appeared from discussions on IP issues made on objective bases, more protection could negatively impact transfer of technology and efforts aiming at facing the challenge of climate change. It was normal that the change that had occurred during the past years in the way IP had been dealt with should be reflected in the work carried out by WIPO, an illustrative example of which was the adoption of the Development Agenda. The Delegation stated that, in the coming years, priority should be given to (i) integrating the Development Agenda in all WIPO activities, including norm-setting, with a view to aligning international protection systems with development goals and public policy priorities, such as the conclusion of international binding instruments for the

protection of GRTKF; (ii) ensuring fair representation of developing countries within the Organization, effective participation by Member States in the administration, and implementation of organizational reforms extending to Governing Bodies and various substantive committees, with a view to reflecting effective participation by developing countries and the Member-driven principle; and (iii) the need to consider the possible contribution of IP policies in facing increasing global challenges such as development, public health, environment and climate change, by expanding the scope of researches and studies carried out by WIPO and adopting an objective SWAT-based approach. The Delegation stated that Egypt would continue to support WIPO's work in seeking balance between IPR protection and the global goal of development and public policy priorities. Referring to the request made by the Egyptian Patent Office to work as an IRA under PCT, the Delegation said that the long experience of the Office in both the African and middle-eastern regions was an added value that would provide for the PCT the opportunity of introducing Arabic as a working language.

89. The Delegation of the Philippines aligned itself with the statements made by the Asian Group and ASEAN and had taken note of the significant strides in the field of intellectual property that had occurred since the last series of Assemblies of WIPO Member States. The Delegation underscored the need to intensify the effective implementation of WIPO Development Agenda recommendations adopted by the WIPO General Assembly as part of the activities of the Organization as such implementation was imperative for developing countries, including the Philippines. The Delegation was pleased with the collaboration between WIPO and ASEAN (including individual Member States) in the field of capacity building. That collaboration was a manifestation of concrete measures to bring the recommendations of the Development Agenda into operation and the Delegation was looking forward to further technical assistance programs. The Delegation highlighted the significance of the WIPO consultation process, particularly consultation that took place within the purview of the regular dialogue between WIPO, ASEAN and the ASEAN Geneva Committee as well as WIPO's regular participation in the ASEAN working group on intellectual property, as mechanisms to ensure fuller participation of developing countries from the Delegation's region. Intellectual Property in the Philippines was not merely a legal enforcement mechanism but rather a tool for sustainable development. In order for Member States, particularly developing States, to pursue their socio-economic development they must be able to make full use of flexibilities consistent with international commitment. It was thus imperative to strike an equitable balance between the interests of individual States and all relevant stakeholders bearing in mind the need to ensure the integration of the Development Agenda in all WIPO activities and programs which should be designed not only to strengthen intellectual property awareness but more importantly be translated into tangible deliverables to provide Member States with the necessary infrastructure and appropriate advice, taking into account varying levels of development. The Delegation was disconcerted to note the emergence of heightened protectionist tendencies in the field of intellectual property rights that endangered the already limited quality space needed by developing countries. The determination, and adoption, of appropriate responses necessary to respond to those challenges meant that WIPO's role as the focal point in the United Nations system for the integrated treatment of intellectual property was more prominent than ever. The Delegation referred to the need to address key issues, most notably the issue of the IGC and placed a very high level of importance on the need for WIPO to strengthen the mandate of the IGC viewed as a key instrument in advancing intellectual property rights discussions on a global scale that would allow for the establishment of an internationally legally binding regime that would provide appropriate remedial measures for the misappropriation of intellectual property rights. The Delegation expressed its optimism that under the leadership

of the Chair there would be discussions and specific programs aimed at an improved realization of the social dimension of intellectual property rights.

90. The Delegation of Uruguay congratulated the Ambassador of Argentina on his election as Chair of the General Assembly and commended the Director General on his leadership and the efforts he had made since his election to improve further WIPO services for the promotion of a balanced IP system that fostered innovation and hence national social and economic development. Uruguay supported the statement delivered by the Delegation of Ecuador on behalf of GRULAC and welcomed the process of strategic alignment under way at WIPO, with regard to both its organizational renewal to ensure more efficient service delivery and its goal of analyzing the linkages between intellectual property and public policies relating to, inter alia, health, food, education and the environment. Uruguay had embarked on an audit of infrastructure and national preconditions for the development and management of intangible assets protected by intellectual property as a basis for designing a program for strategic IP utilization. An IP network was already operational and was aimed at designing, promoting and using IP instruments and services in order to facilitate the protection and incorporation of value in national production of goods and services through knowledge. That goal had to be combined with the objective of developing a globally competitive country by means of the enhancement of national intellectual production, with effective mechanisms for the use, protection and exploitation of knowledge and institutional ties between the scientific community and the corporate sector. Uruguay was party to a regional agreement for the interconnection of IP Offices with a view to the development of a common portal for Latin American countries and reciprocal approval of patent examinations in an initial phase. Uruguay had benefited from valuable support from WIPO for those projects and for the modernization of the Industrial Property Office. The Delegation hoped that such cooperation would continue, making it possible to reinforce adequately the IP system in Uruguay. In conclusion, the Delegation underscored the importance for Uruguay of the cross-cutting inclusion of all of the recommendations adopted by the Committee on Development and Intellectual Property in the WIPO Development Agenda, stressing the need for adequate funding to ensure its full implementation.

91. The Delegation of Indonesia pledged its full support and constructive contribution to the forthcoming deliberations and aligned itself with the statement made by the Delegation of Yemen on behalf of the Asian Group and the statement made by the Minister of Cambodia on behalf of ASEAN, and its intention of sharing with the Assemblies several issues in the field of IP of importance to Indonesia and to other developing countries. Indonesia placed great importance on the issue of the protection of Genetic Resources, Traditional Knowledge and Traditional Cultural Expression as one of the countries in the world with an abundant biodiversity and cultural diversity which was facing the continuous problem of misappropriation and misuse of its GRTKF. Indonesia was particularly interested that international legal protection be applied to GRTKF to prevent further misappropriation and had been participating actively in the discussion in the IGC with the aim of concluding an international legally binding instrument for the protection of GRTKF. However, Indonesia noted with great concern that after more than eight years of discussion, agreement remained elusive. It was not due to lack of substantive material available for completing such an agreement since the outlines of such an agreement had already been made available through the various deliberations of the IGC. What was needed now was the political will for a concrete decision. The most recent 14th session of the IGC last July had been unable to agree on how the IGC should move forward, thus the process in the IGC was now at a very critical juncture. In that regard the Delegation reiterated its full support for the African Group proposal regarding elements for a new mandate and believed that after more than eight years

of discussion the new mandate of the IGC should include text-based negotiations leading to an international legally binding instrument. With respect to the work of the CDIP, the Delegation wished to emphasize that the development dimension must be mainstreamed into all aspects of WIPO activities whether in norm-setting or in the area of cooperation. Implementation had to take into account the real needs and interests of the developing and least developed countries, with speedy implementation of all the recommendations including the mechanism and modalities for monitoring, assessing, reporting and evaluating work accomplished. In the opinion of Indonesia, successful and concrete implementation of the CDIP program would prove the commitment of WIPO as well as of Member States to creating an effective and more balanced intellectual property regime. Having observed the development of the discussion at the second session of the Patent Cooperation Treaty working group, the Delegation was concerned about the de facto harmonization of patent law. In that regard, the Delegation emphasized that harmonization of substantive patent law should not be the focus of forum discussions. It was expressly stated in document PCT/WG/2/3 that the process would improve the system within the existing framework and not address matters of substantive patent law harmonization or of a unified international patent. Studies had focused on the international phase without limiting the freedom of Contracting States to prescribe and apply substantive national conditions of patentability. This flexibility at national level was an important factor in the success of the Treaty, which had 141 Contracting States. Indonesia required further clarification on the International Bureau's proposal to develop global intellectual property infrastructure including the proposal for establishing a new committee on the global IP infrastructure. The establishment of the committee should be given adequate time and should include all views on the proposal, particularly the concern of many developing and least developed countries. The Delegation extended its gratitude to WIPO for its continuing support and assistance to the development of the IP system in Indonesia, including the recent establishment of the Indonesian IP Academy. The Government of Indonesia was committed to developing an effective and efficient IP system which supported the economic, cultural and social development of the country. A number of important policies on misuse had been prepared by the Government to promote the protection and use of the IP system, including two new laws on the protection of genetic resources, traditional knowledge and traditional cultural expressions. The Government was also in the process of revising the Law on Patents, the Law on Trademarks, the Law on Industrial Designs and the Law on Copyright. All of those new and revised laws would hopefully be finalized by 2010, thereby harmonizing Indonesian IP laws at both international and national levels. Indonesia was now also in the process of preparing the ratification of some international treaties and agreements, including the Madrid Protocol, the Geneva Act of the Hague Agreement, the Singapore Treaty on the Law of Trademarks and the Nice Agreement. On December 22, 2008, the President of the Republic of Indonesia had declared 2009 as Indonesia Creative Year followed by the enactment of Presidential Decree no. 6/2009 concerning Creative Industry, aimed at boosting the development of the national creative industry, an increasingly important sector in the economy, particularly in the midst of the current global economic crisis. In supporting creative industry, the Delegation considered that it was understandable that an adequate IP infrastructure accompanied by good national policy on IP and law enforcement were the most important elements. In dealing with the issue of IP enforcement, the Government of Indonesia had earlier established a National Task Force on Intellectual Property in March 2006, comprising Ministers, Senior Officials from 16 Ministries, tasked with dealing with IP infringement in a comprehensive manner. The establishment of that national task force showed the Indonesian Government's strong commitment to IP enforcement. The National Task Force had also prepared the National Policy on Intellectual Property as the basis of further development of the IP system in Indonesia. The National Policy was designed to make IP a new engine for growth, focusing on how to maximize the

contribution of IP in boosting national economic development. The Delegation stated that on the more specific issue of WIPO's proposal to terminate the London (1934) Act of the Hague Agreement concerning the International Registration of Industrial Designs, Indonesia was supportive of the Secretariat's pragmatic approach to freeze, in the short term, the application of the 1934 Act. In conclusion the Delegation believed that all Member States should aim for the betterment of WIPO in the future and firmly hoped that a consensual decision could be reached by the end of the Assemblies.

92. The Delegation of Jamaica congratulated the Chair on his election and assured him of its full support. Participation in the knowledge economy and the protection, promotion and development of IP were of major importance to Jamaica and constituted an integral element of its development strategy. The cultural and creative industries currently accounted for approximately seven per cent of the world's GDP and that figure was projected to increase by 10 per cent per annum. Jamaica was positioning itself to share in that exponential growth. The copyright industries now contributed approximately 5.1 per cent of Jamaica's GDP and accounted for three per cent of total employment. As set out in Jamaica's long-term national development plan, Vision 2030, its targets were that those industries would contribute 6.8 per cent of GDP by 2015 and 8.3 per cent by 2030, which were realistic goals. Jamaica possessed the potential to turn its cultural and creative industries into a major contributor to economic growth based on its demonstrated competitive advantages and the anticipated long-term expansion of the global creative industry. A significant advantage for Jamaica's cultural capital was the relatively high level of international awareness and the country's solid reputation. The creative industries, especially music and sports, were the main pillars of Jamaica's cultural capital and major contributors to Jamaica's nation brand. The development of the creative industries and sport was inextricably linked to IP development. Together, their development would lay the foundations for Jamaica's long-term transition to an innovation-driven and knowledge-based economy. Against that background, Jamaica attached considerable importance to the work of WIPO and in particular to the work of the CDIP. It fully supported the WIPO Development Agenda and endorsed the Director General's call for greater collaboration and engagement by Member States to achieve the timely and meaningful implementation of the CDIP's mandate. The Government of Jamaica had long recognized the competitive advantage that Brand Jamaica gave to all its productive sectors. That was why Jamaica had led an initiative within the SCT to develop international norms to protect the use of country names as a means of protecting a nation's sovereign rights, as well as securing the benefits to be derived from their use. The proposed amendment of Article 6ter of the Paris Convention to provide equivalent protection to official names of States as that afforded to other protected State symbols was an important tool in Jamaica's nation branding strategy and one which provided equal protection and benefits to all WIPO Members. It hoped that the initiative would gain widespread support among Members of the Organization. WIPO continued to be an important partner for Jamaica in its efforts to make effective use of IP as a development tool and it had provided Jamaica with valuable technical assistance and legal advice. It had also given support and assistance to Jamaica in the implementation of the Intellectual Property Administration System (IPAS) and the Jamaican Intellectual Property Office had been using the IPAS in all areas of its trademark operations. Jamaica remained committed to the development of the IPAS, since it had not only improved the efficiency of its IP system but had also enhanced the services that the Jamaican Intellectual Property Office (JIPO) provided. In line with its objective of promoting IP in Jamaica, JIPO had organized a Creativity Expo in April 2009 as part of the Government of Jamaica's IP week. The Expo had provided an opportunity to display Jamaican creativity. Jamaica scrupulously fulfilled its obligations and commitments in the area of IP enforcement and in that regard, JIPO had collaborated with the organized crime division of the Jamaican

police force in the area of public education to assist the police in its efforts to combat IP infringements and piracy. A course in IP would be established as part of the curriculum at the Police Training Academy which would ultimately develop the skills needed to ensure more effective policing of copyright and other protected materials. At the regional level, WIPO was providing technical assistance to the Member States of the Caribbean Community (CARICOM), including the recent appointment of a consultant who would assist the region in examining the viability of a regional patent system. Technical support was also provided for the formation of a CARICOM working group in the area of traditional knowledge, traditional cultural expressions and genetic resources for the development of a legal instrument to facilitate reciprocity and equity in that area. In that regard, Jamaica attached considerable importance to the work of the IGC and therefore supported the African Group's proposal to renew the IGC's mandate for a further two years. Providing the IGC with additional time would allow for more constructive engagement between Member States, indigenous communities, NGOs and technical experts, with a view to concluding an internationally binding treaty for the protection of GRTKF. It urged all WIPO Member States to support the African Group's proposal. Fair, equitable and effective rules were the basis for successful international cooperation. The Delegation was therefore deeply concerned at the slow pace at which various WIPO bodies had been progressing with their work and agreed with the Director General that greater impetus was needed in all areas if WIPO was to remain relevant to global commerce and innovation. The Director General had also spoken of a "new objective of engagement with global policy issues" and had mentioned in particular the visually impaired persons (VIP) initiative and the challenge of climate change. Jamaica considered the VIP initiative to be most laudable and its belief that it would produce a win-win result for both the stakeholders and the beneficiaries was reflected in its support for the initiative at WIPO, coupled with enabling action at the national level. Climate change was one of the most critical challenges facing the international community and the Director General had correctly pointed out that technological innovation and technology transfer were central to global efforts to deal with that challenge. Jamaica was among the countries that were least responsible for climate change, since its greenhouse gas emissions were negligible. Yet, at the same time, it was among the most vulnerable to the consequences of climate change. It therefore had a vital interest in urgent action at the international level to address that challenge effectively. The recently concluded High-Level Segment had brought together Ministers from nearly 50 WIPO Member States. The wide range of important issues discussed had underscored the usefulness of such a meeting, particularly at a time when governments the world over were faced with the deepest and most pervasive global economic crisis in decades. Jamaica supported WIPO's decision to make a high-level meeting an annual feature on its calendar, as it provided a forum for high-level discussion which should pave the way to finding solutions to various issues of concern to Member States, particularly those affecting developing countries. Jamaica remained committed to the effective promotion and protection of IP and to the implementation of the positive work program of the various intergovernmental bodies within WIPO, particularly the CDIP, SCT and IGC. The Delegation reassured the Director General and his team at the International Bureau that they could rely on Jamaica's strong and continued support.

93. The Delegation of Papua New Guinea thanked the Director General and the Secretariat for organizing the meetings and for making it possible for Papua New Guinea to be represented. Papua New Guinea had become a member of WIPO in 1997 and had continued to participate and benefit from a number of technical assistance programs aimed at strengthening intellectual property systems in Papua New Guinea. Assistance included provision of expert advice on legislative reforms, public awareness, human resources development and the establishment of an IP automation system for the Intellectual Property

Office of Papua New Guinea. Most recently Papua New Guinea had received support from WIPO for the development of the National Intellectual Property Development Plan outlining objectives in building an IP system and strategies that would increase awareness, promote innovation and strengthen the enforcement system. The Delegation expected the Development Plan to be adopted by the government and implemented starting in 2010. The Delegation thanked WIPO for its support and indicated that Papua New Guinea now had an intellectual property system and an Intellectual Property Office dedicated to serving the IP community in trademarks, patents, industrial designs, copyright protection and intellectual property in general. The Government of Papua New Guinea recognized that IP was a constantly evolving area. The legal framework was constantly required to provide protection mechanisms while promoting innovation and commerce. The situation in Papua New Guinea was similar to that of other less developed countries, with complexities in the social, economic, natural and traditional fabric of the country, requiring lawmakers and policy-makers to accommodate national peculiarities while also respecting international obligations. Issues such as IP enforcement, adequate protection mechanisms, development of inclusive and applicable IP-related legislation, and governmental commitment to IP development were relevant in Papua New Guinea. Regarding IPR issues confronting the Pacific Island countries, the Delegation noted that those countries were well endowed with biological resources and rich in traditional knowledge and folklore forming the basis for interesting and unique local craftsmanship, textiles designs and other traditional creations and performances. The Pacific Island people had been involved in creative activities for generations and traditional forms of trade had also existed in their cultural settings. In the absence of a proper legal administrative framework for intellectual property rights protection in nearly all the Island countries, intellectual property could not be protected to maximize the benefits of innovative activities. The Delegation called upon the Assembly to be bold in addressing that issue. IP infringement issues were also a great concern. Piracy and counterfeiting were increasing. The import, reproduction and sale of pirated and counterfeit goods were widespread throughout the Pacific region and the negative impacts had been immediately experienced by the business community and consumers. Those issues constituted a serious threat to Papua New Guinea's economic and social development. The governments of the Pacific Islands countries had acknowledged the need to address those intellectual property rights issues not only through legislative and policy reforms but also by establishing effective IPR protection and enforcement systems. The Australian government, through IP Australia, WIPO and the Pacific Islands Forum Secretariat, had worked closely with the Pacific Island countries for six years to facilitate consultations and discussions on IPR issues and decide on the best way forward. It was clear from those consultations that small Pacific Island countries had no capacity to deal with IPR issues. Those countries had small markets and could not have fully fledged IP systems as individual countries. A Regional IP Framework was being established and that regional facility would work to address IP issues by combining resources and expertise, and sharing costs and benefits. The Delegation announced that the trade ministers of the Pacific Island countries had agreed in June 2009 to set up a Regional Trademarks Registration System. The Ministers had further agreed that Papua New Guinea through its intellectual property office would perform the role of regional examining body. That was a milestone decision since it paved the way for Island countries to cooperate and make progress in addressing intellectual property issues. The Intellectual Property Office of Papua New Guinea was ready to perform that regional role in cooperation with WIPO and other developed Member States in order to build the capacity of the IP Office to assist small Pacific Island countries. Regarding global issues, the Delegation also acknowledged that intellectual property and global warming were emerging issues that needed to be addressed. The Delegation highlighted that Papua New Guinea was dealing with some of the Earth's first climate change refugees. Currently Duke of York Island and the

atolls of Bougainville were slowly disappearing under water as sea levels rose and people relocated to higher ground. In the context of intellectual property, that issue deserved urgent attention. Finally the Delegation wished all delegates fruitful discussions during the Assemblies.

94. The Delegation of the Dominican Republic congratulated the Chair on his election and wished him every success in the performance of his duties. It fully endorsed the statement made by Ecuador on behalf of GRULAC. Furthermore, it thanked the Director General and his team, for organizing the Assemblies and highlighted in particular the work that he had been doing during his first year of management, including the launch of the Medium-Term Strategic Plan, the use of green innovation as the key to tackling the challenges of climate change, the implementation of the Development Agenda recommendations and the establishment of appropriate fora for discussion of major IP issues. It also referred to the organization of the Conference on Intellectual Property and Public Policy Issues, which had shown how IP could promote innovation, creativity and technology transfer. The Delegation indicated that it was satisfied with the proposed Program and Budget for the 2010-2011 biennium prepared by the International Bureau, which it considered to be balanced, especially with regard to the measures adopted in view of the current financial crisis. It was particularly grateful that its observations concerning small and medium-sized enterprises (SMEs) made in its reply to the questionnaire distributed in March 2009 had been received and that a specific support program had been assigned for SMEs. However, it was concerned at the significant reduction in the budget allocated to language services, given that it reduced the access of countries such as the Dominican Republic to information and knowledge. The linguistic diversity within WIPO should under no circumstances be affected in such a way that it contravened the practice followed within the United Nations system, in which Spanish was one of the six official languages. The Delegation added that it was in favor of taking a decision at the Assemblies to renew the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore so that it could carry on its work and continue exploring all possibilities to allow the negotiations under way between Members to be brought to a successful conclusion. The role of IP in promoting development continued to be of the utmost importance and it was therefore necessary to continue strengthening national offices through plans and programs which facilitated automation, development and growth. In the case of the Dominican Republic, the Delegation highlighted the support that it had received in the form of technical and legal assistance to use geographical indications and appellations of origin as tools to enhance the competitiveness of national producers, as well as the development of a dissemination program involving the organization of seminars aimed at potential users of trademarks which had allowed the registration of five collective marks in sectors with an exporting tradition which were prestigious in international markets: coffee, cocoa, tobacco and a collective mark for handicrafts. It also wished to highlight the joint efforts made by WIPO and the Central American countries and Panama to develop the trademark examiners manual as an instrument to optimize the work of officials. The Delegation said that the National Office of Industrial Property (ONAPI) had successfully developed IPAS for distinctive signs and was keen to replicate that success with regard to patents. For the Dominican Republic, ONAPI was the model to follow given the awards it had received for its excellent quality, which had been achieved thanks to the technical assistance provided by WIPO.

95. The Delegation of Mexico began by congratulating the President on his election. It stated that Mexico was aware of the important role that intellectual property played in promoting the economic, social and cultural development of every nation and, hence, the need for adequate IP protection. Mexico had introduced a State educational policy to combat

piracy which consisted of the publication of a free booklet entitled “Civil and Ethical Education” that the Secretariat of Education had begun publishing and distributing the previous year to pupils in the fifth year of primary school, which examined the subject of piracy. Indeed, Mexico considered that instilling a culture of respect for intellectual property had to begin in childhood. The Delegation repeated that the Government of Mexico attached great importance to protecting audiovisual performances given the enormous impact of the major technological advances of the digital era and Internet. Similarly, Mexico gave high priority to the adoption of an agreement on the protection of broadcasting bodies in order to combat signal piracy. There was an urgent need to resume negotiations on the protection of audiovisual performances as soon as possible with a view to the adoption of an agreement and the also urgent need to move ahead with negotiations on an agreement for the protection of broadcasting bodies within the framework of the Standing Committee on Copyright and Related Rights (SCCR). The Delegation stated that the section relating to the SCCR in program 3 of strategic goal 1 and the proposed Program and Budget for the 2010—2011 biennium should stipulate concrete activities for the protection of audiovisual performances and the protection of broadcasting organizations, on the basis of the decisions adopted by the SCCR at its Eighteenth Session, held from May 25 to 29, 2009. Such activities should include the preparation of a draft agreement on the protection of audiovisual performances and a draft agreement on the protection of broadcasting organizations. The Delegation would provide additional information on those matters under the corresponding agenda items.

96. The Delegation of Ecuador congratulated the Chair of the General Assembly and said that his skillful management would deliver positive results. It also congratulated the Director General on his democratic management within WIPO. After explaining that it was speaking as a developing country with considerable natural and cultural wealth, groups of vulnerable persons, creative people and a social conscience, and as a country that was willing to protect its people and improve their quality of life, the Delegation said that it wished to build a more fair and inclusive IP system which promoted technology transfer, especially for small and medium-sized enterprises, and legal protection governing access to genetic resources and associated traditional knowledge, as well as cultural expressions and folklore, and which aimed to achieve the full implementation of the Development Agenda, as well as training and cooperation on intellectual property issues, taking it for granted that WIPO would provide assistance in that regard. The Delegation said that Ecuador, together with other countries in the region, had promoted several initiatives, including a WIPO treaty designed to improve access to reading material for the blind and visually impaired. It said that Ecuador was among the most megadiverse countries in the world and that it was important that the IGC should continue its work, but with the mandate of achieving a legally binding instrument for the protection of genetic resources, traditional knowledge and folklore. The Delegation said that it was necessary to invest in developing and strengthening research and training in that field. Furthermore, it expressed satisfaction that the Advisory Committee on Enforcement had resumed its work, bearing in mind that the best guarantee for the protection and enforcement of IP rights lay in the respect for other values and human rights. After observing that IP should be a mechanism for the development of peoples, the Delegation gave the floor to Mr. Héctor Aguavil, Governor of the Tsáchila nationality, who introduced himself as a member of an Ecuadorian indigenous nationality whose 2,500 people were spread across seven communities sharing the same language, Tsafiki, which translated as “true word”. He said that one of the most important characteristics of his people was the practice of herbal medicine, which was a knowledge based on Ecuador’s wealth of biodiversity that had been handed down orally from one generation to another and had been enriched from time immemorial. He added that the indigenous peoples of Latin America were proof that science had been practiced since distant times. Finally, he said that the world’s indigenous peoples

sought recognition of the collective heritage of their ancestral knowledge, which they had maintained and reproduced culturally and naturally through their own customary laws, and he urged the IGC to adopt international instruments for the protection of biodiversity and associated traditional knowledge, as well as their cultural expressions and folklore, with the aim of avoiding the continued misappropriation of their wealth, which in many cases was in danger of disappearing.

97. The Delegation of Chile congratulated the Chair of the General Assembly on his election and said that it was convinced that his proven wealth of experience would help to ensure that WIPO's activities progressed in a manner that was satisfactory for all Members of the Organization. It also thanked the Secretariat for the numerous documents prepared for the Assemblies. The Delegation said that it agreed with the Director General that WIPO should play a key role in the discussions on international IP-related standards. In that regard, it added that Member States should strive to reach agreement on issues of interest in very different areas and should submit the new challenges presented by social progress for consideration. The Delegation was concerned that proposals on the enforcement of IP rights and the standardization of industrial property registers were being examined outside of WIPO and urged those who were promoting such measures to submit them to WIPO, which was the appropriate place for holding balanced discussions, taking into account the various interests and allowing civil society to express their views. The Delegation supported the Director General's call in his opening speech concerning the need to analyze in detail the role of copyright in the 21st century. It added that an analysis of that issue should be widened to the role of IP in general. Similarly, the inclusion of new issues in the discussions of WIPO's main committees, as well as the measures implemented by the Organization to enhance transparency, had strengthened its nature as a United Nations specialized agency whose mandate was clear with regard to the dual importance of IP as an instrument to promote not only innovation, creativity and development, but also technology transfer and access to knowledge. The Delegation welcomed the organization of a High-Level Segment during the first two days of the 2009 series of meetings and considered that it would facilitate decision making and could help to break the deadlock reached in certain discussions several years before. In that regard, the Delegation considered it appropriate to refer to certain points which, in its view, reflected a new impetus within the Organization and which were placing WIPO once again at the center of relevant discussions on IP at the global level. With regard to the SCCR's agenda, the Delegation maintained that it reflected the various interests at stake and contained important activities to move forward in the discussions on exceptions and limitations to copyright and related rights, which was a subject that benefited both developed and developing countries, since it had a profound effect on the life and development of millions of people. The Delegation supported an examination of that subject from various angles and endorsed the proposal submitted by Brazil, Ecuador and Paraguay for consideration to begin of a proposed treaty on access for persons with visual disabilities. In the same vein, Chile was in favor of keeping audiovisual performances and broadcasting organizations on the agenda. The Delegation hoped that in the course of 2009, as planned, the Secretariat would complete the study on limitations and exceptions in education, as well as the final version of the general questionnaire on that subject. With regard to the implementation of the Development Agenda, the Delegation referred to the 2007 General Assembly, during which Members had agreed on the creation of a standing committee responsible for implementing the 45 recommendations which had been the result of three years of discussion. The Delegation said that both the discussions and the work done during the first three sessions of the Committee had been promising. The Delegation observed that in 2008, also during the General Assembly, it had pointed out that, as a result of the cross-cutting nature of many of the 45 recommendations, many of the proposals also came

within the remit of other WIPO committees, and not only the Committee on Development and Intellectual Property. The Delegation stressed the need to accelerate the work given that the 45 recommendations were not the only issue on the Agenda. It also pointed out that technological progress was being made in leaps and bounds on a par with needs and that excessively prolonging the process of implementing the 45 recommendations would lead to a standstill in the Committee's work. With regard to the Standing Committee on the Law of Patents, the Delegation joined the coordinator of GRULAC in expressing satisfaction with the resumption of its work and with the progress that had been made on various fronts. The Delegation said that Members' confidence had started to be restored and it was convinced that there were ways of making headway in the negotiations so that all Members emerged as winners. The Committee could not be a forum which gathered together the ambitions of some and the frustrations of others. With regard to the PCT, the Delegation pointed out that in June 2009, Chile had acceded to that Treaty, becoming the 140th Member State to do so. It also pointed out that Chile supported the work of the Working Group created in that regard. However, at the Working Group's latest meeting, Chile, like the other countries comprising its regional group, had opposed the approval of a series of general guidelines because it had not been informed of those guidelines sufficiently in advance. In that regard, it asked for due space to be given to developing countries so that they could express their concerns and observations. The Delegation observed that the work being done in the WIPO committees inspired the activities of countries such as Chile and guided efforts aimed at structuring their respective IP systems. The Delegation said that the Chilean Government's commitment to IP had been reflected in the introduction, from 2003 onwards, of major reforms to the legislation governing the IP system. Those were in addition to major institutional reforms which had resulted in a massive strengthening of Chile's IP system. In fact, in January 2009, the National Institute of Industrial Property of Chile had started its activities. The Institute was a State body which had replaced the former Registry of Patents, Trademarks and other Industrial Rights, and which had been created as an autonomous body with the mission of contributing to national development by promoting innovation and creativity through the protection of industrial property and the management of knowledge. Consequently, the Institute had doubled its team of officials and substantially increased the financial resources available in order to fulfill the new strategic objectives which had been added to the registration functions, namely the dissemination of knowledge and technology. The Delegation pointed out that the Institute's aim was to promote national innovation and technology transfer, shorten the time required to process applications for industrial property rights, provide services for users and disseminate information that was public knowledge, in particular concerning rights whose term of protection had expired. The Delegation pointed out that that was an example of the way in which Chile was trying to put the Development Agenda recommendations into practice. The Delegation indicated that explanatory leaflets were available for participants outside the meeting room, which gave details of the activities of Chile's National Institute of Industrial Property. The Delegation also referred to the efforts being made by the Chilean Government to adapt the IP system continuously based on the level of development and needs registered within Chile. In that regard, the Delegation pointed out that the Chilean Congress was examining four draft laws, two of which related to authorization for Chile to accede to the TLT and to the 1991 Act of the UPOV Convention. The third draft was designed to incorporate the provisions of that Act in the Chilean Law which currently governed the rights of plant variety breeders and the fourth draft concerned the reform of Chile's Law on Copyright and Related Rights to incorporate new tools for enforcing IP rights, with a view to combating piracy, establishing rules to limit the liability of Internet service providers and incorporating new limitations and exceptions to copyright and related rights. The Delegation explained that, without prejudice to the efforts made by each Member State of WIPO individually, in a globalized world, the efforts of small countries such

as Chile required a correlate at the international level. As a result, at a time when IP issues were being examined in various fora, the Delegation drew attention to the need for effective coordination between the various United Nations bodies and between those bodies and the other international bodies which were analyzing the repercussions of IP rights in relation to other rights. The Delegation said that that task should not be limited to the Secretariats of the various organizations, but should be widened to Member States. The Delegation stressed that WIPO should be the privileged forum for solving all IP-related issues and that Member States should ensure coherence in the decisions taken, regardless of the forum in which those issues were discussed. The Delegation said that, despite the difficulties entailed by consensus at the international level, Chile considered that multilateral IP agreements were the best means of legitimizing the importance of balanced IP systems which served the interests of both rights holders and users. For that reason, the Delegation was concerned that the work of several committees was at a standstill. Finally, it recalled that the Director General of WIPO and many other Members had highlighted in their statements the effects of the global economic crisis on the Organization's budget, and the Delegation said that it supported the agreement reached in the most recent meeting of the Program and Budget Committee, hoping that the current crisis would be transformed into an opportunity to refocus the work that the Organization had been doing since the end of the 19th century. In conclusion, the Delegation recalled that the regional seminar of Directors of Latin American industrial property offices and copyright offices would take place in Santiago de Chile in 2009. As the host nation, Chile hoped that the seminar would result in concrete agreements which supported the work being done at the regional level in Latin America and which were in line with the agreements reached under the Development Agenda.

98. The Delegation of Yemen, in its national capacity, congratulated the Chair on his election and presented its compliments to the elected Officers. It was convinced that the Meeting would be a success under the Chair's stewardship. The Delegation commended the Director General on his outstanding leadership and skills, after one year in Office, which reaffirmed the judicious decision by Member States to elect and nominate him as Director General of WIPO. The Delegation also thanked the Secretariat and the Management Team for their relentless efforts in the preparation of such an important event. The Delegation wished to support the statement made by the Delegation of Tunisia on behalf of Arab countries welcoming the 2010/2011 Proposed Program and Budget, as well as the construction of a new conference hall, notably in view of the increasing importance and growing number of IP activities and related meetings. The Delegation wished to emphasize the need to allocate sufficient human and financial resources for the implementation of approved activities in early 2010. In that regard, the Delegation wished to praise the Director General's personal commitment to the Development Agenda and to the integration of the development dimension in all WIPO's activities. It expressed appreciation of the efforts made by WIPO's leadership in enhancing and developing the Organization's work. Among WIPO's recent activities, the Delegation wished to single out the Conference on Intellectual Property and Public Policy Issues, the High-Level Forum on Intellectual Property for the Least Developed Countries: The Strategic Use of Intellectual Property for Prosperity and Development, as well as the more recent High-Level Segment in the 2009 WIPO Assemblies. Those and other equally important events exemplified the significant and prominent stature that WIPO had acquired. Yemen was therefore honored to participate in such activities in an active and positive manner. The Delegation emphasized the importance of renewing the IGC's mandate with a view to negotiating and concluding a legally binding instrument securing the rights of all parties. With regard to the Audit Committee, the Delegation welcomed the agreement reached on its composition and appreciated the participation of Yemen, in its capacity as Asian Group Coordinator, in the working group to address the

Committee's composition and rotation. In conclusion, the Delegation wished the Chair success in leading the Meeting towards an outcome which would benefit all WIPO Member States.

99. The Delegation of Austria supported the statement made on behalf of Group B and the statement by Sweden on behalf of the European Union and its Member States. The Delegation acknowledged the important role intellectual property protection played in discussions regarding current major public policy issues like public health, food security and climate change. It noted with appreciation WIPO's efforts and activities in providing a forum for in-depth dialogue of these cross-cutting issues and in promoting the ability of IP to stimulate creativity and innovation. The Delegation encouraged the Organization and its staff to continue and expand these activities, especially with regard to cooperation with relevant international organizations and other stakeholders. It conveyed Austria's continued support for the pursuit of WIPO's global goals. The Delegation appreciated that the proposed Program and Budget for the 2010/11 biennium had taken forward the strategic realignment program approved by Member States in 2008, and responded to the impact of the current economic crisis while ensuring the smooth functioning of WIPO's international registration and filing systems, as well as the further implementation of the Development Agenda. The Delegation encouraged WIPO's Senior Management Team to continue its efforts in efficiency saving and cost cutting. Concerning the proposed draft, it especially welcomed the fact that, following input by Member States and reflecting the importance of SMEs, a separate program had been established to address the specific demands of that core economic group. The Delegation looked forward to discussing the P&B with a view to supporting WIPO's work in facing existing and future challenges and delivering the results requested by Member States and stakeholders for the next biennium and beyond. It noted with pleasure that work in the Committee on Development and Intellectual Property (CDIP) on the implementation of the Development Agenda recommendations had moved forward in an efficient way, taking into account the cross-cutting nature of many of the recommendations and addressing the question of how to make available additional human and financial resources in line with the Organization's regular program and budget procedure. The Delegation looked forward to continued discussions in a positive spirit, especially with regard to possible coordination mechanisms and monitoring arrangements, in the forthcoming meeting of the CDIP. It hoped for timely and effective implementation of this important initiative to further enhance the development dimension of WIPO's work. Austria had taken note of the positive outcome of consultations held to seek agreement on a topic for the forthcoming fifth session of the Advisory Committee on Enforcement (ACE). It was pleased that a consensus on building respect for intellectual property rights had been achieved. In this regard, the Delegation reiterated its conviction that the Committee should act as a forum for exchange of information and best practices, especially with regard to counterfeiting and piracy. Considering the importance it attached to the protection of audiovisual performances and to protection for broadcasting organizations, the Delegation welcomed the fact that these topics remained on the agenda of the next meeting of the Standing Committee on Copyright and Related Rights (SCCR). It encouraged the WIPO Secretariat to continue its efforts to facilitate finding solutions in these areas. Convinced that a viable and harmonized patent system would benefit all stakeholders, i.e., Member States and users, the Delegation welcomed the positive spirit shown during the thirteenth session of the Standing Committee on the Law of Patents (SCP) during discussions on the four preliminary studies submitted by the Secretariat and the item "Future Work". Austria expressed the hope that continued discussions on the documents already provided and the additional studies requested during the meeting would enable the Committee to come to an agreement on defining a balanced work program at the next session. The Delegation commended WIPO and its Director General on the success of the recent

Conference on Intellectual Property and Public Policy Issues, which concentrated on the links and interrelations between IP and major global challenges and brought together, in a collaborative spirit, speakers from relevant international organizations (WHO, WMO, WTO and FAO), scientific experts and NGOs along with IP experts. The Delegation regretted that no agreement had been reached on the substance of the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), despite consensus on the importance of the topics under consideration and the common intention to renew and extend the IGC's mandate. It reiterated its view that Member States should have the freedom to choose the form or forms of protection from among different options to satisfy the diversity of possible demands. It therefore preferred a mandate that did not limit the outcome of the deliberations to only one option and excluded no option. The Delegation believed the Proposal on elements for the new mandate submitted by the Delegation of Sweden on behalf of the European Community and its Member States, which included the possible adoption of a special declaration by the General Assembly, was a suitable basis upon which to build. It hoped that future discussions would enable Member States to reach agreement on the substance of the IGC's mandate. With regard to the WIPO-administered global IP registration and filing systems, the Delegation commended the International Bureau on the results achieved in progressively developing and improving the procedures under the respective treaties, thus making the systems more attractive to users and offices. Representing an International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) under the PCT, Austria had taken an active part in the deliberations of the PCT Working Group. It therefore gave its full support to the proposed amendments as contained in document PCT/A/40/2 and fully endorsed the initiative on the future of the PCT. The Delegation took positive note of the status report on the implementation of the Information Technology Modernization Program of Madrid IT support systems, which had been initiated following unanimous approval by the Assembly of the Madrid Union in September 2007. Consequently, it supported continuing the activities to, inter alia, enhance internal productivity and expand electronic business procedures for offices, holders and their representatives. The Delegation was ready to approve the implementation of Phases I to III of the IT Modernization Program as contained in paragraph 50 of document MM/A/42/2, as well as the proposal concerning financing from the Madrid Union RWCF.

100. The Delegation of Azerbaijan congratulated the Chair on his election and wished him successful and fruitful work, and also thanked the Secretariat for the high standard of prepared documents for the Assemblies, and the Director General for the successful fulfillment of the strategic goals of WIPO's work and, in particular, for the concern and attention to the problems and needs of developing countries and countries with economies in transition. Recognition of the importance of a policy of integration of intellectual property into national development strategies and plans, while taking into account countries' specific requirements, was currently a fundamental aim, facilitating the globalization of IP, and which WIPO was successfully striving to bring to the global community. As with many economies in transition, Azerbaijan was very interested in the choice of versions for carrying out that policy and of legal approaches to its implementation. Work was being undertaken in the country on strengthening the potential of an intellectual property system, modernization of its infrastructure, and harmonization of legislation. After the staging in May 2009 in Nakhichevan, Nakhichevan Autonomous Republic (Azerbaijan), of an international symposium on intellectual property and traditional knowledge, interested parties in the country followed with particular attention the course of the work of the Intergovernmental Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore (IGC). In the recommendations of the Nakhichevan symposium, the work of WIPO and its

committees was highly praised, and an extensive program of further work of the ICG was proposed for the devising of national and regional draft laws for the protection of traditional knowledge and of international standards relating thereto. The Delegation expressed confidence that the work of that committee, its political documents and practical guidelines would also enable in future the strengthening of the potential on all levels to protect traditional knowledge and cultural expressions. The Delegation believed that a modern society operating today outside the constructive and coordinating work of WIPO was simply inconceivable. Having expressed confidence in the successful fulfillment of WIPO programs involving, inter alia, support for developing countries, protection of intellectual property rights, arbitration and mediation services, policy and procedures in the field of domain names, legal approaches and practical methods involving intellectual property and life sciences, the Delegation expressed hope for further progress in the development of a more reliable and balanced global infrastructure for intellectual property. The Delegation considered that the WIPO Academy, whose popularity in the wider circles of interested parties grew year by year, played a not insignificant role in that, particularly in the field of distance learning. It expressed the wish that the list of courses in Russian be expanded. In conclusion, the Delegation noted that the positive changes in all aspects of WIPO's work had undoubtedly been caused to no small extent by the rich experience and high level of professionalism of the WIPO Director General.

101. The Delegation of Canada was pleased to participate in the Assemblies of Member States and to seek consensus on the IP issues that supported economic and social well-being. By fostering invention, innovation and creativity, IP rights were an important part of ensuring positive human and sustainable development. However, the difficult economic times affecting all countries would be an undercurrent of many discussions during the Assemblies meetings. The financial crisis had had varying negative impacts on the IP system while the weakened economy had presented formidable implementation challenges for businesses and innovators. Canada had been steadily working to assist its businesses in adjusting to those challenges. Member States also had to respond to the effects of a weakened economy and declining revenues. By using good judgment, common sense and foresight, the international IP system could continue to be made more efficient and result-oriented. The Delegation stressed that an economic crisis could act as a catalyst for innovation. As the Director General of WIPO had recently noted, technology, innovation and creativity were critical in creating opportunities for economic renewal. Canada believed that IP could drive innovation and development, leading to greater economic and social benefits worldwide. Canada had demonstrated its belief in IP as an economic driver by observing World IP Day each year. Its 2009 celebrations had been a resounding success marked by collaborative events and activities focused on the success of Canada's business community and fostering greater IP awareness. Canada would continue to seek further collaborative measures with Member States to achieve the common goals of improving awareness and the efficiency of the IP system. Canada valued a multilateral approach to global IP issues. It urged Member States to work collectively for greater accountability and good governance of the international IP system. Canada's interest in ensuring that WIPO was results-oriented and efficient was linked to its commitment to transparency and accountability in managing national activities. It knew that those two factors had a positive impact on public confidence and trust in government. Canada sought to uphold similar standards for international bodies in order to ensure the integrity of all global institutions. It would continue to emphasize the importance of financial transparency and consistent management practices at WIPO. The "Financial Disclosure/Declaration of Interest" proposal was an important step toward good governance and accountability. Canada expected WIPO to have strong, independent oversight mechanisms, a commitment to accountability and human resource practices based on merit.

While the Delegation understood the need for an incremental approach, it urged the Secretariat to implement those programs expeditiously. Canada welcomed WIPO's work with Member States to help develop international standards for IP laws and practices, and its efforts to promote a broader understanding and use of IP. The Delegation thanked the Secretariat and the Chair of the CDIP for moving the implementation of the 45 Development Agenda recommendations forward. It agreed with the Chair's view that the adoption of the recommendations had been made possible by a combination of compromise, cooperation and determination to get the job done. The same spirit would have to prevail in moving forward on the implementation of the recommendations. While there was still much to be done, the Delegation was encouraged by the foundations laid during the three sessions of the CDIP. It supported the implementation of all 45 recommendations in an efficient and practical manner that would allow Member States to engage in a thorough discussion and analysis of the projected progress of all activities related to the recommendations. The Delegation was encouraged by the Director General's commitment to the Development Agenda. The Delegation greatly appreciated the opportunity to participate in the preparation of the Program and Budget and highlighted that exercise as a significant example of transparency and an important step in WIPO's realignment process. The Delegation congratulated the new senior management team recently endorsed by the WIPO Coordination Committee. It wished them well in their new positions and looked forward to collaborating with them as it had done with their predecessors. Canada had long been committed to establishing more stable and self-reliant economies in developing countries and to ensuring that all countries were able to gain concrete benefits from innovation and the knowledge economy. Canada would continue to support WIPO by providing technical assistance to developing countries. Since 1997, the Canadian Intellectual Property Office (CIPO) had organized, in partnership with WIPO, specialized training courses for nationals of developing countries. In October 2009, CIPO would host a one-week workshop on improving the capacity of IP officials and providing participants with first-hand experience of Canada's IP expertise, products and services. During the past year, Canada had played an active role in many WIPO committees, during bilateral meetings and other international fora. It remained committed to participating in WIPO committees and encouraged all Member States to make additional efforts to ensure that meaningful progress was made and concrete measures implemented. Through open and constructive dialogue the effectiveness of the IP system would be collectively improved for all Member States.

102. The Delegation of Chad congratulated the Chair of the General Assembly on his magnificent election and also congratulated the Director General and all his colleagues on the quality of documents produced and on the constant support and unfailing attention that they had always given to Chad, especially with regard to activities relating to promotion, the provision of information, training and awareness raising in the field of intellectual property. The support given and attention paid reflected the excellent relations and cooperation that had existed between the Organization and Chad for a very long time and the Delegation hoped that those relations and that cooperation would be strengthened. The Delegation aligned itself with the statements made by Senegal on behalf of the African Group and by Bangladesh on behalf of the least developed countries. It welcomed the efforts made by WIPO with regard to public awareness raising, capacity building and technical assistance, emphasizing that it fully supported the various steps that the senior management intended to take to promote IP in the world, especially in the least developed countries, of which Chad was one. Chad hoped to continue to benefit from WIPO's kind services through its Technical Assistance and Capacity Building Bureau for Africa as well as its support in implementing a number of projects relating to the promotion of IP, in particular the training of officials, the drafting and implementation of national IP legislation and the enhancement of IP services.

103. The Delegation of Congo congratulated Mr. Alberto Dumont on his election as Chair of the General Assembly and, on behalf of Administrative Council of the African Intellectual Property Organization (OAPI) and its Member States, expressed its sincere gratitude to the Director General of WIPO for his support of OAPI and for his tireless efforts to meet the global challenges of the Millennium Development Goals. The Delegation noted with satisfaction the significant progress achieved in developing an institutional framework on the protection of traditional knowledge and traditional cultural expressions as well as the successful launch of the WIPO Voluntary Contribution Fund. With a view to implementing the recommendations of the Development Agenda, IP strategies established by the Member States of OAPI with assistance from WIPO should cover all aspects of development, including strengthening and modernizing IP institutions, training and creating synergies between various public and private institutions and between national IP offices, universities and research centers. Assistance with legislation was satisfactory due to the help provided by WIPO via its cooperation with WTO, but nevertheless required strengthening. The Delegation underscored the increasingly vital role of innovation and invention in the activities aiming to meet current global challenges. The UN Intergovernmental Panel on Climate Change had presented scientific and irrefutable proof that the use of fossil fuels gave rise every year to billions of tons of greenhouse gas emissions in the atmosphere. Climate change was already a reality and Africa, with 14 per cent of the world's population and only a 3.2 per cent share of global CO₂ emissions, was particularly vulnerable to their harmful effects due to its poverty and limited technical capacity. On the African continent, human establishments as well as social and economic sectors were particularly exposed to the consequences of climate change, which were manifold and included: the disruption of marine and fresh water ecosystems, coastal erosion, the silting-up of rivers, upheaval of biodiversity and, in general, disruption to the biogeochemical cycles of land ecosystems. The current challenge posed by climate change was the production of information, knowledge, technological innovations and methodologies necessary to take decisions on preventing those changes and their adverse effects. Governments of African countries had played a decisive role in the establishment of the 1994 UN Convention to Combat Desertification. Many African countries had also signed the 1992 Framework Convention on Climate Change and the 1997 Kyoto Protocol. As the Agreement concluded at Kyoto was due to expire in 2012, it was not impossible that the ecological development of Africa benefitted from the necessary economic reforms for fighting global warming. As regards all the above, Africa's efforts to preserve its forests entailed improving the skills of governments in administering their forest resources and raising awareness of the populations who directly exploited the forest for at least some of their food, income and medicines. The Delegation hoped that the General Assembly would produce concrete and realistic resolutions.

104. The Delegation of Cyprus recalled that since the beginning of the century the country had provided IP protection through comprehensive laws covering nearly all branches of IP. It was also a member of most WIPO Treaties, the latest event being the accession to the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations in June 2009. Cyprus cooperated with WIPO on all issues concerning IP and looked forward to fostering a closer relationship in the future. It readily supported the development of WIPO, including the expansion of the organization to new adjacent premises and the construction of a new, modern conference hall. The Delegation was convinced that those projects and others would be successfully concluded, and wished a successful completion of the deliberations of the Assemblies.

105. The Delegation of the Czech Republic aligned itself with the statements made by Sweden on behalf of the European Community and its Member States and by Serbia on behalf of the Group of Central European and Baltic States and reiterated its full support for the development of an international IP system that benefited all stakeholders. It was convinced that under the leadership of the Director General and his new senior management team, WIPO would be able to achieve its strategic goals. The Delegation attached great importance to the adoption of the Program and Budget for the 2010/2011 biennium and encouraged the WIPO Secretariat to continue its efforts to increase efficiency, transparency and accountability. The Delegation expressed satisfaction with the work of the SCT and welcomed further implementation of IT modernization programs under the Madrid and Hague Systems. It fully supported the continuation of the work of the Working Group on the Development of the Lisbon System and hoped that the well-balanced work program of the SCP would be adopted as soon as possible. It was aware of the importance of the PCT system for users and recognized the need for action to improve that system further within the existing legal framework. It therefore supported the work of the PCT Working Group and said that the general principles of the WIPO roadmap represented a good way forward. With regard to the work of the SCCR, the Delegation was pleased that the protection of audiovisual performances and broadcasting organizations remained on the agenda, but believed that it was now time to make a bold move forward in finding solutions and bridging the different positions. It hoped for an efficient and up-to-date internationally binding instrument in the near future. With regard to the IGC, the Delegation supported the renewal of its mandate and believed that further in-depth discussion was needed in all relevant areas. The Delegation welcomed the thematic approach guidelines adopted by the CDIP and hoped that they would speed up the implementation of the recommendations. Furthermore, it continued to support the work of the ACE and welcomed the further development of WIPO enforcement activities. In conclusion, the Delegation reported that the Czech Industrial Property Office was celebrating its 90th anniversary in 2009 and to commemorate that event, the Office, together with WIPO, had organized an international conference on industrial property protection in Europe. The Delegation thanked the Secretariat, especially the Division for Cooperation with Certain Countries in Europe and Asia, for their excellent cooperation and assistance in organizing that event. The Delegation was looking forward to continuing its close collaboration with WIPO in the future.

106. The Delegation of Denmark, speaking on behalf of its national Patent and Trademark Office (DPTO), congratulated the Director General on having brought new initiatives to the Organization and thus ensuring the promotion of innovation and creativity. The Delegation also thanked the WIPO Secretariat for its excellent work in preparing for meetings and its service-minded and positive attitude. It supported WIPO's strategic goals and the efforts being made to stimulate innovation and creation, and to promote effective use and protection of intellectual property (IP) worldwide. The goals had become even more important, given the economic and financial difficulties that companies around the world currently faced. IP was an important element in the economic, social and cultural development of all countries, and efforts should be made to maintain this focus even through times of crisis. The Delegation highlighted the cooperation between Denmark, Norway and Iceland under the Nordic Patent Institute and was pleased to announce the delivery of satisfactory results in 2008. The Delegation expressed its hope that the use of the Nordic Patent Institute would be further strengthened thereby creating the best possible platform for users that operated in the global markets. In relation to the Danish Government's report on counterfeiting and piracy, it was announced that concrete legislative steps had been taken as a result of the report findings and that a permanent cooperation forum had been established in which several authorities worked together to provide information and guidance to consumers, companies and other

authorities. Piracy and counterfeiting had serious implications for international trade and IP rights and, for that reason, it was important to continue focusing also at the global level on initiatives that could help fight those two phenomena. The Delegation referred to its involvement in international projects through earlier Twinning Projects and also currently framework contracts, commercial tenders and the Eastern Partnership Programme, thereby creating activity in Europe, the Balkan countries, Romania, Republic of Moldova, Ukraine, China and Saudi Arabia. The Delegation expressed its belief that such involvement strengthened the cooperation between IPR authorities and helped to achieve significant results in areas such as awareness raising, staff training and overall capacity building in the IPR sector. Denmark would continue to focus on such projects as it believed that to be an important way of strengthening IP infrastructure and thereby improving the competitiveness of European companies on a global scale. The Delegation proposed further development of the patent process at the international level to benefit industry and the possible consideration of the development of solutions in another forum in addition to WIPO. Finally, the Delegation welcomed the opportunity to meet colleagues, since such meetings were beneficial for the creation of new ideas. It believed that properly functioning cooperation between national and international offices benefited the IP environment on a global scale.

107. The Delegation of the Democratic People's Republic of Korea expressed its appreciation to WIPO for its efforts to ensure the continuous development of the world protection of Intellectual Property over the last year. WIPO had mapped out five Strategies and had established a Program and Budget for the 2010/2011 biennium with detailed goals and programs, laying down a new policy foundation for WIPO's activities. Notwithstanding the financial crisis, WIPO had made available its reserves and resources thus ensuring a financial guarantee for its activities. The new Senior Management Team and the restructuring of the Secretariat would help WIPO to improve its work. Through strengthening IP cooperation with other relevant international organizations including WHO and FAO, WIPO had enhanced its position and role in moving towards a solution to key international problems such as health, climate change and food security. Recognizing that WIPO's activities in the past year had been quite successful, the Delegation raised several issues concerning the future work of the Organization, namely: WIPO should continue to give priority to enhancing the national IP capacity of developing countries so as to guarantee a balance among the Member States; practical measures were needed to implement the five per cent reduction in the international patent filing fee; in drawing up and implementing cooperation projects, priority was to be given to the enhancement of the developing countries' IP capacity according to the Development Agenda; due attention was to be paid to realizing South-South cooperation among developing countries through technical cooperation, joint study and sharing of information in the IP field; it was imperative to establish a new international legal basis for eradication of international copyright piracy since piracy in the field of literature and art in some countries was going beyond commercial purposes and tending towards becoming political in nature, causing hostility towards other countries; urgent attention was to be given to the system of the settlement of disputes under the existing convention on copyright protection, which was mainly dependent on domestic laws allowing only a bilateral settlement with a limitation on international mediation and coordination. Given the importance and significance of IP in building a great economic power, the Government of the Democratic People's Republic of Korea was directing its attention and efforts to IP protection. Over the years it had amended and complemented IP legislation and rules for operation including the national invention law. Administrative measures were being taken such as the establishment of the National Coordinating Committee and the "National Action Plan on IP Protection for 2010-2015" so as to enhance IP activities in the country and coordinate matters with WIPO. By placing scientific research ahead of production in economy, it was encouraging invention

and patents on a nationwide and societal scale, with some 76,000 filings per year. The ability to manufacture and launch artificial satellites, which integrates sophisticated science and technology as a whole, was a clear indication of the rapid development of science and technology in the country. As a result of activities for the creation of copyright in the field of literature and art, masterpieces such as the grand gymnastic and artistic performance “Arirang” had been created. The Government would further develop IP protection work in the country and fulfill its responsibility as a WIPO Member State to enhance international IP cooperation.

108. The Delegation of El Salvador joined other delegations in expressing its satisfaction at the convening of the Forty-Seventh Series of Meetings of the Assemblies of WIPO Member States and congratulating Argentina on its election to chair the meetings. The Delegation was very pleased with the first year of management of the current Director General, who had successfully guided the Organization in two of its main functions, namely as a provider of services to the world economy and as a body for development. During the past year, the Delegation had noted with satisfaction that the development dimension had permeated the Organization’s internal structures, leading to its consolidation with a strong people-centred focus and sensitivity to the needs of developing and least developed Member States through the strengthening of human and financial resources as part of the implementation of the 45 proposals agreed by the Member States. Since September 2008, WIPO had continued, extended and strengthened programs of benefit to its members, backing national plans to reinforce the IP system. In El Salvador, such endeavors had taken the form of projects and programs that had been developed strategically in harmony with the national agenda. The Delegation singled out two major meetings organized by WIPO, the Conference on Intellectual Property and Public Policy Issues and the recent Global Symposium of Intellectual Property Authorities. It considered that those meetings would facilitate the preparation of national IP strategies and hoped that it would be able to make a constructive contribution to following those topics up along with the other Member States. In the national sphere, the aim was to incorporate the IP guidelines laid down by WIPO for the functioning of small and medium-sized enterprises (SMEs). The Government of El Salvador was primarily counting on the SMEs to revitalize the national economy and felt that the country could provide strategic support for such firms by taking steps to enable them to improve the quality of their products and services. It had noted with satisfaction that Latin America and the Caribbean were duly represented on the Director General’s new working team and hoped that El Salvador would shortly be better represented within the Organization. El Salvador would continue its ongoing efforts to maintain contacts with all competent institutions working to ensure respect for IP rights and to strengthen the Specialized Intellectual Property Office of the National Registration Centre, a public body that also offered registration services, inter alia, in the fields of business, property, real estate and mortgages. As for the national IP office, which formed part of the National Registration Centre, the Delegation was pleased to report that it continued to offer ISO 9000 certification and had introduced an innovative portal on its Website. Apart from its legally mandated registration activities, the national IP office had branched out into IP dissemination and capacity-building activities, for example by running specialized IP compliance courses for judicial authorities and other entities, organizing a trademark fair and the National Invention Week, and promoting initiatives linked to cultural expressions and educational projects with an emphasis on copyright. Such activities were publicized in specialized fora such as periodic meetings of heads of IP offices and in IP working groups within the customs union to which El Salvador belonged as part of the Central American region. Moreover, views had been exchanged on capacity-building activities targeting some developing country members in the Latin American and Caribbean region. El Salvador considered that WIPO could play an important

role in counteracting the effects of the global economic and financial crisis, by developing and promoting a forum enabling the transfer of technology and innovation. That could promote efficient markets, making it possible to get the world economy back on track for the benefit of its inhabitants, which was why it was important to seize that opportunity to boost the developing countries. The Government of El Salvador continued to pursue its policy of strengthening the national IP system by taking systematic steps to guarantee the protection, management and enforcement of IP rights and by encouraging creativity and innovation within the framework of the protection of the public interests, an approach that helped boost economic development. As far as the work done by WIPO committees was concerned, El Salvador attached great importance to the endeavors of the Committee on Development and Intellectual Property, the Standing Committee on Copyright and Related Rights (SCCR), the Standing Committee on the Law of Patents (SCP) and the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). Likewise, it valued the creation of the WIPO standards committees and the Global Infrastructure of Intellectual Property as well as the services provided in relation to the PCT system. The Delegation hoped that it would have an opportunity to express its views in that respect under the respective items on the agenda of the Assemblies. It concluded by thanking the Director General and Secretariat of WIPO and the corresponding Divisions for their commitment to supporting and coordinating activities and projects of interest, many of which enjoyed the backing of the Government of El Salvador.

109. The Delegation of Georgia complimented the Secretariat on the excellent quality of the material which had been prepared for the proposed Program and Budget for 2010-2011, as well as for previous years, adding that it considered that the program was balanced, referred to all the main issues existing in the IP sphere and responded to current technical, economic, social and other challenges in the world. The Delegation said that in recent years, the development of the global economy towards a knowledge-based model, with a dramatic increase in the value of intangible assets compared to tangible ones, had increased the significance of the function of patents, and that the type of economy that ensured the long-term increase in the competitiveness and welfare of a country was therefore an innovation-oriented economy. The Delegation pointed out that that idea was deeply understood in the proposed WIPO program, where it was considered that every innovation process-supporting measure encouraged intellectual property development processes as well, and stated that it fully supported and agreed with WIPO on that issue. The Delegation noted that the vital role of increased knowledge, innovation, the commercialization of the results of IP activity, licensing and technological development, especially in green technologies, in furthering the economic development of countries was repeatedly highlighted by the leaders of the advanced countries of the world, and that, in that respect, Georgia was working on new approaches and visions in order to give effect to the intellectual potential of the country for promoting science and industry, and thus encourage the creation of a strong knowledge-based economy. The Delegation noted the program approaches of WIPO to such issues as further development of the PCT, Madrid and Lisbon systems, and to the improvement of the legal framework of trademarks, industrial designs, and geographical indications, taking into consideration the technological, geo-economic, social and cultural development of Member States. It welcomed plans to attract more countries to participate in those systems, which would increase the geographical area of international protection for trademarks, industrial designs and geographical indications. The Delegation pointed out that, during the past year, Georgia had been working on the improvement of IP legislation, including the preparation of a new draft law on industrial designs and draft amendments to the Patent Law of Georgia, taking into account the requirements of EU legislation and recent approaches in international practice. The Delegation underlined the high importance that it attached to the working plan

concluded between WIPO and the National Intellectual Property Centre of Georgia (Sakpatenti) concerning transition to the electronic filing of PCT applications and submission of information on a regular basis for WIPO's "Patentscope®" database. In respect of Program 4 of the strategic goal regarding traditional knowledge, traditional cultural expressions and genetic resources, in which Georgia had a rich heritage, the Delegation stressed that active and practical steps were necessary for the creation of an international legal framework which would enable countries to protect traditional knowledge, traditional cultural expressions and genetic resources at the international level. The Delegation drew special attention to Program 17, in strategic goal VI, which applied to combating counterfeited and pirated goods. One of the main problems in the IP sphere in Georgia, as in many other countries of the world, was the distribution of counterfeited and pirated goods. The Delegation welcomed WIPO's initiative to launch studies in Member States to evaluate the volume of counterfeited and pirated goods on the markets, noting that Georgia had already taken certain steps in that regard. In particular, under the Georgia-EU PCA Agreement, and in cooperation with UNDP, it had launched a special study to assess the volume of counterfeited and pirated goods on the Georgian market, in order to determine which were the most counterfeited and pirated sectors of industry and make corresponding recommendations. The Delegation praised the WIPO Academy for being an important and efficient tool for improving the knowledge and professionalism of persons involved in the IP field, and supported the extension of the study topics in the proposed program. It found that the distance learning courses were particularly convenient for the staff of IP offices, enabling them to stay at their desks, and pointed out that employees of Sakpatenti regularly made use of them. The Delegation expressed its full support for the program related to cooperation with certain countries in Europe and Asia, which Georgia had been able to benefit from over the years, and hoped to continue cooperating with WIPO within the framework of that program. The Delegation positively acknowledged WIPO's plans to increase awareness by all parts of society of the strategic importance of any given field of IP, and listed some of the activities, in addition to its main activity, that were being carried out at Sakpatenti in that regard: twice a month, it published and distributed, free of charge, a bilingual Official Bulletin of Industrial Property; it prepared and made available patent information on CD-ROMs; it provided free consultations for science and business organizations upon request; it provided assistance to all interested persons in carrying out patent information searches; it published Georgian translations of works of famous authors and international organizations in the field of IP, including WIPO publications and two international classifications in the sphere of patents and industrial designs; and it published a scientific-practical journal entitled "Intellectual Property". In addition, it held seminars and conferences for different target groups, and arranged exhibitions of inventions at its exhibition hall, in which it planned to encourage the participation of active inventors with important inventions. The Delegation concluded by stating that it hoped for a successful implementation of the 2010-2011 Program and Budget.

110. The Delegation of Guinea-Bissau congratulated the Chair and the two Vice-Chairs on their election and paid tribute to the outgoing Chair, Mr. Martin Uhomoibhi, Ambassador of Nigeria. The Delegation expressed its support for the statement of Senegal on behalf of the African Group and that of Bangladesh, on behalf of the least developed countries. The Delegation warmly thanked the Director General of WIPO and the Secretariat for their efforts in preparing the current session of the Assemblies and for the quality of the documents provided to Member States. The Delegation expressed its country's support for all of the approaches taken by WIPO in the context of promoting IP rights in the world and, particularly, in the Community of Portuguese-Language Countries (CPLC). Guinea-Bissau was satisfied with the significant progress achieved within the Organization, one year after the

Director General had taken office. Despite the political crisis and instability in the country, the Government had wasted no efforts in supporting IP promotional efforts, as witnessed by the building in Bissau, by OAPI, of an IP Documentation Center, and had continuously collaborated with its partners and with the IP Offices of other countries to promote and encourage respect for IP rights at the national, regional and international levels.

Guinea-Bissau had stepped up its public-awareness campaigns so as to inform all stakeholders of the importance of IP issues, namely customs, universities, researchers, journalists and lawyers, but also inventors and innovators. It had also availed itself of African Intellectual Property and Technology Day to raise public awareness of the use of the IP system to meet the country's social, economic and cultural development needs. The Government was very pleased with WIPO's support and with the fruitful cooperation between Guinea-Bissau and the Organization in various areas of IP, including bearing the cost of IP-related structures such as regional fora, meetings, conferences and seminars. The Delegation also thanked WIPO for its constant contribution over the years to improving the IP system in Guinea-Bissau, which had materialized as the provision of a computer system for IP-related work, with a link and easy access to IP research. In conclusion, the Government thanked WIPO for having allotted on its website a page in Portuguese on the Organization and the PCT, which had improved accessibility to Portuguese-speaking users of IP rights.

111. The Delegation of Iceland stated that it appreciated the developments in the Organization over the past year and supported the new Director General's vision for the Organization, in particular the strategic goals and realignment process. As a member of the PCT and partner of the Nordic Patent Institute, Iceland was well aware of the challenges facing the PCT system and the necessity to harmonize work and build trust between ISAs and IPEAs and national offices. Increasing backlogs had encouraged national and regional offices to seek solutions such as the Patent Prosecution Highway (PPH) and Utilization Project (within the EPO). Iceland welcomed the WIPO initiative set out in the roadmap that aimed to enhance the overall performance of the PCT system. The Delegation considered it very important that duplication of work be avoided and quality raised in order to address the increasing backlogs confronting offices. It believed that the PCT system would and could meet those challenges within the existing legal framework. The Icelandic Patent Office supported the construction of a database of acceptable indications of goods and services for trademarks. It firmly held that such a database would prove useful for trademark applicants and accelerate examination work, and could be an interesting aspect of future cooperation. The worldwide financial downturn had had immense consequences in Iceland, which affected, to some extent, the working environment of the Icelandic Patent Office. That Office's patent operations during the first three quarters of 2008 had reflected optimism and interest in finding ways to improve its services; whereas, the fourth quarter had been marked by uncertainty and the associated postponement or stagnation of various projects. However, work had continued on large and important projects, such as the introduction of an electronic document management system and construction of a patent register. The introduction of a quality management system and registration of business processes had progressed well in the past year, but the system's certification process would have to be postponed. The economic downturn had influenced the number of applications received by the Office, which had declined sharply in October and November but increased again in December. The total number of patent applications had therefore been smaller than in 2007, but the number of European patents had risen sharply. That development had been foreseeable as the effects of membership in the EPO were increasingly being felt. The number of trademark applications had followed a similar trend – falling in October and rising again in November and December – with a total number of applications in 2008 slightly above the 2007 level. The Delegation would follow with interest future developments in that respect. It was too early to evaluate

the effects of the economic downturn on the work of the Icelandic Patent Office and IP development in the country in general. It was clear, however, that the economic situation had not yet affected the demand and need for the services of the Office. The Delegation stressed that, at a time when innovation and ingenuity were to be emphasized, it was important that the Patent Office attended to its mission and supported those seeking to protect and utilize their IP effectively.

112. The Delegation of Israel stated that intellectual property, along with innovation and creativity, were staples of the global knowledge base of 21st century economy. Intellectual property was aimed at stimulating economic growth worldwide. It was therefore of crucial importance for countries to foster the talents of their populace, invest in research and development and educate their people as to the importance of intellectual property rights. Israel had for many years stood at the forefront of technological development and advancement and was dedicated to furthering all aspects of intellectual property rights in order to benefit not only the economy, but technology as well, and thus society as a whole. Concerning the latest activities and developments at national level the Delegation was pleased to report that Israel had implemented legislation strengthening the enforcement mechanisms for violation of intellectual property rights. In particular, criminal enforcement of IP rights in Israel included a special police unit, spread around the country and specialized in IP enforcement, and an additional unit, in the ministry of health, that specialized in counterfeit pharmaceuticals. Two important court rulings, which minimized the burden of proof laid upon the prosecution, had recently been made with regard to CD manufacturers and counterfeit pharmaceutical distributors. The Delegation also noted with satisfaction that since 2006 the Israeli Patent Office had started to operate as an Executive Agency, after operating as a department within the Ministry of Justice since 1948. That development allowed for the recruitment of additional examiners and considerably improved working conditions, so that the position of patent examiners within the ILPO became more attractive to well-qualified candidates. In 2008 the ILPO launched the next phase of the automation process using the most advanced systems and tools, aimed at introducing customer-oriented online services such as electronic filing and a paperless environment for all IP processing. The allocation of human resources, digitization of paper copies and electronic communication with WIPO had already been started in that respect. In the area of trademarks, the number of applications filed electronically continued to rise significantly. By the beginning of 2010, the ILPO expected to finalize preparations that would enable Israel to commence operations under the Madrid Protocol. The Delegation indicated that the Israeli Patent Office had submitted its request to the PCT Committee for Technical Cooperation for advice, and to the PCT Union Assembly, for its approval, with the purpose of being appointed an International Searching Authority and an International Preliminary Examining Authority. It was convinced that as an International Searching and Examining Authority, the Israeli Patent office would be able to reinforce its commitment to continued excellence in the areas of client relations and service delivery. Israel pledged its continued support to the invaluable work of the International Bureau in moving WIPO's agenda forward.

113. The Delegation of Italy thanked WIPO for its activities designed to help Member States to improve their knowledge of IP rights and enhance their value. It said that Italy's economy was largely dependent on the value of intangible assets and innovation, and that the competitiveness of Italian enterprises, which were mostly SMEs, could not be based on cuts in production costs and on the availability of financial resources. Innovative ideas, the ability to understand and anticipate market needs and the ability to distinguish one's products and enterprise were crucial factors for the survival and growth of enterprises. However, to move beyond the mere survival of enterprises and to promote continuous and sustainable economic

growth, it was necessary to enhance the value of IP and implement effective initiatives aimed at defending IP rights. Given that SMEs represented the pillar of the Italian economy, they played a major role in identifying and implementing specific tools and services. It was necessary to assist enterprises and address their real needs, while showing them that the public sector truly stood by their side in defending their true value and prospects for growth and highlighting to them the potential and the positive effects linked to the proper use of IP rights. The Delegation therefore believed that cooperation between Italy and WIPO would be very beneficial in the SME sector, especially in the form of the provision of information and training initiatives tailored to SMEs which were designed to raise awareness, improve enforcement and, above all, to boost the commercial use of innovative capital in SMEs. In that regard, there were many initiatives in progress, including the Biannual Plan between the Italian Patent and Trademark Office and WIPO, which included the organization of roaming events focused on the use of IP rights by SMEs, innovation, strategies for competitiveness and access to credit. In addition, a seminar was being organized by WIPO, Italy, Mexico, and the USA on IP and SMEs in the agro-food sector, to be held in Mexico in October 2009, and another was being organized by WIPO, the Italian National Council for Economy and Labor (CNEL) and the Italian Ministry of Foreign Affairs on IP and the competitiveness of SMEs, planned for December 2009. The proliferation of IPR infringements continued to pose a grave threat to the global economy and to health and welfare and a common standard should be established for IPR enforcement to combat global infringements, particularly in the context of the fight against counterfeiting and piracy, which should include increasing international cooperation, strengthening the framework of practices that contributed to the effective enforcement of IP rights and strengthening relevant enforcement measures. No international consensus had been reached on strategies to improve the enforcement of IP rights, global patent harmonization or the protection of genetic resources and traditional knowledge. As the current President of the G8 and in the context of the Heiligendamm dialogue between the G8 and the G5 at the most recent G8 Summit, which had been referred to as the “Heiligendamm L’Aquila dialogue”, Italy had consistently tried to promote a common understanding of the priorities of different countries, the socio-economic aspects of IP and ways to increase the efficiency of the international system for the benefit of all, acknowledging the central role that WIPO played in fostering a global vision and the coherent development of the international system. The Delegation hoped that the 2009 General Assembly would make much needed progress toward constructive dialogue in order to address contentious issues in a manner that would assist the promotion and protection of innovation and IP rights for the benefit of all economies.

114. The Delegation of Japan thanked the Secretariat for its high-quality work in preparing the session and congratulated WIPO’s new senior management. Through strong leadership, the Delegation wished the Director General and new management team success in promoting strategic realignment. Although the roles of IP and global IP policy were increasingly debated and the IP landscape had changed, partly due to the global economic downturn including a predicted decrease in WIPO’s income for 2010-2011, the Delegation stated that it was imperative to protect IP rights appropriately as protection stimulated the innovation necessary for sustainable economic development. The Delegation pointed out that there had been an increase in the number of patent filing applications in both developing and developed countries due to global economic expansion and that work sharing had been promoted to reduce the associated increased workload of IP offices. PPH was cited as an example of work sharing in patent examination and as a means of also increasing patent quality, and the Delegation believed that was complementary to the work of the PCT and was a significant measure for that function to reach its full potential. The Dossier Access System which enabled JPO examination results to be shared with the USPTO, EPO and KIPO, as well as the

recent Advanced Industrial Property Network, which provided 36 countries with JPO search/examination results, were also mentioned as examples of work sharing. The Delegation indicated that those IT systems would be further enhanced and stressed the importance of facilitating discussion of the harmonization of international IP systems in reducing the application and examination workload of each country. As regards the Development Agenda, the Delegation supported the early implementation of the 45 CDIP-approved recommendations which had resulted from continuous discussion. The Delegation referred to its voluntary contributions of about 2.4 million Swiss francs to WIPO to finance United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) country projects and its IP-promotion related activities, such as expert missions, in-house training, and conferences and symposiums. The Delegation also noted the establishment of a trust fund of 1.1 million Swiss francs for countries in Africa and LDCs. A seminar had been held in South Africa, entitled 'Successful Experiences Linking Intellectual Property and Business', in which 36 African countries had participated. The Delegation announced the holding of the WIPO High-Level Forum entitled 'Global Intellectual Property Infrastructure for Promotion of Innovation' in Tokyo in March 2010 for countries from the Asia Pacific, Africa, the Middle East, Latin America and the Caribbean, the agenda for which had been jointly prepared with WIPO. Those countries would be invited and, it was hoped, able to attend. The Delegation stressed that it would pursue, in cooperation with WIPO, its development efforts for the benefit of developing countries. The Delegation stated that Japan was a major user of the PCT system and that despite the severe economic slowdown PCT application filings were still increasing, thereby enhancing the quality and efficiency of the PCT, and the domestic examination of PCT filings was extremely important. The Delegation believed that the Director General's proposal of a roadmap comprehensively to improve the PCT was timely and that Japan supported that initiative. The PCT had become an indispensable tool in the global development of business not only for major users but also for all owners of innovations including developing countries and SMEs. The Delegation also reminded WIPO of the expected practical and constructive measures from discussions on PCT reform. The Delegation noted that both the Treaty on the Protection of Broadcasting Organizations and the Audiovisual Performances Treaty were under consideration in the Standing Committee on Copyright and Related Rights (SCCR) so as better to protect copyright in the field of digitalization and network systems could be provided even in areas not covered by WCT and WPPT. The Delegation expected both treaties to be adopted before too long so as to maintain a balance with WCT and WPPT. The Delegation recalled that although WIPO had been working on a wide range of IP issues, and that that had led to lively discussions, particularly in the IGC on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, a step-by-step approach was recommended, and WIPO was expected to play a leading role in those and other IP-related discussions, and cooperate with other organizations as required. In conclusion, the Delegation indicated that IP was a key tool for economic development and for improving the global economy, that it would continue to participate constructively in WIPO activities by providing assistance to developing countries and contributing to IP-system related discussions, and that Japan expected WIPO and the new senior management team to show initiative in the rapidly changing IP landscape.

115. Expressing gratitude for the detailed and substantive documentation prepared by the WIPO Secretariat, the Delegation of Kyrgyzstan extended its full support for the proposal on additional filing languages and the modernization program of the Madrid System. In relation to Internet Domain Names, the Delegation said that in accordance with Presidential Decree No. 192 the State Patent Service was entitled to administer the "KG" ccTLD as the appropriate government authority with responsibility for public policy objectives such as transparency and non-discriminatory practices, greater choice, lower prices and better services

for all categories of users, respect for personal privacy and consumer protection issues. The Government of Kyrgyzstan and the State Patent Service of the Kyrgyz Republic (Kyrgyzpatent) expressed their wish to work cooperatively with ICANN and WIPO to ensure that the State Patent Service of the Kyrgyz Republic (Kyrgyzpatent) fulfilled its responsibilities, to both Kyrgyzstan and the global Internet communities. Accordingly, Kyrgyzstan proposed that the protection of country names on the Internet be covered during the Assemblies, with particular emphasis on using country names as domain names. The Delegation welcomed the discussion of issues relating to other significant agenda items that would take into consideration the interests of all WIPO Member States.

116. The Delegation of Malawi recognized the Director General's excellent leadership and professionalism during his first year in office and welcomed his comprehensive report on the implementation of WIPO's activities and its commendable achievements. The Delegation welcomed in particular the initiative to introduce a policy on financial disclosure and declaration of interests for WIPO staff members to bring the Organization into line with UN practice. Like other developing countries, Malawi was concerned at the time that had been lost in approving a new plan for the implementation of the recommendations to strengthen WIPO's development focus, but was pleased to note that consensus had now been reached, which paved the way for the WIPO Secretariat to seek funding for the recommendations in its next budget proposal for 2010/2011. The implementation of the WIPO Development Agenda would go a long way to addressing concerns regarding the need to ensure that the least developed countries, developing countries and countries in transition developed and improved their IP infrastructure, thereby bridging the digital divide between them and the developed countries. The Delegation noted the Director General's reiterated personal commitment to the Development Agenda and to ensuring that all the recommendations were implemented and mainstreamed into WIPO's activities. It also supported his statement that the implementation of the recommendations was a shared responsibility of the Secretariat and WIPO Member States and agreed that annual reporting and evaluation were important. The Delegation was grateful for the commendable work being done by the SCCR and expressed its gratitude for the financial and technical support that had been given in organizing a seminar on copyright and related rights, the protection of audiovisual performances and the rights of broadcasters and cablecasting organizations which had been held in Malawi in January 2009. The Malawi Government supported the development of international protection for audiovisual performances and, to that end, it welcomed the continued organization by WIPO of regional and national seminars on the issue over the next twelve months. The Delegation was extremely grateful to WIPO for the timely support that it had given to Malawi in its efforts to formulate a national IP policy. WIPO had recently facilitated the organization of regional workshops and round tables on topical issues which had given ARIPO Member States the opportunity to share experiences and find solutions to common challenges. The Delegation shared the concerns expressed regarding the work of the IGC and welcomed ARIPO's commendable efforts to produce a draft protocol on the protection of traditional knowledge and expressions of folklore, as well as the adoption of a roadmap for a diplomatic conference, which were way ahead of the WIPO initiative. It reiterated the views expressed on behalf of the African Group regarding the renewal of the IGC's mandate and sincerely hoped that further progress could be made by the IGC to come up with a binding international legal instrument for the protection of genetic resources, traditional knowledge and folklore. Malawi believed that all those efforts would be complemented very well by a study on the contribution of copyright-based industries to its national economy, which was perhaps long overdue. Malawi would be seeking WIPO's assistance in that regard. The Delegation reaffirmed its continued support for WIPO and anticipated further financial and technical

support from WIPO to enable Malawi to modernize its IP legislation and implement its IP programs successfully.

117. The Delegation of the Republic of Moldova expressed its appreciation to the WIPO Secretariat for the work done in preparing this year's WIPO Assemblies meetings. It welcomed the efforts of WIPO in the revitalization and strengthening of its role in global economic growth and welfare, and in its strong engagement to contribute, along with other UN Agencies, to the implementation of the Millennium Development Goals. The Delegation was confident that recognition of the role of knowledge and innovations in solving human problems was one step further in facing global emergencies such as infectious diseases, food security, water supply, energy costs, sanitation, education, and more recently, the global financial crisis that had had a disastrous impact on domestic markets, adding that transformation of knowledge into high quality and accessible goods and services required strengthening of the national infrastructure to encourage research and development activities, and an improvement in international cooperation in order to take advantage of global scientific knowledge. The Delegation indicated that the Republic of Moldova was making concerted efforts to improve the environment for research and development by implementing a long-term strategy that would put science, research and intellectual property at the forefront of economic development of the country, including measures such as improving the legal framework, consolidating the scientific infrastructure, capacity building and human resource development, and spurring entrepreneurial activities based on new technologies. During the past year a set of new legal acts regulating the protection of industrial property, fully harmonized with international treaties as well as with EU legislation, had been adopted. It thanked WIPO for helping with the translation of those new laws into English and French, thus making them accessible to foreign applicants. Furthermore, with its accession to the Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite and its ratification of the Singapore Treaty on the Law of Trademarks in 2008, the Republic of Moldova participated in all 23 treaties and agreements administered by WIPO. The main priority of the governmental agenda would henceforth be the proper implementation of IP legislation. The Delegation pointed out that, as with many other countries in the region, the Republic of Moldova still encountered problems with enforcement issues, in spite of the civil, administrative and criminal measures available in its domestic legislation. Measures had been established and addressed to different categories of stakeholders to tackle different aspects of intellectual property, and a series of thematic conferences and symposia had also been organized in cooperation with local and international institutions. The Delegation thanked WIPO for its active involvement in IP promotion activities and for its contribution to the professional up-grading of Moldovan IP specialists. It also expressed its satisfaction with the various seminars and training courses organized by the WIPO Academy, which had offered the possibility of sharing experience with IP specialists from other countries, adding that it saw the extension of the Distance Learning Program as an important feature in IP education. The Delegation acknowledged the importance of programs which stimulate technology transfer and encourage the local business community to use the innovation potential of research and development institutions and universities, reconfirming its strong support for WIPO projects directed towards strengthening the innovation capacity of countries. The Republic of Moldova had enjoyed being involved in a study relating to the management of intellectual property rights and technology transfer for research centers and universities and the elaboration of recommendations on strengthening the role of innovative SMEs in CIS countries. Regarding the activities of WIPO in the forthcoming biennium, the Delegation welcomed the new exercises that offered each Member State (irrespective of size or level of development) the possibility of contributing to the elaboration of the WIPO Program and Budget, and that, representing a country in transition, it was highly interested in

the programs directed to the reform and upgrading of national IP systems. It considered that WIPO should continue its technical assistance programs, devoting more resources to technical assistance in order to satisfy the high demand, and providing that assistance in an equitable and balanced manner, with very strict monitoring of the implementation process and outcomes. In that connection, the Delegation very much welcomed the establishment of the Committee on Development and Intellectual Property and expected it to play an important role in the implementation of the Development Agenda. The Delegation hoped that constructive work could be done during the Assemblies meetings. It stressed that in the current context, when innovation and creativity had to match with market pragmatism and trade globalization, all available material and intellectual resources, as well as political will, had to be brought into play in order to achieve agreements serving the general interests of the international community, without detriment to any Member State irrespective of its degree of development and geographical location. The Delegation pledged its full support for identifying the best solutions to current and pending issues.

118. The Delegation of Mongolia noted the many changes occurring in the world, to which a reaction was required. Examples of that were provided by issues relating to climate change, healthcare, and also the safety of food products. At the same time, there was a growing understanding that intellectual property could play a significant role in solving these problems. That was understood not only by developed countries, but also by developing and the least developed countries. Although their interests did not always coincide, the general efforts to create a balanced IP system would make an invaluable contribution to global development as a whole. The Delegation valued highly WIPO's activities and cooperation with other organizations in relation to the settlement of global problems. New initiatives and a change to WIPO's strategic orientation bore witness to the fact that intellectual property was not an end in itself but rather an instrument for countries' social and economic development. The Delegation thanked the Director General for the 2008 Program Performance Report, which testified to progress in virtually all areas, and also to the fact that despite economic instability throughout the world, the Organization was coping successfully with the tasks placed before it. The Delegation noted a strengthening of positions and general growth in the Organization's reputation. The Delegation said that Mongolia received assistance as part of Program 6, in particular in the creation of a national information service center for IP issues, a fact that would undoubtedly make a great contribution to the dissemination and enhancement of the understanding of the role of IP in Mongolia. It also noted progress in relation to Program 13 relating to legislation on trademarks, industrial designs and geographical indications and, in that regard, said that Mongolia had launched the process of acceding to the Singapore Treaty on the Law of Trademarks. In conclusion, the Delegation expressed certainty that together with Member States, WIPO could play an important role in enhancing the IP system.

119. The Delegation of Montenegro indicated that it was pleased to attend this year's Meetings of the Assemblies and stressed its commitment to providing full and appropriate protection for IPR holders. Although its IP Office had only opened in the spring of 2008, the Delegation underlined its efforts to establish a sustainable institutional and legal framework for improving the protection of IPRs. The Delegation thanked the Director General for his generous support and invitations to attend various WIPO committee and working group meetings. The Delegation pointed out that thanks to the assistance of WIPO's Secretariat, a trademark law was currently being drafted with a further two laws on IP planned before the end of 2009. The Delegation indicated that the Secretariat's assistance was essential at the present time when Montenegro was endeavoring to achieve effective enforcement of IPRs. The Delegation expressed its gratitude to the EC for its funding of the IPA Regional and

National Project on Intellectual and Industrial Property as it was a crucial project in its efforts to accede to the EU. The Delegation also thanked the Secretariat and particularly the Division for Certain Countries in Europe and Asia for its concrete assistance and cooperation in the field of IPRs with neighboring and other countries. The Delegation concluded by hoping that the current Meetings of the Assemblies would be fruitful and successful, and reiterated its commitment to helping to achieve WIPO's objectives.

120. The Delegation of Niger congratulated the Chair and the two Vice-Chairs on their election and praised the Director General of WIPO, as well as the International Bureau, for the quality of documents provided. Despite the repercussions of the financial crisis on WIPO's income, the Program Performance Report for 2008 showed that major activities had been carried out by the International Bureau. However, many other activities and initiatives had to be implemented by WIPO to develop intellectual property on a global scale and especially in the LDCs. In Niger and the other LDCs, intellectual property activities were most often carried out without a coherent action framework, giving the impression of improvised management. The inadequate infrastructure needed to be adapted, since the lack of competences, the lack of access to information and the insufficient financial resources were hindering intellectual property development. However, it should be recalled that, in recent years, several initiatives designed to rectify that had been launched by WIPO, in particular the Medium-Term Strategic Plan (2010-2015), the Development Agenda and the ongoing increase in the resources allocated to cooperation for development. Today, WIPO had to face global challenges such as climate change, with all the consequences that entailed in terms of floods, drought, reductions in food production and therefore the risk of a food crisis. Furthermore, besides the issue of the access to medicines, new viruses were appearing. In addition to tackling those challenges, WIPO had to respond to the growth trend, on a global scale, of counterfeiting and piracy which had a major impact on the credibility of the very system. With regard to counterfeiting, the discussions, which were extensive in certain countries, included arguments relating to the customs revenue arising from counterfeiting and the poverty of populations. Thus, WIPO had to face numerous varied challenges and the financial crisis was making its task today more complex and was having a major impact on the Organization's resources and therefore on its activities. In that context of high expectations and limited resources, it was becoming imperative that a balance was found in the face of the numerous challenges to be met during the 2010-2011 biennium. The Delegation welcomed the consideration of the Short-Term Strategic Plan for 2010-2011, the intensification of the International Bureau's activities with regard to the establishment of standards and capacity building and the consideration of the development dimension in the activities of the International Bureau. It encouraged the Director General in his comprehensive approach to technical assistance, capacity building and the widening of sources of financing for national intellectual property strategies. It supported his initiative aimed at strengthening the sharing of IP knowledge through improved access to the information contained in the WIPO databases, as well as the initiative concerning the analysis of the causes of the increase, at the global level, of acts of counterfeiting and piracy. It appreciated in particular the concrete initiatives concerning technologies allowing the challenges of climate change, food security and public health to be addressed. It noted with satisfaction the Director General's decision to strengthen, in terms of staff, the results-based management thanks to objectively measurable performance indicators. With regard to cooperation, Niger, which had initiated work with WIPO, asked the Organization to complete that work during the 2010-2011 biennium. It concerned, in particular, assistance in defining a national IP strategy, support for the strategic use of IP for small and medium-sized enterprises (SMEs) involved in the solar energy field and the introduction of IP teaching at the National School of Administration and Judiciary (ENAM) aimed at future judges and customs

officials, in order to give them the means to combat counterfeiting in the best way possible. Finally, the Delegation thanked the Director General and all his colleagues for the assistance given to Niger in recent years. It hoped that that assistance would be strengthened to allow IP to be taken into account effectively in economic development activities.

121. The Delegation of Norway had previously stressed the importance of improving the ability of Member States to monitor WIPO's financial operations and therefore welcomed the constructive work that had been done in that regard, especially the implementation of the International Public Sector Accounting Standards (IPSAS). With regard to the ongoing efforts to implement WIPO's Development Agenda, the Delegation noted the progress made in the CDIP and said that Norway welcomed the International Bureau's initiative to enhance the coherence and efficiency of the implementation of the Development Agenda by adopting a thematic project approach. Norway trusted that the thematic approach would facilitate, improve and accelerate the process in practical terms without adversely affecting the substance of any of the 45 recommendations that had been adopted two years before. The proper implementation of the agreed recommendations would strengthen the capacity of both developing countries and the least developed countries to take full advantage of intellectual property. With regard to the work of the SCP, it was very important that progress was made. With regard to the report of the second session of the PCT Working Group, the Delegation thanked the Director General for the initiative to enhance the overall performance of the PCT system. Norway welcomed and supported the principles of the roadmap as a way of organizing the work and addressing the critical needs of the PCT system quickly within the existing legal framework. The principles of the roadmap provided a solid basis for avoiding the unnecessary duplication of work among offices and for supplying users with high quality products under the PCT system. Norway encouraged all Member States to help maintain the momentum of the Director General's initiative. With regard to the IGC, Norway believed that it was dealing with issues of particular interest for the future development of IP rights by improving the framework and conditions for rights holders and the relationship with existing protection mechanisms. The Delegation therefore supported a renewal of the IGC's mandate. Norway was also in favor of keeping the protection of audiovisual performances and broadcasting organizations on the agenda of the SCCR and stressed its willingness to continue the constructive work on those important issues. Norway also recognized the special needs of the blind and visually impaired and was convinced that timely and practical solutions for greater access to protected works could be found. On the subject of activities and developments at the national and regional levels, the Delegation was pleased to report very positive developments with regard to its recent membership of the European Patent Office (EPO), as a result of which national patent filings were expected to be reduced by approximately 80 per cent. Despite the economic crisis, the rate of national design applications had not decreased significantly, although there had been a reduction in trademark applications. The Delegation highlighted the successful operations of the Nordic Patent Institute as a PCT authority and said that there had been a significant increase in the use of the Institute's services in 2009. In collaboration with the WIPO Worldwide Academy, the Norwegian Industrial Property Office had hosted a group of 11 colleagues from different developing countries for a one-week training course in patent law in June 2009. The Office had also hosted visits from delegations from various foreign industrial property offices. Furthermore, a very successful training course on the management of copyright and related rights in the global economy had also taken place in Norway in June 2009, organized jointly by the Norwegian Copyright Development Association (NORCODE) and the WIPO Worldwide Academy. The course had received very positive feedback and the Delegation hoped to be able to make it an annual event. In conclusion, the Delegation emphasized its

commitment to contribute in a positive and constructive manner to the success of the General Assemblies.

122. The Delegation of Poland associated itself with the statements made by Sweden on behalf of the European Community and its Member States, and Serbia on behalf of Central Europe and Baltic States. The Delegation congratulated the Director General and WIPO on their reports on the progress and results for 2008 and noted with appreciation the transparency and efficiency employed in drafting them. It commended WIPO's ongoing promotion of the use and protection of IP globally and welcomed its efforts to improve accountability. The Delegation supported efforts further to improve the PCT, Madrid and Hague systems, and welcomed the proposals submitted by the PCT Working Group on amendments to the PCT system which would benefit both IP users and offices. The Delegation also welcomed the progress made in discussions on the legal development of the Madrid System and supported recommendations to amend the Common Regulations as they would make the Madrid System more effective and user friendly. The Delegation supported the IGC and the proposal for a renewed mandate submitted by Sweden on behalf of the European Community and its Member States. Within the framework of the Committee on Development and Intellectual Property, the Delegation noted with satisfaction the progress made in the deliberations on the proposals for action and believed they would lead to concrete results. It reiterated its support for continuing to harmonize patent law in the context of the SCP and welcomed the requested additional studies and new preliminary studies. The Delegation was confident that the protection of the rights of performing artists in the audiovisual sector and of broadcasting organizations could be improved, and that those issues would remain on the agenda of the next session of the SCCR. The Delegation considered that exceptions and limitations should not be the subject of a separate treaty regulation but supported further discussions on the issue among Member States. The Delegation was pleased to announce its accession on July 2, 2009 to the Geneva Act of the Hague Agreement and to the Singapore Treaty on the Law of Trademarks. The Delegation reported on its national IP-development-related activities and in particular the celebration of World IP Day organized in cooperation with WIPO. A symposium, attended by representatives of EPO, the European Commission, IP offices and some EU Member States, had been organized in Krakow on IP and how it related to the innovation economy and successful licensing technology, during which there had been discussion on creating favorable conditions for effective use of IP from the viewpoint of policy makers. The Delegation also referred to its Office's educational activities, including a competition for best poster and for best IP protection-related higher education thesis. The Delegation concluded by thanking WIPO and particularly the Division for Cooperation with Certain Countries in Europe and Asia for their cooperation and assistance in promoting IPRs in Poland and in other countries in the region.

123. The Delegation of Romania expressed appreciation for the remarkable work done by WIPO and thanked the Director General for his active involvement and wise guidance which had resulted in progress being made on issues of the utmost importance. In the field of copyright, important achievements had been made which mirrored the Romanian Government's strong commitment to intellectual property. In 2009, the Romanian Copyright Office, with financial support and technical assistance from WIPO and financial support from the Ministry of Culture, Religious Affairs and National Heritage, had finalized and published in Romania a study on the economic contribution of the copyright-based industries. The Delegation thanked WIPO and its specialized division for its assistance in that regard. Romania hoped that the English version of that study would be published by WIPO in the near future. With regard to the IGC, Romania recognized the great value of traditional knowledge, traditional cultural expressions/expressions of folklore and genetic resources and

their role in global trade and economic development, and therefore emphasized the importance of renewing the IGC's mandate. The Delegation was committed to contributing to the work carried out within the SCCR and attached great importance to the protection of audiovisual performances, the protection of broadcasters in an appropriate manner and an updated approach that included issues related to the digital environment. Romania acknowledged the wide range of activities implemented by WIPO in the field of exceptions and limitations and the Delegation said that the activities on sensitive issues such as those relating to education, libraries and archives or persons with disabilities were reasonable approaches for facilitating and increasing not only learning but also access to culture and knowledge. Exceptions and limitations should be perceived as a guarantee for the establishment of a fair balance between protection and access to culture and knowledge as a fundamental human right. Romania's associations for the visually impaired had been fully informed about the Treaty proposal put forward by three Member States, which was intended to facilitate access to copyrighted works for visually impaired persons, an initiative which was the subject of ongoing consultations involving the Romanian stakeholders. Highlighting the great importance that Romania attached to that sensitive domain, the Delegation mentioned the "National Seminar on copyright limitations and exceptions, the international and national legal framework and enforcement" organized by WIPO in cooperation with the Romanian Copyright Office, which had taken place in Romania a few days before. Furthermore, in May 2009, participants from 14 countries in the region had attended the subregional seminar on "Modern Management of Intellectual Property Rights (IPRs)", also organized by WIPO in cooperation with the State Office for Inventions and Trademarks (OSIM) in Timisoara. The events had been supported by WIPO and the Delegation expressed its gratitude to WIPO, especially its Division for Cooperation with Certain Countries in Europe and Asia, for the support provided and excellent cooperation established over the years. Since the previous sessions of the Assemblies of WIPO Member States, the Regulations implementing the Law on Utility Models No. 350/2007 had been approved by Government Decision No. 1457/2008. An Order issued by the Director General of OSIM approving the Instructions on the electronic filing of patent applications had been published in the Official Gazette of Romania No. 846 of December 22, 2008. In the context of the Strategic report on the renewed Lisbon Strategy, Romania was one of the signatory countries of the Cannes Declaration against Counterfeiting of October 27, 2008, which had committed themselves to taking exemplary steps against the infringement of IPRs, particularly with regard to counterfeit goods, to applying effective measures in the fight against counterfeiting on the Internet and strengthening cooperation through the exchange of information. Moreover, the Romanian IP Offices had been participating in productive cooperation with the World Intellectual Property Organization, the European Patent Office, the Office for Harmonization in the Internal Market, the Community Plant Variety Office and UPOV. The Government of Romania had been actively engaged in strengthening its IP system at both the national and international levels. The establishment of the new Intellectual Property National Strategy for the period following Romania's accession to the European Union had begun in June 2008 and was being finalized. The new strategy (2009-2013) would build on and develop the strategic objectives that had been at the basis of the previous strategy (2003-2007) based on Romania's governing program and would introduce new objectives. IPR enforcement remained a top priority for the Romanian Government. The State Office for Inventions and Trademarks and the Romanian Copyright Office were continuing to strengthen and diversify the cooperation established with law-enforcement agencies. Romania firmly believed that intellectual property was a reliable tool not only for rewarding creativity – the main asset of human beings – but also for providing major support for economic growth, as well as being the key to overcoming the global economic crisis. In that regard, the role of WIPO, as the central point in the

international IP system, was crucial and WIPO was urged to continue its work in the constructive manner that had characterized the Organization since its establishment.

124. The Delegation of the Russian Federation welcomed participants to the forty-seventh session of the meetings of the WIPO Governing Bodies and expressed the hope to achieve positive and mutually acceptable results. The Delegation noted that throughout the world the importance of intellectual property was currently recognized as a key factor in providing sustainable development on a global scale and also the development of a competitive economy based on the latest knowledge, which was especially important for national economies. Intellectual property acquired particular significance in the context of globalization. The Delegation had on more than one occasion emphasized the importance of strengthening the international system of intellectual property protection, at the center of which undoubtedly stood WIPO. Noting that during the past few years the Organization had experienced difficulties in fulfilling its mandate, which had given rise to the need for radical restructuring of its mechanisms and approaches to work with Member States, the Delegation reiterated that it expressed full support for the decisions of the WIPO Coordination Committee, adopted in May 2008, concerning the appointment of Mr. Francis Gurry as the Organization's new Director General. The Delegation considered that the elimination of the errors and infringements committed during the tenure of the Organization's previous leadership should be achieved by fully carrying out the duties imposed on the Organization, without any transitional periods and by taking full account of the interests of all WIPO member countries. In the opinion of the Delegation, restructuring within WIPO had begun in a fairly active manner: the Organization's strategic aims had been specified and broadened, new programs, satisfying the requirements for the contemporary development of the world economy, had been set up, and prospects for observing the principles of transparency in the disbursement of financial means had emerged. Despite that, several difficulties had also appeared in the implementation of a number of programs and measures. The proposals and wishes of Member States were not always adequately taken into account and, in the conduct of staff policy, a trend contrary to that which had constantly been noted in the pre-election discussions concerning the need to replenish the International Bureau with professionally qualified employees, continued to be observed. The Delegation explained that fact through the temporary difficulties experienced in the internal restructuring of the International Bureau, which, it hoped, would be eliminated as quickly as possible. The Delegation supported the opinion that most of the difficulties indicated were similar to the failings which had given rise to the need for radical restructuring of the Organization. In conclusion, the Delegation thanked the WIPO leadership for the efforts made and expressed support for moving in the new direction already taken.

125. The Delegation of Saint Lucia expressed its gratitude to the Director General and the Secretariat for the support provided to the IP office of Saint Lucia and the development of the IP system in general. Saint Lucia had benefited from a range of programs organized by WIPO. In February 2009, WIPO sponsored a one-week study visit to the Trinidad and Tobago IP Office for two members of the IP Office of Saint Lucia, during which they received intensive training on the Industrial Property Administrative System (IPAS). That training had provided technical expertise that was now being employed in the day-to-day operations of the IPAS system. Following the Ministerial Level Meeting on IP for Caribbean Countries, held in Barbados in November 2006, Saint Lucia had been selected as one of the countries in which national consultations and fact-finding missions were to be conducted in the areas of TK, TCEs and genetic resources. A Working Group was constituted to carry out that study in Saint Lucia. One of the resolutions passed at the Ministerial Meeting related to the establishment of a Caribbean framework for the protection of TK, folklore and genetic

resources. In March 2009, five of the members of the Working Group visited Saint Lucia, and a three-day consultation was held with key stakeholders, including government agencies, NGOs and the indigenous people of Saint Lucia. The Delegation hoped that the information gathered would assist WIPO in moving forward with the development of a framework to protect TK, TCEs and genetic resources. In April 2009, Saint Lucia had been represented at a Meeting of Heads of IP Offices in the Caribbean, who discussed the possibility of establishing a regional patent system. That Meeting was the result of a resolution adopted at the November 2006 Ministerial Meeting, according to which ministers resolved to foster collaboration among Caribbean countries and urged WIPO to define and determine the scope of regionalization in the area of patents. Pursuant to that resolution, WIPO had commissioned a former Director of the United Kingdom IP Office to undertake a study, which involved conducting research in several countries in the region, including Saint Lucia. The April 2009 Meeting of Heads of IP Offices in the Caribbean reviewed that study, and a second study was then conducted followed by another meeting of heads of IP offices in September 2009, in Geneva. The Caribbean countries now needed to take steps to ensure the realization of that initiative. WIPO had provided technical assistance in reviewing Saint Lucia's draft patent regulations the entry into force of which was expected in 2010. The draft regulations had been submitted to the legislative drafting unit of the Attorney General's Chambers. WIPO was already providing initial training in the area of patents. Saint Lucia joined all Member States in giving its full support to promoting IP as a tool for economic development. The Delegation stated that WIPO's continued support and assistance to small island territories such as Saint Lucia would go a long way to spurring IP development in the Caribbean region. The countries of that region faced many challenges in stimulating economic growth and social development. The Delegation therefore urged WIPO to continue its good work and looked forward to further collaboration with WIPO.

126. The Delegation of Seychelles thanked the Director general and WIPO for their continued support over the past year, and for their assistance in developing its IP activities, specifically in implementing an automation system and modernizing its legislation. The Delegation acknowledged WIPO's commitment to developing IP as an important economic resource for a small developing island State and explained that Seychelles, with the help of the IMF and the World Bank, was undergoing economic and legal reforms aimed, inter alia, at facilitating its accession to the WTO. In that respect, the Delegation also referred to the importance of upgrading its IP regime to meet the compliance standards of the TRIPS Agreement. The Delegation stressed the importance of its valuable partnership with WIPO in that area and looked forward to WIPO's continuing support and assistance over the coming years.

127. The Delegation of Sierra Leone thanked WIPO for focusing efforts on Sierra Leone in the recent past, to ensure that Sierra Leone developed an intellectual property system consistent with international best practice. Referring to Sierra Leone's unusual situation, the Delegation noted that the country had been devastated by a rebel war that lasted over ten years, with the destruction of almost all infrastructure, widespread killings, systematic rape and maiming of its citizens. Today, despite the odds, Sierra Leone was on the road to recovery and enjoyed political and economic stability that had fostered increased confidence in the international community and among investors. Within two years of taking power, the President and Government had been able to restore electricity supplies to the capital Freetown, once considered the darkest city in the world. Sierra Leone was one of very few countries where the intellectual property registration system was governed by old British colonial laws. There was no direct registration of patents in Sierra Leone, only re-registration of patents. Recognizing that the world economy was knowledge-based, the Sierra Leone

Government was focusing on developing the Intellectual Property System, hence the President's public calls for innovation and creativity. The Delegation reported that in the last twelve months, a National Intellectual Property Policy had been adopted and was awaiting Parliamentary approval. IP Bills (on Trademarks, Patents and Industrial Designs, and Copyright) had been drafted and were now with the Attorney General and Minister of Justice for vetting. Copies of the Bills had been forwarded to WIPO for review and input if necessary. The Delegation noted with appreciation WIPO's contribution to modernizing the Sierra Leone IP Office. A Needs Assessment of the IP Office for IP system automation had been undertaken in April 2009. The report's recommendations had been adopted, and the Sierra Leone Office would soon receive computer hardware and software, and benefit from automation of records and the creation of a national intellectual property database. WIPO had also facilitated and co-sponsored seminars and workshops, Sierra Leone had been invited to participate and the capacity of the participants had been enhanced. The Delegation further noted that WIPO had begun developing a comprehensive National Strategic IP Development Plan for Sierra Leone. The Delegation hoped that its implementation would raise popular awareness of intellectual property as part of the educational curriculum, and provide adequate protection of intellectual property as a means of turning dormant assets into wealth, thereby promoting economic growth. In conclusion, the Delegation pledged Sierra Leone's continued support for the work of the Organization, especially in connection with the least developed countries of which Sierra Leone was a member.

128. The Delegation of Slovakia associated itself with the statement made by Serbia on behalf of the Group of Central European Countries and the Baltic States and with the statement made by Sweden on behalf of the European Union and its Member States. The Delegation thanked the WIPO Secretariat for its valuable work in preparing numerous documents for the Assemblies and stated that it was looking forward to efficient and fruitful meetings. Slovakia welcomed the proposal recently tabled by the WIPO Secretariat concerning the future development of the PCT system and expressed its strong support for the pragmatic approach to further improvements in the international patent system. The Delegation was also very pleased with the positive spirit of discussions at the Standing Committee on the Law of Patents (SCP) and hoped that the work would continue in that direction. Slovakia expressed its appreciation for the progress achieved in the Committee on Development and Intellectual Property (CDIP) as well as its support for the implementation of the main recommendations. Being aware of the important role of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, Slovakia underlined the need for further discussions, and the importance thereof, and consequently supported the renewal of the Committee's mandate. The Delegation underscored the great importance attached to cooperation with WIPO and, in recognition of the key role played by the Organization, expressed special thanks to WIPO for the support and the assistance provided for the Slovak IP Office during the previous period. The Delegation was pleased to underline the positive feedback and success of the national seminar, "Recent Legal Developments in the PCT System", organized in Slovakia earlier in 2009 in cooperation with WIPO, and expressed its great appreciation for the various cooperation activities and very effective communication with the WIPO Division for Cooperation with Certain Countries in Europe and Asia, stating that recent programming initiatives by the Division entirely corresponded to capacity-building requirements in respect of the further use of IPRs for social, cultural and economic development in Slovakia and in other countries of that region. With regard to recent developments in Slovakia, the Delegation emphasized the continuous effort to promote public awareness of intellectual property, its real importance and its strategic role for business and economic growth. On the legislative front, the Delegation reported that the new Trademark Act had been drafted and

submitted to the Government for adoption. It was expected to enter into force at the beginning of 2010. New amendments to the Act on Designations of Origin and Geographical Indications had also been submitted for approval and were expected to enter into force in November 2009. With reference to the new Singapore Treaty on the Law of Trademarks which had become operational in March 2009, the Delegation was pleased to announce that Slovakia's accession to the Treaty was also awaiting Government approval. In conclusion, the Delegation looked forward to achieving positive and balanced results with regard to all the issues for discussion during the Assemblies.

129. The Delegation of Saint Kitts and Nevis thanked the Director General for his comprehensive report on the progress and activities of WIPO since taking office. The Delegation recognized the importance of IP and the major part it played in the technical, economic, cultural and social well-being of society. It saw IP as a tool for sustainable growth and economic development. IP continued to be a major means of creating a secure environment for innovation and creativity and for the diffusion of innovative products and services. Saint Kitts and Nevis had taken steps to harmonize its IP laws to ensure it met international obligations. It had enacted laws in the areas of trademarks, copyright, patents and geographical indications. However, Saint Kitts and Nevis still faced many challenges, such as the requirement of a needs assessment including of its human resources; public awareness raising; and updating its IP legislation and formulating regulations. Due to a lack of technical, human and financial resources, Saint Kitts and Nevis was unable to develop a plan or policy for its IP institution and, ultimately, to meet its international obligations. Further, unless it improved its IP institution's capabilities, it would not benefit from many of WIPO's initiatives. The strategic objectives of WIPO were therefore of special importance. The Delegation fully supported the Director General's statement to the effect that the Organization and Member States needed to identify and execute projects that made a difference. Saint Kitts and Nevis therefore placed high priority on the work of the CDIP and looked forward to the implementation of the Development Agenda recommendations. It hoped that the CDIP and WIPO would be scrupulous in achieving a much needed equitable regional balance. Saint Kitts and Nevis, though one of the smallest islands in the western hemisphere, was rich in natural resources, genetic resources, TK, folklore and TCEs. Those resources were important elements of its social and historical identity as well as in the development of its people and society and, therefore, needed to be protected and safeguarded. Saint Kitts and Nevis had enacted legislation for the management, development and protection of its natural and cultural resources, traditional folk arts, dances, music, song and spoken words, and the preservation of biological diversity. Nevertheless, the continued flagrant misappropriation of those resources was of great concern to the Delegation and the work of the IGC was of critical importance. The Delegation welcomed the renewal of the IGC's mandate and hoped that it would reach a consensus leading ultimately to an internationally binding instrument. Saint Kitts and Nevis had benefited from WIPO's assistance through training workshops, seminars and distance learning for its staff. It appreciated that assistance and looked forward to continued support in the further development and modernization of its IP institution. The Delegation appreciated the work being undertaken by WIPO with respect to climate change, copyright and patents. As a relatively new member of the PCT, Saint Kitts and Nevis welcomed the roadmap for the improvement of the PCT's functioning. The Delegation thanked WIPO for the valuable assistance given to Saint Kitts and Nevis, and to the CARICOM Region, through the study on the viability of a CARICOM Regional Patent Administration as well as a Regional Administration for Traditional Knowledge, Folklore and Cultural Expressions. Saint Kitts and Nevis recognized the significant role played by WIPO in the development of IP issues

and assured the Director General and WIPO of its continued support. The Delegation looked forward to the discussions and to a successful conclusion of the Assemblies meetings.

130. The Delegation of Swaziland joined other delegations in thanking the Director General and the Secretariat for the work done over the previous year and thanked the Organization for the assistance it had provided in drafting Swaziland's Copyright and Neighboring Rights Bill, the Patents Utility Models Bill and the Industrial Designs Amendment Bill and said that those Bills would soon be considered by the Cabinet before being submitted to Parliament. Those developments were a step forward in achieving what would be the cornerstone of Swaziland's IP protection. Swaziland was also following with great interest the progress being made in the areas of traditional knowledge, genetic resources and folklore and the Delegation said that it was important that research and development institutions, including health institutions, should endeavor to find ways of using traditional medicine to fight disease, while at the same time bearing in mind that the financial royalties should be shared equally among all the communities owning that traditional knowledge. The Delegation fully supported the IGC's efforts to move the discussions forward and hopefully reach consensus. Swaziland was also fully committed to updating its entire IP legislation, which would provide strong protection and enforcement provisions. The amendments relating to copyright, patent utility models, industrial designs and trademarks were being finalized and would soon be submitted to Parliament for enactment. Following the enactment of its IP laws, Swaziland would be seeking assistance to organize workshops before the implementation of the laws. The workshops would target the staff of the national IP office and IP practitioners and would also involve outreach programs for stakeholders, since most people were still unaware of the dangers linked to the illegal trade in counterfeit goods, piracy and other forms of IP infringement. The Delegation therefore commended the work being done by the International Bureau and looked forward to continuing the constructive cooperation and involvement with all stakeholders with a view to addressing pending issues such as the IGC and WIPO's initiatives aimed at ensuring that IP benefited both the rights holders and the end users without hindering Swaziland's economic development.

131. The Delegation of Tajikistan thanked the WIPO leadership and the Director General for the invitation to participate in the current session of the Assembly and for its excellent organization. Since Tajikistan was a very young sovereign state embarking on the path of democratic development and the formation of market relations, intellectual property (IP) issues were a priority in its economic policy, and that Tajikistan's membership of the Organization served as evidence of that. The Delegation noted that along with the significant internal reforms carried out by WIPO and initiatives aimed at improving the effectiveness and efficiency of its services, a favorable balance of work between WIPO departments and its Member States was also being achieved. Owing to Tajikistan's cooperation with WIPO, work on the dissemination of knowledge had intensified appreciably, as a result of which the country had adopted a number of new laws concerning IP subject matter. The Delegation said that the Government of Tajikistan was interested in extending joint and fruitful cooperation with WIPO, since, as the experience of many States in that field showed, the dissemination of knowledge on IP issues and the elaboration and adoption of contemporary international and national normative acts on IP not only guaranteed the protection of the rights of authors of IP subject matter, but also increased the investability of a country, thanks to which the sustainable development of the economy of not solely one country, but also of an entire region, might ultimately be achieved. The Delegation emphasized that the Central Asian region possessed enormous potential in terms of economic development, and that therefore a further expansion in WIPO's activity in that region was of great importance. At the present time, on the initiative of the Ministry of Economic Development and Trade of Tajikistan in

cooperation with WIPO and other UN organizations, work was being carried out on the refinement and harmonization of existing laws in the field of IP with the provisions of the TRIPS Agreement. Moreover, the issue of devising a strategy in the field of IP, taking into account the level of economic development of the country, was being coordinated with the appropriate WIPO departments, and that in that regard Tajikistan was hoping for appropriate support from WIPO. Tajikistan valued cooperation with WIPO very positively on all issues of a bilateral and multilateral nature, on the resolution of which society's progress depended. The Delegation expressed hope for the further development of such cooperation. In conclusion, the Delegation once again thanked the WIPO leadership for the excellent organization of the Assemblies' work, and wished all participants success and a constructive dialogue in the interests of achieving the aims set by WIPO in the field of intellectual property development.

132. The Delegation of Togo thanked the Director General for the results achieved during the 2007-2008 biennium and congratulated the Secretariat on the clear documents submitted to the Assemblies. It expressed its unwavering support for the Director General and was convinced that he would strive to modernize WIPO and ensure balanced intellectual property protection which reconciled the promotion of invention and innovation with the fundamental needs of populations in terms of health and food. It was also convinced that he would continue to attach importance to the least developed countries (LDCs) by strengthening the Division for Least Developed Countries as well as the WIPO Worldwide Academy, which, through its various training sessions, was improving the capacities of officials from developing countries and LDCs and explaining intellectual property issues in simple terms, and that he would maintain a spirit of consensus within the Organization and would turn the intellectual property system into a development tool. With regard to WIPO's participation in the development of Member States, the Delegation welcomed the significant results achieved through the Development Agenda and reaffirmed its conviction that the Committee on Development and Intellectual Property would contribute effectively to further progress. The Development Agenda was a historic agreement for the Organization and reflected the desire of Member States to see the IP system remain a genuine tool for development as well as for the promotion of technological innovation, creativity and the transfer and dissemination of knowledge. With regard to the work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, the Delegation welcomed the decisions taken, in particular those relating to the preparation of draft analyses of gaps in the protection of traditional cultural expressions/expressions of folklore and traditional knowledge, the introduction of the WIPO Voluntary Contribution Fund for Accredited Indigenous and Local Communities, and the launch of the pilot training program to draw up an inventory of cultural traditions. It hoped that the legislation in the field of genetic resources would give reasonable consideration to the conservation of biodiversity, the sustainable use of biological resources, the preservation of food security, the protection of community rights, including those of farmers and breeders, and the equitable sharing of benefits, all in accordance with the provisions of the Convention on Biological Diversity (CBD). The Delegation also said that intellectual property rights were now at the heart of major commercial and development issues and that all the initiatives were designed to formulate, implement and strengthen national or international legal policies and instruments. However, it was important to ensure that the provisions of the system for IP protection were not a protectionist means of perpetuating monopolies on technology, seeds, genes and medicine and did not contradict the principle of the free circulation of ideas and knowledge, as well as economic and social rights. The Delegation concluded by expressing its gratitude to WIPO for the support it had given to Togo, especially in the field of technical assistance and training, and hoped that the cooperation between the Organization and his country would

be intensified in order to guide it in its efforts to implement international agreements and treaties.

133. The Delegation of Zimbabwe extended its warm congratulations to the Ambassador of Argentina for being elected to the Chair of the Assembly and reassured him of maximum support and cooperation from Zimbabwe during his term as Chair. The Delegation expressed confidence in the Organization's new Cabinet, appointed by the Coordination Committee in June 2009, and hoped for the full implementation of the financial disclosure plan. While the Delegation recognized the need for a reduction in the Secretariat's staff, mainly as a result of the prevailing economic crisis, it requested assurance that the exercise would be purely voluntary. The Delegation expressed appreciation for all the technical assistance rendered by the Director General and the Secretariat during the period under review, which would go a long way to enhancing social and economic development, and noted that more assistance would be welcome given that Zimbabwe was currently in the process of implementing an economic recovery plan, especially in formulating its National Intellectual Property Policy, including the establishment of an Interministerial Committee on IP. The Delegation voiced concern for the failure of the IGC to live up to its expectations over the past nine years, mainly because of the unwillingness of developed countries to compromise their position, and expressed hope that the WIPO General Assembly would support the proposal of the African Group concerning the future of the IGC.

134. The Representative of the African Union said that it was a great honor for her to address the Assembly on behalf of the African Union Commission and extended her sincere congratulations to the Chair and officers, assuring them of her support in the accomplishment of their noble duties. She thanked the Director General of WIPO for his invitation to participate in the High-Level Segment and said that she was convinced that that initiative would bring experts and decision-makers in the IP system closer together and would improve their mastery of that field and enable them to use it to support sustainable development. She paid tribute to a son of Africa, Ambassador Martin Uhomoibhi, who, during his two years as Chair of the General Assembly during a particularly difficult period for the Organization, had succeeded, thanks to his established skills as an experienced diplomat, in steering the ship to safe harbor. Furthermore, she expressed her most sincere thanks to the outgoing management team for their cooperation and dedication, and wished the members of the new team every success so that their performance would match the trust that had been placed in them and so that they would add value to WIPO. The African Union Commission fully endorsed the statement made by Senegal on behalf of the African Group. Today more than ever, the stakeholders in the IP system were demanding that the system should be more concerned with the well-being of the large majority of populations around the world and were clearly calling for it to be more democratic and capable of meeting the needs and addressing the concerns of the general public in all countries. In that regard, the Representative noted with satisfaction that the African Member States of WIPO had participated actively and played a key role in devising and adopting the WIPO Development Agenda. As a contribution to that process, they had submitted an ambitious document highlighting the continent's needs and priorities. The African Union welcomed the fact that most of their proposals had been taken into account in the 45 recommendations adopted. African leaders and decision-makers were continuously stressing the development dimension. They were involved in numerous multilateral initiatives aimed at defining common positions which underlined their concerns and priorities. The achievement of the United Nations Millennium Development Goals was high on the African States' list of priorities. The African Union called on all United Nations agencies, including WIPO, to tackle that issue with all the responsibility that it merited and to develop action frameworks and programs to promote the achievement of the MDGs in Africa. Clear

policies should be produced from the following sessions of the Committee on Development and Intellectual Property with a view to updating the provisions of recommendation No. 22 and other relevant recommendations having an effect on the MDGs. Those international organizations whose remit included the development issue should collaborate closely with WIPO in order to achieve the MDGs. WIPO's role in technology transfer and national capacity building for the development of science and technology as well as in the field of research and development of infrastructure could never be stressed enough. The African Union Commission also attached a great deal of importance to the process of the Intergovernmental Committee (IGC) on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. It had to be admitted that the discussions within the IGC had reached a deadlock and that a solution still had to be found for the establishment of an international regime for the protection of genetic resources, traditional knowledge and cultural expressions against their misappropriation and misuse and the promotion of a spirit of equitable sharing of the benefits arising from the use of genetic resources. The IGC's work was essential for the needs and interests of the African States. The rapid conclusion of that work and the adoption of a legally binding instrument for the protection of the abovementioned IP assets were essential. The African Union Commission intended to support its Member States in consultations with various stakeholders in the Geneva process in order to find a way out of the deadlock that had been reached in the negotiations. In that regard, the support given to the African Union Commission and to the African Group in organizing two seminars to discuss the Development Agenda issues in more depth and to prepare the negotiations within the IGC showed the commitment of the new WIPO management to explore the ways and means of taking IP into account in the various areas of cooperation and partnership. With regard to the other areas of general policy, the Representative noted with satisfaction that the Director General had placed ongoing consultations with Member States and partner organizations at the top of his agenda. She congratulated him on that initiative and on the productive and timely consultations on issues of common interest, in particular poverty reduction, measures relating to food security, environmental issues and climate change, technology acquisition programs, infrastructure development, science and culture, as well as other areas which required collective efforts. In conclusion, the Representative reiterated the willingness of the African Union Commission to strengthen its collaboration with WIPO with a view to achieving its commendable objectives and strengthening the aspects of its mandate relating to development in Africa.

135. The Representative of the African Regional Intellectual Property Organization (ARIPO) stated that the annual Assemblies were an appropriate platform for taking stock of shortcomings and successes and mapping out strategies for future development in the dynamic and complex area of intellectual property. The 16 African Member States of ARIPO sought to harmonize, promote and develop IP on a multiple-country basis. The ARIPO Secretariat therefore welcomed the increasing number of activities conducted with the assistance of WIPO for the benefit of ARIPO and its Member States, including all-round training and awareness-raising activities in the field of IP, institutional developments such as the deployment of the Intellectual Property Automation System (IPAS) in ARIPO Member States and the presence of a WIPO consultant at the ARIPO Headquarters to provide training and other support services as required. Furthermore, ARIPO had been enlisted as a partner under the WIPO PATENTSCOPE project aimed at making technical information contained in patent documents available. Under that project, WIPO had made available two heavy-duty scanning machines and had trained personnel in the operation of those machines. Successful completion of the PATENTSCOPE project would go a long way towards meeting the technological needs of ARIPO Member States. Alongside that project, ARIPO, with the support of WIPO, had initiated a project for online connectivity with its Member States and a

pilot project between ARIPO and the Kenya Industrial Property Institute (KIPI) was under way. Once completed, the project would no doubt improve synergies between ARIPO and its Member States in industrial property administration. The African Regional Training Center (ARTC) was now fully operational and was offering a number of short IP courses, including a workshop on the protection of plant varieties and breeders' rights, the protection of traditional knowledge and expressions of folklore and a seminar on ARIPO procedures for the processing of applications. Other courses scheduled for 2009 included workshops on patent drafting and licensing, the WIPO Development Agenda and using IP to enhance the competitiveness of SMEs. In addition, the ARTC, in partnership with the WIPO Worldwide Academy and the Africa University, had been offering a Masters degree in intellectual property since May 2008. The second group of students was currently in the residential phase which would be followed by practical training at the ARIPO Regional Training Centre. Eighteen of the students were sponsored by WIPO, while others had obtained sponsorship from elsewhere or were self-funded. Some were sponsored by the Japanese trust funds, which would also be used to sponsor several African interns at the Swedish Royal Patent and Registration Office. Clearly, the ARTC programs, the Masters in IP and the internships reflected a positive response to the region's training needs. Within the framework of the cooperation agreement between ARIPO and WIPO, ARIPO was regularly invited to participate as an observer in various WIPO standing committee meetings, and it had assumed responsibility for summarizing the outcome of those meetings for the benefit of its Member States. At the IGC meetings for example, in which ARIPO had been involved from the outset, the experience that it had acquired had led ARIPO to develop a legal instrument for the protection of traditional knowledge and expressions of folklore, which had been developed into a draft Protocol which would be submitted for further discussion during the ARIPO Ministerial Council Meeting to be held on November 27 to 28, 2009. Approval by the ARIPO Council of Ministers would lead to the convening of a Diplomatic Conference for the adoption of the Protocol in 2010. Once adopted and ratified by Member States, the Protocol would become a Regional Protocol on TK and expressions of folklore. To develop that legal instrument, extensive consultations had been held between ARIPO, OAPI and the African Union. ARIPO had also been involved in meetings of other regions in the areas of TK and expressions of folklore aimed at sharing the African experience and had been invited by WIPO to participate in a number of high-level fora and symposia. With regard to the PCT, the Harare Protocol incorporated the PCT and, under section 3bis, ARIPO acted as a Receiving, Elected and Designated Office. Moreover, all ARIPO Member States except Somalia were party to the PCT. Interaction between ARIPO and WIPO was therefore further enhanced through the PCT system and ARIPO participated in the PCT Working Group meetings and in PCT awareness-raising activities in Africa. ARIPO was deeply grateful to the Director General of WIPO and the various WIPO divisions for the continued support that they had given to ARIPO since its creation. The Representative commended WIPO's Technical Assistance and Capacity Building Bureau for Africa for its excellent coordination of all the activities. The 12th session of the ARIPO Council of Ministers would be greatly honored to receive the Director General who was due to give a keynote address on his vision on the development of IP in Africa. His vision, together with Ministerial statements, would be instrumental in providing the appropriate direction for the development of IP in Africa.

136. The Representative of the Eurasian Patent Organization (EAPO) fully supported the Program and Budget for the 2010-2011 biennium and noted with satisfaction the new approaches adopted in devising the Program, wherein the basic parameters were clearly designated and the qualitative and quantitative indicators, which the Organization should use for each strategic goal and program, were given. A further positive point noted by the Representative was the effort made to take account of the interests of all Member States,

irrespective of their stage of economic development, and the mutual links between the programs and Development Agenda recommendations, a fact which once again proved that the implementation of the recommendations set in the Development Agenda was becoming an integral part of the Organization's activities. The Representative expressed EAPO's support for WIPO's activities in reorganizing the work of the Secretariat and enhancing the effectiveness of the work done by its staff. In particular, the Representative referred to the program aimed at cooperation with the region which contained States that were members of EAPO. He expressed support for that program and noted with satisfaction that in the course of its implementation WIPO would strive to achieve active cooperation with EAPO. The Representative stressed that the EAPO welcomed such an approach and was ready to cooperate actively with WIPO. He further emphasized that 2008-2009 would go down in world history as marking the beginning of serious trials for economic systems and a re-evaluation of established stereotypes. Economic development strategies as a whole, and intellectual property in particular, would be re-examined. Life had shown that in complicated economic conditions there was a particular requirement for breakthrough decisions in the field of technologies. For countries in the region represented by EAPO, a real transition from an economy based on raw materials to one founded on innovation was important. There was no doubt that the renewal of the economy, in turn, would give rise to growth in patent activity. In conclusion, the Representative noted that the Eurasian patent system was working and would work in the interests of the States in its region and would increase the national potential of intellectual property.

137. The Representative of the African Intellectual Property Organization (OAPI) offered sincere thanks on behalf of OAPI to the Director General for the unfailing attention that he was paying to developing countries in general and to OAPI in particular. Since Mr. Gurry had assumed office at the head of WIPO, the multifaceted cooperation between OAPI and WIPO had been strengthened further. Barely one month after assuming office, Mr. Gurry had led, in person, a strong WIPO delegation at the first international conference on intellectual property and the economic and social development of the OAPI Member States, held in Dakar, Senegal, on November 4-6, 2008, under the effective chairmanship of Maître Abdoulaye Wade, President of the Republic of Senegal. In a very enriching speech, the Director General of WIPO had recalled the broad outlines of the WIPO Development Agenda, in particular for countries on the African continent, for the years to come. The OAPI Member States, represented at that Conference by the Ministers responsible for industry, culture and research, had been pleased to note a convergence between the visions of the two Organizations, especially with regard to the link between IP and development. That convergence of views was based on the strategic direction that should be given to IP to ensure that it played its role as a development tool. The Representative was sure that the convergence of views would facilitate the mobilization of resources for the implementation of the action plan annexed to the Dakar Declaration, which had been the outcome of the Dakar Conference. Implementation of that action plan, which had been adopted by the Governing Body at its session held in December 2008, had begun. Through the OAPI media project, OAPI proposed to make IP accessible to all members of society. An intensive program aimed at disseminating IP in the media of the OAPI States had been launched in 2008, following the creation of specialized programs on the radio and television, as well as the publication of articles on OAPI in specialized magazines around the world. The effects of that media coverage were already being seen. OAPI had seen an unusual increase in the number of trademark filings during that same year, 2008, despite the impact of the global financial crisis on that sector. As part of the implementation of IP law, besides the draft reform of the Higher Appeals Commission and the strengthening of the capacities of the judicial administrations, a guide for judges and representatives of the law and a collection of legal decisions had recently

been produced by OAPI. Furthermore, there were plans to implement other projects under the OAPI action plan in the near future, including the automation of OAPI, the establishment of a one-stop shop to reduce delays in the processing of applications, IP distance-learning training over the Internet, electronic filing and the revision of the Bangui Agreement and subsequent texts. The implementation of those major projects was imperative if OAPI Member States wanted to increase the use of their IP systems which were still weak despite the regional potential and their development was closely linked to the importance attached to IP in that process. The first expression by the States of that use of IP was found in its inclusion in their development policies and programs. In a context in which the economy was based on the sale of raw materials and in which more than 70 per cent of the active population were employed in agriculture, it was necessary to make use of other methods of added-value production and OAPI was therefore making that objective one of its priorities. The Member States of OAPI were extremely grateful for the multifaceted assistance provided by WIPO, which had always been supported by the WIPO bodies. Developing countries should follow in the footsteps of emerging countries in undertaking to use IP as a tool to combat poverty. The Representative said that it was also important that the work of the IGC was completed and that concrete results should be achieved through the adoption of an instrument providing international protection. That objective could be achieved if all countries represented at the General Assembly realized the challenges facing developing countries in combating poverty and if the gap between the countries of the North and those of the South, which was based on interests, was reduced considerably. It could also be achieved if local communities were listened to, including addressing their concerns. The Representative hoped that the current session would result in concrete and realistic resolutions which promoted the sustainable development of WIPO's activities.

138. The Representative of the Ibero-Latin-American Federation of Performers (FILAIE) stated that FILAIE was an Ibero-Latin-American organization, with its headquarters in the Iberian Peninsula, in which Spain and Portugal and all of South America, as well as Central America and Mexico participated, and that it currently had 24 countries with a further four waiting to join in the near future. FILAIE defended the rights of artists, in particular in the field of music but also in the audiovisual field. As regards the audiovisual field and the rights of artists, the Representative recalled that the idea of giving protection to artists first arose in Weimar in 1903. Unfortunately two world wars had brought that to a standstill. The Representative joked that that did not mean that every time there had been talk of rights for artists a world war had been declared. The Rome Convention was signed in 1961, as a result of a pact between three sectors: broadcasting organizations, producers and artists, and its apparent aim was to protect artists, and in effect, the Rome Convention secured certain rights but ultimately harmed artists. According to the Rome Convention, producers and broadcasting organizations were entitled to authorize or prohibit communications to the public, reproductions, etc. Conversely, the Convention only entitled artists to oppose communications of their performances. That was, therefore, a limited entitlement. Also, in the Rome Convention, there was no mention of moral rights and, in the audiovisual field, the rights which Article 7 secured for artists, were refused under Article 19 when consent was given for an audiovisual recording. That was the current situation of protection for artists. Therefore, as regards the audiovisual field – increasingly extensive as some 70 per cent of performances were in audiovisual format –, protection was urgently needed. The Representative stated that he was hopeful on that as, judging by the meetings of early September and informal discussions between States, there already seemed to be a certain flexibility to consider an international convention with international protection for audiovisual rights. The Representative hoped that that could materialize into a Diplomatic Conference to correct the failures of 1996 and 2000. As regards broadcasting organizations, the

Representative called for the General Assembly recommendation to be followed, i.e., the protection of signals and the rights of audiovisual artists should be established. Attempting to extend that protection to another broader field would be contrary to the mandate of the Assembly, and as regards artists, the rights of audiovisual artists should first be established followed by those of broadcasting organizations. As regards exceptions and limitations, the Representative was in agreement that they were necessary but perhaps their scope should be limited, recalled that similarly much legislation already covered exceptions and limitations, and stated that the problem was one of legal interpretation since the exception and limitation of a right, of the rights holder, should specifically refer to disabled persons. As to folklore, the Representative recalled that the WPPT extended the definition of artists to those who sang, recited and performed, in any way, literary or artistic works or expressions of folklore. The Representative stated that FILAIE included folk artists among its members and called on governments to renew their efforts and extend the mandate of the IGC with a view to establishing a legally binding international instrument which provided proper protection.

139. The Representative of Knowledge Ecology International (KEI) commented that outside of WIPO, some countries were involved in secretive negotiations on a new Anti-Counterfeiting Trade Agreement (ACTA). KEI asked WIPO to adopt a resolution calling for an end to the secrecy of that negotiation. Global norms for the enforcement of intellectual property should be transparent and benefit from comments from the public before decisions were made on substantive provisions. In the area of patents, KEI was encouraged by the current SCP work program, including in particular the proposed work on access to medicine, the research exception and issues related to patents and standards. KEI suggested that WIPO undertake a study on the issue of State practice concerning requirements for the disclosure of patent claims when standards are proposed and to consider a possible WIPO instrument that would create a global system of required disclosures for some important knowledge interfaces. WIPO should also examine the flexibility in the TRIPS Agreement to allow non-voluntary uses of patents and determine if that flexibility was at risk from standards that had been advanced in the ACTA negotiations that would change global norms for issuing injunctions and which would increase the damages from infringement. With regard to the SCCR, KEI opposed work on a new treaty for broadcasting organizations. If implemented as a new IP right for entities that merely assembled content for distribution it would greatly concentrate IPRs and transfer wealth to large foreign firms that controlled the global distribution of copyrighted works. KEI encouraged the SCCR to focus on a robust work program on copyright limitations and exceptions that addressed a broad set of exceptions. KEI did not believe that deep harmonization of all copyright limitations and exceptions was needed or appropriate in most cases. In some special cases, global norms would be useful including, in some cases, minimum limitations and exceptions for copyright, and could be needed to stimulate public and private investment in cross-border uses of works or technologies, for example: (1) the sharing of accessible works for persons who are blind or have other disabilities; (2) distance education delivered across borders; (3) the cross-border sharing of works by libraries; 4) the regulation of DRMs and technological protection measures as they related to the exercise of legitimate uses of works or the control of anti-competitive practices; and 5) the development of some innovative services. A treaty for sharing works in accessible formats for persons who had reading disabilities could be done immediately and was long overdue. Work on reading disabilities should not be delayed until a broader work program on copyright limitations and exceptions had been completed. Neither should work on distance education, libraries or other topics be limited by requirements that the entire work program be finished. For norm setting, the SCCR should move each project forward when it was ready. In the case of reading disabilities the SCCR should aim to authorize a diplomatic conference at the 2010 General Assembly. That diplomatic conference

should be held as early as Spring 2011. Work on other norm-setting activities involving limitations and exceptions should go forward in parallel including but not limited to proposals that may be offered in the areas of distance education and libraries.

140. The Representative of the Civil Society Coalition (CSC) expressed satisfaction that the SCCR was considering the proposal by Brazil, Ecuador and Paraguay relating to limitations and exceptions. The SCCR should evaluate the proposal for a treaty for the sharing of accessible works for persons who are blind or have reading disabilities with the aim of bringing to the 2010 General Assembly a proposal for a diplomatic conference in 2011 on the topic. To assist work on that project, the representative suggested that more information be provided to the SCCR about works that were created under copyright limitations with particular emphasis on legal mechanisms, use and the extent of cross-border sharing of accessible works. Work was to be pursued on limitations and exceptions in the areas of education, distant education, libraries, innovative services and access to out-of-print or orphan works. The CSC also suggested that WIPO and SCCR should consider two new agenda items. The first should be the control of anti-competitive practices and the second should be the evidence base and transparency of the copyright system. On the issue of technical assistance, WIPO should not approach technical assistance by simply encouraging continuous development of IP laws in developing countries and see more and more IT standards as an entity in itself. WIPO needed to shift focus on providing assistance on issues of compulsory licenses and other flexibilities to access affordable medicines and to facilitate industrial manufacturing. In the area of public health, CSC was certain that WIPO could assist least developed countries to make use of a transition period to build capacity for the production of generic medicines. WIPO also needed to provide assistance that stressed open-source licensing, exception to copyright, to promote access to knowledge, farmers' rights, to plant variety production, introducing this crucial requirement in patent applications to guard against bio-piracy. CSC would like to see WIPO do more in that area, for example, by holding an open-ended forum on the issue of compulsory licenses for development. Appropriate IP law and policy would be reflected in key development sectors such as industrial manufacturing, health, agriculture, access to knowledge. A review mechanism should ensure that the technical assistance provided by WIPO was development oriented. On the issue of the PCT roadmap, any reform of the PCT must not result in diminishing the authority of national patent offices to conduct search and examination in the national phase. In that regard, CSC recalled several relevant development agenda recommendations, in particular recommendations 15, 21 and 22. With respect to the SCP, CSC encouraged the Committee to engage more closely on issues related to patents and standards. Lastly, there was an urgent need to address the misappropriation of genetic resources, traditional knowledge, folklore, and other traditional cultural expressions through a legally-binding instrument.

141. The Representative of the World Blind Union (WBU) introduced the WBU as representing the interests of 160 million blind and partially sighted persons in 177 Member countries. Currently, only five per cent of all published works were produced in accessible formats for visually-impaired and other visually-disabled people, such as large print, brail and audio. Most of the works available in accessible formats were to be found in a few specialist organizations around the world. Those organizations had scarce resources. To increase the percentage of books available to visually-disabled people, those organizations needed to be able to legally share their books across national borders. However, due to the national nature of copyright law, they were unable to do so. WIPO's Director General had described to the General Assembly the two initiatives under WIPO auspices that could help solve the problem, namely the establishment of a stakeholder's platform and the tabling of a treaty proposal on access to published works on the part of the visually impaired. The World Blind Union

strongly supported both the stakeholder's platform and the treaty proposal. Those complementary activities were both essential to a workable and meaningful solution to the book famine. In respect of the treaty proposal, WBU warmly endorsed Brazil's general statement to the WIPO General Assembly concerning the need to achieve progress on talks about a legal instrument that would make access to education and culture possible for the visually impaired. Millions of print-disabled persons around the world were waiting for the fruits of that labor. WBU urged all Member States to work with them on those initiatives.

142. The following NGOs: the International Federation of the Phonographic Industry (IFPI), the Independent Music Companies Association (IMPALA), the International Federation of Film Producers' Associations (FIAPF), the International Federation of Film Distributors Associations (FIAD), the International Video Federation (IVF), the International Federation of Actors (FIA), the International Federation of Musicians (FIM), the International Confederation of Music Publishers (ICMP), the International Publishers Association (IPA), the International Federation of Reproduction Rights Organisations (IFRRO), the International Confederation of Societies of Authors and Composers (CISAC) and the International Bureau of Societies Administering the Rights of Mechanical Recording and Reproduction (BIEM), representing creators and rights holders from the music, film and publishing sectors in countries around the world, supported WIPO's ongoing work program on development issues, and the Director General's statement on the importance of improving developing countries' capacity to benefit from the knowledge economy and the need to identify and execute projects that make a real difference. The NGO members created and did business in developing and developed countries, and had both a strong interest and extensive experience in the use of copyright to further development goals. Copyright played a major positive role in cultural and economic growth, and balanced implementation of the Development Agenda recommendations would be a beneficial step forward in recognizing that role. In contrast, any weakening of copyright at an international level would impede the growth of copyright sectors, particularly in the developing world where creators and rights holders faced a myriad of other challenges including piracy and limited access to funding capital. The NGOs remained committed to assisting developing countries and their creative communities in enabling the use of IP for the benefit of cultural and economic development. On the work of the Advisory Committee on Enforcement, the NGOs believed that securing effective enforcement, in order to permit the flourishing of licensing and other models for lawful access, was one of the biggest challenges for copyright today. They welcomed the discussions on the costs of enforcement and supported further exploration of the difficulties faced by rights holders in protecting their works in both the physical and digital worlds. Those discussions should take into account the impact of piracy on creators in developing countries and identify means to improve protection of their interests. Unless rights holders could ensure adequate enforcement of rights in their works, particularly in the online environment, copyright protection itself would become meaningless, seriously undermining the incentives to create new works. The NGOs also supported the agenda item on promoting respect for IP. Improving public understanding of and respect for copyright was an important element of creating an environment where copyright could continue to support creativity and innovation around the world and allow creators to make a living from their craft. They urged that the work of the ACE should continue on a regular basis, and be expanded to include addressing the issues involved in combating online piracy. As to the work program of the SCCR: (1) On the proposed treaty for the protection of audiovisual performances, the NGOs supported the continuation of the SCCR's work toward a treaty. What was required was an acceptable solution to the single outstanding issue from the 2000 Diplomatic Conference, the question of the appropriate treatment of differing legal approaches to the transfer of rights. That need not and should not involve reopening any of the other 19 articles on which agreement was

reached at the Diplomatic Conference. (2) On the proposed treaty for the protection of broadcasting organizations, they supported further work and believed that a treaty to update existing international protections for broadcasters for the internet age was needed. Such a treaty should provide adequate protection against the misappropriation of broadcast signals without interfering with or affecting the scope and exercise of copyright protection in the content that is broadcast. (3) On exceptions and limitations, they supported further work and believed much progress could be made in building on experiences in different countries and providing good national models and examples of best practices. All appropriate tools should be considered, including sector-specific solutions, innovative partnerships and licensing mechanisms for providing and improving access. The general approach of the three-step test in existing treaties provided beneficial flexibility to allow individual countries to determine their own policies. The specific issue of trans-border distribution was important and implicated fundamental aspects of the global copyright framework. That should be studied thoroughly, including the extent to which the issues involved were amenable to choice of law or other non-treaty-based solutions. The example of the Stakeholder Platform addressing access for the visually-impaired could serve as a model for finding voluntary solutions. More discussion was needed on the question of what tools and mechanisms, including those other than norm-setting, were most suitable in the international context. Finally, the future work program of the SCCR should include examination of developments around the world on the issue of ISP cooperation—i.e., active cooperation by internet service providers to help curb online copyright infringement. That was one of the most important developments in copyright and was critical for the future of copyright in the digital networked environment, and the ability to control infringement sufficiently to sustain legitimate market offerings. Over the past year and a half, this subject has been discussed widely in private and cross-industry negotiations, in academic debate and in the press, and was on the agenda for action by governments in many countries. In light of the diverse evolving approaches in different jurisdictions, an international norm-setting exercise would currently be premature. Given the importance of the issue, and the rapid pace of developments, any organization with a role in copyright at the international level should be aware of what was happening. The NGOs urged that the issue be added to the future work program of the SCCR, as a topic for ongoing attention.

GOVERNING BODIES AND INSTITUTIONAL ISSUES

ITEM 6 OF THE CONSOLIDATED AGENDA:

COMPOSITION OF THE WIPO COORDINATION COMMITTEE; ELECTION OF THE MEMBERS OF THE EXECUTIVE COMMITTEES OF THE PARIS AND BERNE UNIONS AND DESIGNATION OF THE *AD HOC* MEMBERS OF THE WIPO COORDINATION COMMITTEE

143. Discussions were based on document A/47/7.

144. Following informal consultations among the Group Coordinators,

(i) the Paris Union Assembly unanimously elected the following States as *ordinary* members of the *Paris Union Executive Committee*: Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Barbados, Belarus, Belgium, Brazil, Bulgaria, Burundi, Costa Rica, Côte d'Ivoire, Democratic People's

Republic of Korea, Djibouti, El Salvador, France, Germany, Ghana, Iceland, India, Indonesia, Iran (Islamic Republic of), Malaysia, Mauritius, Mexico, Morocco, New Zealand, Norway, Paraguay, Portugal, Spain, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, United States of America, Uruguay, Viet Nam (41);

(ii) the Berne Union Assembly unanimously elected the following States as *ordinary* members of the *Berne Union Executive Committee*: Bangladesh, Cameroon, Canada, Chile, China, Colombia, Croatia, Cuba, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, Estonia, Finland, Guatemala, Hungary, Ireland, Italy, Japan, Jordan, Kenya, Luxembourg, Netherlands, Nigeria, Oman, Pakistan, Republic of Korea, Romania, Senegal, Serbia, Singapore, South Africa, Tunisia, Turkey, United Kingdom, Uzbekistan, Yemen, Zambia (39);

(iii) the WIPO Conference unanimously designated the following States as *ad hoc* members of the *WIPO Coordination Committee*: Eritrea, Ethiopia (2);

(iv) the WIPO Conference and the Assemblies of the Paris and Berne Unions noted that Switzerland would continue to be an *ex officio* ordinary member of the *Paris Union Executive Committee* and of the *Berne Union Executive Committee*.

145. As a consequence, the WIPO Coordination Committee for the period October 2009 to October 2011 is composed of the following States: Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Brazil, Bulgaria, Burundi, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Democratic Peoples' Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea (*ad hoc*), Estonia, Ethiopia (*ad hoc*), Finland, France, Germany, Ghana, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kenya, Luxembourg, Malaysia, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Paraguay, Portugal, Republic of Korea, Romania, Senegal, Serbia, Singapore, South Africa, Spain, Sweden, Switzerland (*ex officio*), Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Kingdom, United States of America, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia (83).

ITEM 7 OF THE CONSOLIDATED AGENDA:

COMPOSITION OF THE PROGRAM AND BUDGET COMMITTEE

146. See the report of the session of the WIPO General Assembly (document WO/GA/38/20).

ITEM 8 OF THE CONSOLIDATED AGENDA:

PROCESS FOR THE SELECTION OF EXTERNAL AUDITOR

147. See the report of the session of the WIPO General Assembly (document WO/GA/38/20).

ITEM 9 OF THE CONSOLIDATED AGENDA:

REPORT OF THE WIPO AUDIT COMMITTEE SINCE 2008;
COMPOSITION OF THE WIPO AUDIT COMMITTEE

148. See the report of the session of the WIPO General Assembly (document WO/GA/38/20).

ITEM 10 OF THE CONSOLIDATED AGENDA:

ADMISSION OF OBSERVERS

149. Discussions were based on document A/47/8.

Admission of Intergovernmental Organizations

150. The Assemblies of the Member States of WIPO and other bodies, each as far as it was concerned, decided to grant observer status to the following two intergovernmental organizations: the Nordic Patent Institute (NPI) and the Organization of Eastern Caribbean States (OECS).

Admission of International Non-Governmental Organizations as Observers

151. The Assemblies of the Member States of WIPO and other bodies, each as far as it was concerned, decided to grant observer status to the following three international non-governmental organizations: Education International (EI); Royal Institute of International Affairs (Chatham House); and Southern and Eastern Africa Copyright Network (SEACONET).

Admission of National Non-Governmental Organizations as Observers

152. The Assemblies of the Member States of WIPO and other bodies, each as far as it was concerned, decided to grant observer status to the following three national non-governmental organizations: *Corporación Latinoamericana de Investigación de la Propiedad Intelectual para el Desarrollo* (Corporación Innovarte); The International Intellectual Property Society (IIPS); and The Italian Library Association (AIB).

ITEM 11 OF THE CONSOLIDATED AGENDA:

APPROVAL OF AGREEMENT

153. See the report of the session of the WIPO Coordination Committee (document WO/CC/62/4).

ADMINISTRATION AND FINANCE

ITEM 12 OF THE CONSOLIDATED AGENDA:

PROGRAM PERFORMANCE REPORT FOR 2008

154. Discussions were based on document A/47/2.

155. The Secretariat introduced document A/47/2. It recalled that the Program Performance Report for 2008 had been submitted to the Program and Budget Committee at its fourteenth session (September 14 to 16, 2009) as PBC document WO/PBC/14/3. The recommendation of the Program and Budget Committee made in respect of this document was recorded in the Summary of Recommendations made by the PBC at its fourteenth session (document A/47/15), which invited the Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it was concerned, to approve the Program Performance report for 2008 contained in document WO/PBC/14/3, which was annexed to document A/47/2. The Secretariat expressed its readiness to make a presentation of the document, if necessary, but recalled that this document had already been subject to two reviews by Member States.

156. The Chair invited delegations to consider the decision paragraph contained in paragraph 3 of document A/47/2.

157. The Assemblies of the Member States of WIPO and other bodies, each as far as it was concerned, approved the Program Performance Report for 2008 contained in document WO/PBC/14/3.

ITEM 13 OF THE CONSOLIDATED AGENDA:

INTERIM FINANCIAL STATEMENT REPORT FOR 2008;
ARREARS IN CONTRIBUTIONS AS OF SEPTEMBER 2009

158. Discussions were based on documents A/47/ 4 and 5.

159. The Secretariat introduced document A/47/4, Interim Financial Statements for 2008 and the Status of the Payment of Contributions as of June 30, 2009. This document had been submitted to the Program and Budget Committee (PBC) at its fourteenth session held from September 14 to 16, 2009. The Secretariat offered to make a presentation of the document if the Assemblies judged it necessary but explained that the document had already been subject to review by Member States. The Secretariat recalled that the recommendation of the PBC with respect to this document was included in the Summary of Recommendations made by the PBC at its fourteenth session contained in document A/47/15 and read: "The Program and Budget Committee recommended to the Assemblies of the Member States of WIPO and other bodies, each as far as it was concerned, to take note of the contents of document WO/PBC/14/2."

160. The Secretariat invited the Assemblies to take note of the fact that the status of the payment of contributions had been updated since June 2009 in order to take account of contributions received up to September 18, 2009 and that this was reproduced in document A/47/5.

161. In the absence of comments, the Assemblies of the Member States of WIPO and other bodies, each as far as it is concerned, took note of the contents of document WO/PBC/14/2.

ITEM 14 OF THE CONSOLIDATED AGENDA:

PROPOSED PROGRAM AND BUDGET FOR 2010-2011 BIENNIUM

162. Discussions were based on document A/47/3.

163. The Chair invited the Secretariat to introduce this agenda item.

164. The Secretariat reminded the delegations that work on the proposed Program and Budget had been conducted in compliance with the new mechanism to further involve the Member States in the preparation and follow up of the Program and Budget and that, in accordance with this, document A/47/3 had been considered at 12 consultative meetings, ten Regional Group meetings and at the informal session the Program and Budget Committee (PBC), in July of this year.

165. The Secretariat recalled that the proposed Program and Budget for the 2010/11 biennium, described in document A/47/3, had been submitted to the Program and Budget Committee at its fourteenth session (September 14 to 16, 2009) as PBC document WO/PBC/14/4.

166. The Secretariat added that the modifications to the proposed Program and Budget for the 2010/11 biennium were described in document A/47/3 Add.

167. The Secretariat specified that a balanced budget of 618,6 million Swiss francs, representing 1.6% less than the 2008-2009 biennial budget, was proposed. The Secretariat expressed its readiness to make a more detailed presentation of the document, if necessary, but recalled that this document had already been subject to a number of reviews by Member States.

168. The Secretariat recalled that the recommendation of the PPBC made in respect of this document was recorded in the Summary of Recommendations made by the PBC at its fourteenth session (document A/47/15).

169. The Secretariat further stated that text of the decision expected of the Assemblies was contained in document A47/3, paragraph 3, which invited the Assemblies of Member States of WIPO and of Unions administered by WIPO, each as far as it was concerned, to approve the recommendation of the Program and Budget Committee made in respect of document WOPBC14/4, as recorded in document A47/15.

170. The Delegation of Spain reiterated the point made by Group B regarding the need to improve levels of transparency and good governance. It added that it would support all efforts by Group B and initiatives of the Director General to make progress in this respect. It noted the importance of the implementation of the adopted Development Agenda recommendations and stressed the need for sufficient resources to be made available to implement the measures agreed upon by the CDIP. Referring to page 172 of the English language version of the document, it noted that the proposal on language policy had been improved in accordance with the request made by the Member States. It also noted that the Budget provided for the Committee on Traditional Knowledge, Genetic Resources and Folklore to have documents in all languages and that it was the intention that this practice would be followed by other committees, to the extent that the financial and human resources permitted. However, it wished to see these general objectives expressed more specifically and tangibly. As they stood they did not correspond entirely with the concerns voiced by Member States. The Delegation requested the Secretariat to report in detail on how WIPO intended to implement these improvements without increasing the financial and human resources. The Delegation said that it was not in a position to support the proposed Program and Budget Program with regards to Program 27. It did not share the restrictive vision on the use of languages in WIPO, specifically, the use of Spanish. It believed that this went against the reality of the use of Spanish in the world and ran counter to the United Nations approach to the use of Spanish. The Delegation commented that the use of a language shared by hundreds of millions of people on the five continents provided the means to give access to information for these millions of people. It further stated that one could not speak about helping developing countries without, at the same time, giving them access to information on an equal footing. By the same token, the Delegation commented that one could not speak of the priority of building a new conference hall, if at the same time equal priority was not given to the means whereby the meetings held would enable communication in the appropriate languages. It said that either this linguistic priority should be guaranteed or the level of priority ascribed to the construction of a new conference hall could not be given. The Delegation stressed the importance of ensuring that Spanish did not receive an inferior treatment in WIPO in terms of visibility, translation and interpretation. It was the language of 27 sovereign states and territories, with over 400 million people for whom it was a mother tongue, and with a further 100 million people who used it as a working language. The Delegation therefore insisted that all documents should be received in Spanish well in advance, to ensure that national positions could be arrived upon, especially on issues as important as the budget of the Organization.

171. The Delegation of Pakistan expressed its concern regarding the lack of opportunity for Member States to discuss the recommendations of the Audit Committee such as, proposals regarding the reported non-compliance by the Secretariat on a number of their operations, as well as proposals to improve oversight of the Organization. It requested that the Chair of the

Program and Budget Committee be instructed to hold consultations with the Member States, during which the recommendations made by the Audit Committee could be discussed in detail. Regarding Program 17, the Delegation recalled that it had highlighted a number of points in the informal meetings, as well as in the last formal session of the PBC. It welcomed that many of these had been taken on board. However, one concern it had consistently raised was that the next session of the Advisory Committee on Enforcement should discuss the elements of creating enabling involvement for building respect for IP. It recalled that it had requested this point be reflected in the revised budget document but noted that it had not been reflected. It therefore found it difficult to go along with the current language and wished to reiterate its request for this to be amended.

172. The Delegation of the United States of America welcomed the proposed Program and Budget and appreciated the effort that had gone into preparing the proposal. It believed that the income scenario chosen was prudent and provided a reasonable estimate of the income that the Organization was likely to realize in the coming biennium. It stressed that this point was particularly important. The Secretariat's commitment to live within the proposed budget envelope, including the proposed reduction in posts was highly appreciated. The Delegation said that the posts reduction proposed was a reasonable first step in addressing the recommendation of the PricewaterhouseCoopers desk-to-desk review. It welcomed the movement towards establishing a culture of customer service, which it believed to be a very welcome development at WIPO. It supported the establishment of Customer Service Centers and for all areas of WIPO's activities. It also supported the increased resource levels for Communications, Economic Studies and Global Challenges.

173. The Delegation of Ecuador recalled the statement it made on behalf of GRULAC at the 14th Session of the Program and Budget Committee. It further noted that GRULAC supported the statement made by the Delegation of Spain in respect of the use of the Spanish language in WIPO meetings.

174. The Delegation of Egypt expressed its appreciation for the documents prepared for this Agenda Item and commended the Secretariat for its efforts to consult on the Program and Budget. It commented that the extensive consultation process was a step in the right direction. It hoped that in future more time would be provided to better facilitate discussion and the adoption of documents. Commenting on the Addendum to the budget document (A/47/3 Add.), it requested that the amended text on page 6 relating to the narrative under Strategic Goal 3: "*Likewise, development concerns and priorities should be integrated into IP Policy at the national and international levels.*" be moved to the previous sentence so that it was incorporated in the commitments under Strategic Goal 3. With reference to the statement on the use of languages, made by the Delegation of Spain, it noted that Program 27 included the decision to conduct a study on the possibility of making all documents and studies available in all WIPO official languages. It requested the Legal Council to clarify what the WIPO official languages were in comparison to those of the United Nations, as it assumed that UN official languages also formed part of the *acquis* of WIPO. Regarding the report of the Audit Committee, the Delegation recalled that this item was discussed during the 14th Session of the Program and Budget Committee and added that since a number of recommendations had elicited interests from the Member States, it would be opportune to hold discussions on the recommendations of the Audit Committee. The Delegation supported the proposal made by the Delegation of Pakistan, that consultations be undertaken by the Chair of the PBC on ways in which these recommendations could be considered and, perhaps, suggesting a proposal on their implementation to be presented to the next session of the PBC.

175. The Delegation of the Russian Federation expressed its support for the Secretariat, in terms of the basic tasks set forth for the Organization in the draft Program and Budget for 2010/11. The document contained important elements allowing improvement of the management system. It observed a new quality in terms of the indicators, as well as overall guidance, in the document. It supported the proposal to base the Program and Budget on specific results, particularly in light of the expenditure that was foreseen for the period and the need for expenditure to be tied to results. The Delegation also supported, in principle, the new program for SME's, which it noted should be closely linked to other programs. On Program 10, it noted the absence of a link to program 5, which it had previously requested. The Delegation was ready to endorse the recommendations made by the PBC in respect of the proposed Program and Budget, however, it commented that the Russian version of document A/47/3, did not contain the text of the recommendations that had been referred to by the Secretariat and requested that the Russian version be supplemented accordingly.

176. The Delegation of Panama expressed its support for the position of the Delegation of Spain regarding the use of the Spanish language.

177. The Delegation of Brazil expressed its appreciation for the work of the Secretariat. It noted that there appeared to be an editorial error in document A/47/3 Add., Table Annex 1, where footnote 6, referring to the 2.3 million Swiss Francs for the implementation of the Development Agenda appeared to be an incomplete sentence.

178. The Delegation of Iran (Islamic Republic of) supported the proposal made by the Delegations of Pakistan and Egypt, regarding providing Member States with the opportunity to discuss recommendations made by other committees. It also sought clarification regarding Agenda Item 9 and asked how the General Assembly would translate the recommendations of the Audit Committee into action.

179. In response to the invitation of the Chair, the Legal Counsel responded to the question of Egypt, regarding official languages. It said that the 184 Member States of WIPO determined what official languages WIPO had, and not the Member States of the UN. WIPO was a separate and distinct specialized agency and it was WIPO's governing body that determined its policies. WIPO had six working languages and two official languages. The two official languages were English and French, with Spanish frequently added. The official languages and the working languages were the six UN working languages, which was why interpretation was provided to and from the six UN languages.

180. In response to the clarification of the Legal Counsel, the Delegation of Egypt requested that the study referred to in Program 27 should name the six languages (Arabic, Chinese, English, French, Russian and Spanish)

181. The Delegation of India expressed its appreciation for the Secretariat's sensitivity and responsiveness in incorporating in the document the amendments and refinements that had been proposed by Member States. It welcomed the Audit Committee's recommendations which were substantive. It felt that the recommendations would be considered by the Secretariat, but that the views of the member States should also be taken into account in deciding what further steps might need to be taken.

182. The Delegation of Tunisia on behalf of the Arabic countries welcomed the proposed Program and Budget. It considered it balanced and serving the interests of the Organization and the Member States. The Delegation stressed the need to provide all official documents in

the Arabic language, which was an official UN language. For that reason, it supported the decision to undertake a study on this subject. It supported the proposal made by the Delegation of Egypt that the study should cover the six official languages of the United Nations, including Arabic.

183. The Delegation of South Africa endorsed the proposed Program and Budget but wished to make a point in respect of the earmarked allocation of 2.3 million Swiss francs for the Development Agenda. It considered this as an interim arrangement and emphasized that the work of the Development Agenda should in future be better incorporated in the Program and Budget. It welcomed the introduction of the Program for SMEs and the reintroduction of the Executive Management Training program of the WIPO Academy. It hoped that this would focus on the private sector in developing countries. The Delegation stressed that the recommendations of the Audit Committee should be taken seriously and acted upon. It also considered the issue of the composition of the Audit Committee equally important and that there should be appropriate time and discussion of this issue.

184. The Delegation of Senegal appreciated the consultations that had taken place on the Program and Budget and welcomed the Secretariat's inclusion of the suggestions of Member States, including those of the African Group, in the proposed Program and Budget. It considered that the document was now balanced. It added that there was one request that had not been met and that was to separate the Africa Program from that of the LDC's. It explained that the specific concerns of the group needed to be dealt with in specific ways which was why the Group had asked to have two separate programs. It hoped that in the future this concern would be addressed. It added that there was a corollary, which was the establishment of a Sub-Program for the Portuguese speaking African Countries. Regarding the recommendations of the Audit Committee, it was better to be cautious and added that a number of recommendations put forward went in the right direction and needed to be duly taken into account as they added value to transparency and to the good governance of the Organization.

185. The Delegation of Angola thanked the Secretariat for taking into account the requests made by the African Group. With respect to the Portuguese speaking African countries and Program 27, it reaffirmed that it wished to see the documents published in Portuguese as well as the official languages of the Member States of the Assemblies of WIPO.

186. The Delegation of Ecuador, speaking on behalf of GRULAC, said that, in terms of financial limitations, it recognized that the Organization had to face an unlimited number of requests for assistance with limited financial resources. The proposal of the Secretariat for using the funds available would meet the concerns of some and not of others. The Group therefore recognized that there would be concerns regarding the way which the financial resources had been assigned. It added that, in the spirit of compromise, it wished to praise the efforts of the Secretariat to produce a balanced budget with sufficient funding to meet the needs of Member States and, at the same time, to respect the statutory and regulatory obligations of the Organization. It emphasized the priority of programs that were part of the Development Agenda and the importance of ensuring financing for the implementation of the 45 Development recommendations within the regular budget of WIPO. It acknowledged the efforts to seek the necessary financial resources for full implementation of the Development Agenda. At the same time, with respect to financial obligations, the Delegation recognized the importance of keeping reserve funds as part of the necessary financial planning, so that the Secretariat could react to any unforeseen events that might arise in the operations of the Organization. It thought it timely to express its concerns regarding any measures that would

reduce the availability of the necessary funds to meet any unforeseen events and said that the use of the reserves for specific programs was exceptional and should not, set a precedent for the Organization. It acknowledged the efforts of the Secretariat to provide additional information and greater transparency regarding the finances of WIPO especially during the informal consultations prior to the previous PBC session. However, it felt that there was need for clarification on the follow-up mechanism and on the scope of the meetings. It recognized the effort of the Chair of the PBC and the concerns expressed by some members regarding the lack of time available to the Secretariat to hold the PBC meetings and the shortness of time between meetings. It felt that the Secretariat should set aside time to discuss issues of concern, in order to deal with differences of view, and that no efforts should be spared to strengthen the channels of communication between the Secretariat and the Member States. It recognized the importance of an individual program on SME's which were an all-important economic factor in development. Regarding the Audit Committee, it felt that a dialogue should be established with respect to its structure and function. It recognized the usefulness of this body in following up the work of the Organization on behalf of the member States, but felt that the Committee had been established to carry out a specific role during a transition period of the Organization and, therefore, its structure and operation should be reviewed in an impartial and responsible way to decide on its future. It therefore supported the setting up of a Working Group for that purpose. It understood the need for a new conference hall and supported the work done by the Secretariat to bring this to fruition. The Group reiterated the importance for its region of the regularization of the contracts of temporary staff, taking into account their years of service and their geographical origin, and felt that in filling of new posts gender and geographical balance should be kept in mind, along with professional skills.

187. The Delegation of Algeria endorsed the comments made by Senegal on behalf of the African Group and supported the statement made by Egypt. It underlined the importance of having WIPO documents printed and distributed in all of the languages of the Organization, i.e., all of the official UN languages and not merely in the official languages of WIPO itself. It requested, and emphasized, that all of the UN Official languages be used by WIPO.

188. The Delegation of Switzerland noted that the proposed Program and Budget was the outcome of a lengthy and arduous consultation process that had involved all delegations. It added that this exercise that had not been customary over the past few years and that it showed the willingness of the new management to guarantee greater transparency within WIPO. This work had helped bring Member States to a position where they could adopt the results they had produced and which allowed different interests to coexist. This had been recognized and endorsed by the PBC. The Delegation expressed its support for the proposed Program and Budget which struck a budgetary balance and maintained expenditure within reasonable limits. It added that in a time of economic crisis, that was the very least that was required. It expressed its conviction that the proposed Program and Budget would support the dynamics for strategic change created by the Director General since he had taken office. It also believed that the proposed Program and Budget would allow WIPO to regain a leading role on intellectual property issues among the intergovernmental organizations which would enable WIPO to make recommendations and contributions to relevant high-level documentation. The Delegation attached particular importance to the nine the strategic objectives and to the fact that the strategic objectives decided upon in December 2008, and the related programs, would allow for efficiency gains by centralizing activities around certain centers of excellence, especially on substantive matters. This would put an end to the overlap noticed in the past in the Secretariat's activities. It encouraged such processes, especially, as the Organization proceeded with restructuring and the ongoing reform of the Secretariat,

which it believed to be indispensable. The Delegation was glad to note that the programs proposed in the Program and Budget did not in any way put that principle in jeopardy. It strongly believed that in the next few years Member States needed to continue to be very watchful to the smooth operation of the Registration Unions. It was essential to have the right people in place to deal with the management of funds, to have the right administrative support and to make the right investments in appropriate technologies. This was key to the Organization's success, to continuing to raise its profile and to allow it to undertake many other tasks, especially in the development area. The Delegation underlined that these two factors were intrinsically linked. It said that Member States needed to be aware that the Unions, and especially the PCT, were at the core of WIPO's activities. Therefore, Member States should recognize the importance of the International Patent System and the urgent need to enhance the PCT and, indeed, to reform it so it could remain a cutting-edge system, which was at the spearhead of international activities in this area. It believed that this was recognized by all and that the Program and Budget should ensure that the necessary funding was made available, in order to make it a reality. Regarding the recommendations of the Audit Committee, the Delegation said that, in the future, it would indeed be important for Member States to manage its time better so that recommendations, such as those of the Audit Committee, could be discussed more fully than at the last meeting of the PBC, when there was not enough time to discuss them.

189. The Delegation of Brazil supported the statement made by the Delegation of Ecuador on behalf of GRULAC and wished to record the importance that Brazil attached to the need for resources for the implementation of the Development Agenda, the allocation for which should not in its view only be mentioned as a footnote in the Program and Budget document under the unallocated personnel resources section.

190. The Delegation of Morocco supported the statement made by the Delegation of Senegal on behalf of the African Group. It wholeheartedly endorsed those comments and also supported comments made by Tunisia, speaking on behalf of the Arab countries. The Delegation said that the Arabic language was of paramount importance to all of the countries in the Arabic Region and especially important to very technical committees. It remarked that the decision-makers in its region could not make decisions if they did not know what was being said. It stressed that decisions should be made in full cognizance of the facts and if documents were issued in English or French alone, the region's decision-makers found it very difficult to follow some of the issues at stake. It approved the proposed Program and Budget and thanked the Secretariat for all its efforts during the PBC session which had allowed this proposed Program and Budget to be produced. The delegation extended its thanks to other delegations for their efforts to make headway on development issues. It said that in the implementation of the budget, it wished to see the approach being taken as that outlined by the Director General. It stressed that the Development Agenda was the heart of all WIPO activities. In addition, the Delegation commended the Secretariat for its efforts to improve personnel management within the Organization and called for scrupulous respect of regional balance.

191. The Secretariat responded to the questions regarding the text of the footnote and assured the delegations that the text of the footnote in question would be completed. Regarding Program 17 and requests for amendments thereto, the Secretariat said that they would be reflected in the report as well as in the text for this program. The Secretariat clarified that the footnote referring to the activities of the CDIP had not been intended to denigrate its activities but that it merely attempted to indicate the amount (around 4.5 million Swiss francs), allocated to those activities in the course of the biennium. In order to dispel

any possible misunderstanding, the Secretariat read out the relevant part of the recommendation made by the PBC at its fourteenth session: "... requested the Secretariat to undertake a review of the budgetary process applied to projects proposed by the CDIP for the implementation of the Development Agenda Recommendations with a view to submitting the recommendations of such review to the next regular session of the Program and Budget Committee." Referring to the concerns raised by Member States on the language policy, the Secretariat confirmed that the study to be undertaken would focus on the working languages of WIPO (the official languages of the UN). Regarding the request by the Delegation of Egypt to move a sentence in the description of Strategic Goal III, the Secretariat assured that this request would be complied with. With regard to the recommendations of the Audit Committee, the Secretariat said that some of them had not been addressed to the Secretariat and that the Secretariat would not enter into detail of the matter. It added that the recommendations of the Audit Committee that might be addressed to the Secretariat would be taken into account and followed-up on, whenever possible. The Secretariat added that it would do its best to take on board the recommendations from the Audit Committee, the JIU of the UN, the External Auditor and the Internal Auditor.

192. The Chair invited the representative of the Audit Committee to take the floor.

193. The Audit Committee stated that according to its mandate, the Committee reported to the Program and Budget Committee and added that in the last three years it had also been reporting to the General Assembly. The Audit Committee recalled that it was an advisory, external, independent audit and oversight body, advisory to the Member States, who could either agree or not agree with its recommendations. It wished to request a clarification from the Legal Counsel on how to reconcile the words of "take note" in the decision paragraph, with the mandate of the Committee which stated that its recommendations had to be taken action on. The Audit Committee added that it did not foresee that Member States would agree with all of its recommendations. However, it wished that Member States acted on this matter. It agreed with the Secretariat's statement and added that, in many instances, the Secretariat took it upon itself to implement some of the recommendations addressed to it. It said that the answer of the Legal Counsel was of importance, as it would facilitate the Committee to take stock of discussions in the morning and afternoon. It added that, following its next session in November, it would report back to the Member States and the Secretariat.

194. The Delegation of Spain welcomed the fact that the study on the use of languages would extend to the six UN official languages as requested by Algeria, Tunisia, Panama, Morocco and Egypt. However, the Delegation was not fully satisfied with the answer received with respect to the concern regarding the need for a more effective and broad language policy.

195. The Delegation of Iran (Islamic Republic of) said it awaited an answer to its questions regarding Item 9. It recalled that the PBC had recommended to the General Assembly to consider the recommendations made by the Audit Committee in the view of their implementation. It said that the General Assembly had considered the issue but there was no decision as to the implementation. It explained that in the Delegation's view, taking note of the recommendations would be inconsistent with the PBC decision. The Delegation continued to insist on the implementation of the Audit Committee's recommendations and believed that it would enhance the efficiency of the Organization. It proposed the establishment of a working group, or a committee, to review the recommendations and report to the next PBC about their feasibility. It believed that in the absence of a follow-up procedure, the Audit Committee's recommendations would remain purposeless.

196. The Delegation of Pakistan appreciated the Secretariat's efforts to implement some of the Audit Committee's recommendations. It understood the Secretariat's explanation to mean that certain recommendations had been taken into consideration/implemented, while others had not, and wished to know who made the relevant decisions. It recalled that PBC recommendation had been to submit the report for consideration (to be taken note of) by the General Assembly. The Delegation reiterated its suggestion that, under the auspice of the PBC Chair, consultations should be held to provide Member States with an opportunity to deliberate on the recommendations made by the Audit Committee. The Delegation then reiterated its request for clarification regarding Program 17.

197. The Delegation of China thanked the Secretariat for the explanations provided on the budget document, supported the strengthening of the budgetary support to development activities and agreed with the approval of the proposed budget by the Assemblies. The Delegation stated that it attached great importance to the issue of language policy and had previously repeatedly expressed its concerns on this issue. It strongly appealed to the Secretariat to give more attention to this matter and propose a right solution.

198. The Secretariat wished to clarify the issue of the implementation of the Audit Committee recommendations and read out the decision paragraph of the PBC Summary of recommendations (document A/47/15), which said that the PBC had thanked the Chair of the Audit Committee for his presentation, had recommended to the General Assembly to fully examine the recommendations made by the Audit Committee for the implementation. The Secretariat assured the Assemblies that, in as much as there was a recommendation of the Audit Committee addressed to it, such recommendation would be taken into account and dealt with in the ways that recommendations made the External Auditor and the Joint Inspection Unit were.

199. The Delegation of Pakistan requested clarification on whether all the recommendations by the Audit Committee would be adopted by this Assembly. It also requested clarification on whether recommendations made by the Audit Committee in its previous reports that had been presented to the PBC meetings stood adopted for implementation by WIPO.

200. The Secretariat replied that it was very difficult for it to take position on a mechanism for consideration of the Audit Committee's recommendations. It said that it was possible that the General Assemblies would ask the PBC to consider these recommendations and make a recommendation to the next General Assembly, but it found it quite difficult to place itself between these two bodies.

201. The Delegation of Iran (Islamic Republic of) understood that Item 9 was still open and the Assembly should decide on how to implement the recommendations.

202. The Chairman considered Item 9 closed as decided that morning.

203. The Delegation of Iran (Islamic Republic of) sought clarification from the Secretariat, asking how the implementation of the recommendations could be confirmed, given their importance.

204. The Delegation of Pakistan wished to know whether all the recommendations made by the Audit Committee had been approved or not.

205. The Delegation of Egypt suggested that a solution to the developing impasse would be to follow recommendation made by the Delegation of Pakistan that the PBC, as the intervening body between the Audit Committee and the General Assembly, would receive the reports and recommendations of the Audit Committee. The Delegation recalled that in its last meeting the PBC recommended that the Audit Committee recommendations be examined by the General Assembly. The Delegation recalled the proposal from Pakistan to convene consultations on these recommendations and expressed its belief that, in its view, the General Assembly could give instructions to the PBC to undertake consultations for a given period, perhaps reporting to the next session of the PBC. The Delegation added that, in its opinion, as discussions concerned the PBC and as the Audit Committee was presenting these recommendations, it would be legitimate to take decisions on them.

206. The Delegation of Germany conveyed its support for the Chairman's ruling that Agenda Item 9 had been closed. The Delegation agreed to the first point made by the Delegation of Egypt, i.e. that the Audit Committee reported to the PBC. The Delegation conveyed its view whereby the General Assembly could, and should, thoroughly examine the recommendations put forward by the Audit Committee, and added that it would be very premature for the General Assembly to already take action or endorse them as suggested by a number of delegations. The Delegation preferred if a thorough discussion on this subject be held in the appropriate body, which was the PBC, and that this would therefore take place at the next year's PBC. The Delegation suggested that the Secretariat reserve an appropriate time for this discussion given the number of very detailed and important suggestions and recommendations made by the Audit Committee. It further suggested that, as the informal working group set up by the PBC would be examining some of the questions related to composition and terms of reference, some of the recommendations made by the Audit Committee could be considered.

207. The Delegation of Pakistan noted that the proposal by the Delegation of Germany appeared to provide a solution. It also suggested that there should be thorough deliberations on all the recommendations made by the Audit Committee since its creation, as several recommendations had been made and only some and not all of them had been put into practice. The Delegation requested that the PBC discuss all of the recommendations made by the Audit Committee, starting after the present Assemblies up to the next session of the PBC, in either formal or informal manner. The Delegation considered that there should be enough opportunity for the Member States to discuss, deliberate and dialogue on all the issues, so that time would not be wasted in the PBC sessions.

208. The Delegation of the Philippines supported comments made on this matter by the Delegations of Pakistan and Egypt.

209. The Delegation of Pakistan took the floor and requested an answer to their second question regarding Program 17.

210. The Delegation of Egypt expressed its support for the proposal made by the Delegation of Germany to include, in the issues for discussion by the Working Group of the Audit Committee, the issue of the composition of the Audit Committee and the recommendations by it.

211. The Delegation of South Africa said that it was common practice from a corporate governance perspective that, if there were recommendations from a committee which was a sub-committee of the PBC, some action needed to be taken on them.

212. The Delegation of Iran (Islamic Republic of) expressed its support for the proposal made by the Delegation of Pakistan.
213. The Delegation of France, stressing the need for pragmatism in order to move forward, supported the proposal and the statement made by the Delegation of Germany on behalf of Group B, which it considered a very pragmatic solution.
214. The Delegation of Spain reiterated that it could not give its approval to the Program and Budget in respect of Program 27 and the use of languages described therein, but added that it was open to finding a solution through discussions with the Secretariat.
215. The Delegation of India said that, in its view, the Program and Budget proposal enjoyed a broad support. It added that, concerning the Audit Committee, a very pragmatic consensus seemed to have emerged between the comments made by the Delegations of Germany and Pakistan, and that it should be possible to proceed on this basis.
216. The Delegation of Pakistan said it was prepared to proceed but doubted whether all delegations agreed with the German proposal and also given the statement made by Delegation of Spain.
217. The Delegation of Yemen endorsed the proposal put forward by the Delegation of Pakistan as it considered it important to take appropriate measures with regard to the recommendations made by the Audit Committee.
218. The Delegation of Brazil endorsed proposals made by the Delegations of Germany, Pakistan and Egypt, which it considered a compromise solution.
219. The Chairman asked the Assembly whether Member States were in agreement with the proposal made by the Delegation of Germany, as amended by the Delegation of Pakistan. This proposal was adopted.
220. The Chairman, having confirmed it with the Delegation of Spain, stated that in view of objections expressed by the Delegation Spain regarding specific points of the budget, it was not possible to approve the Program and Budget document at this point and that agenda item 14 would therefore be left open.
221. The Delegation of Pakistan said that following the discussions it had had with the Secretariat, its concerns regarding Program 17, related to building respect for IP, had been taken care of.
222. The Delegation of Tunisia recalled that, on behalf of the Arab Group, it had proposed that all documents should also be submitted in Arabic in as much as Arabic was an official UN language. The Delegation of Tunisia welcomed the fact that the Program and Budget Committee accepted the International Bureau's proposal to undertake a study on language policy. The Delegation recalled that the six UN languages were of equal importance and that no one language should have precedence over the other. For that reason the Arab Group wished to reiterate that the Arabic language should be one of the working languages of WIPO, on the same footing as the other two languages used, i.e., English and French. The Arab Group invited the International Bureau not give more importance to any one language over any of the others.

223. The Delegation of Yemen supported the statement made by Tunisia on behalf of the Arab Group and recalled that all UN languages were treated equally. The legal status was that there were two working languages and four additional languages used. WIPO only had two official languages, and the Delegation believed that all of the other languages should be considered equal.

224. The Delegation of Senegal requested information as to what items were to be dealt with in the evening session.

225. In response the Chair listed the items as follows: 14, 24, 25, 26, 27, 28 and 29 if possible.

226. The Delegation of Chile supported the statement by Spain on this agenda item as well as the statement by GRULAC, requesting that Spanish be a working language in the Organization and that documents distributed to Members should also be distributed in Spanish and that there should be interpretation available for all Spanish-speaking delegates.

227. The Delegation of Angola emphasized the request made by the Delegation of Senegal to know which items were to be taken up when. It said that with respect to item 28, it was important to take into account the fact that there were bilateral negotiations and consultations going on at the moment. The Delegation wished that this item would not be taken up this evening to allow consultation between groups to continue. On the issue of the use of languages, the Delegation requested that the Portuguese language be treated on an equal basis with all of the other languages in WIPO.

228. With respect to the timing of discussion of item 28, the Chair recalled the scheduling on the agenda adopted by the delegations, which indicated that on Friday, September 25, 2009, items 26 and 27 would be discussed. He intended to proceed with discussions, as scheduled, but said that he would accommodate the request by Senegal and Angola and stop discussion after item 27.

229. The Delegation of Egypt reiterated its position with regard to the language policy issue until it had a level of clarity with regard to what was being proposed. It recalled the adoption by the fourteenth session of the PBC of a request that the Secretariat produce a study on the production of all official documents and research studies in the six official United Nations languages, which it believed to be a critical factor. The Delegation wished to establish a principle of equality in the treatment of the official United Nations languages. Therefore it requested that any extra requests being made for any of these languages should automatically be accorded to all other six languages or all other five languages. With regard to the proposal by the Chair to adopt the language proposed by Pakistan, the Delegation understood that this item remained open if it (the language) proved to be controversial.

230. The Delegation of Algeria endorsed the remark made by the Delegation of Tunisia and the African Group, and added that the languages of the work in the Organization needed to be those of the United Nations and all working languages needed to be treated equally.

231. The Delegation of Ghana supported the position taken by the African Group, but wished to make an observation in connection with item 14, i.e., the proposed Program and Budget. With regard to the provisions related to Copyright and Related Rights, the Delegation was grateful to the Secretariat for the program objective but noted that, regarding

Copyright, especially within the Secretariat, there was Division for Collective Management, Division for Cooperate Law and the Academy. It wondered whether there could be some coordination as far as the objectives were concerned to draw maximum benefit from them.

232. The Director General addressed the question of the use of languages, recalling that it had already been discussed in the context of the PBC. The Director General further recalled that WIPO had two working languages and six official languages. The two working languages were English and French, and the six official languages were, English, French, Spanish, Arabic, Chinese and Russian. The Director General noted that the situation had evolved to a stage in which the practice in the Organization no longer corresponded to the rules. He referred delegations to Rule 40 and 41 of the Rules of Procedure, which dealt, respectively, with languages of documents and interpretation. Rule 40 stated that documents intended for the various bodies should be drawn up in English and French and that the Director General might, in so far as he considered it advisable and practicable, decide that certain documents would be drawn up also in Spanish or Russian, or in both of those languages. The provision of Rule 41 regarding the languages of interpretation was similar. The Director General admitted that the Rules were old, while the Organization had evolved and its current practice corresponded more to that of the United Nations, i.e., to have the six official languages and to provide interpretation whenever possible in all six official languages. The Director General recalled that, as far as documents were concerned, WIPO practice had been to provide documents in English, French and Spanish. In an effort to meet the desire expressed by many delegations for documents in Arabic, Russian and Chinese, the Secretariat proposed, in the draft Program and Budget, that it would: first, extend the languages and documents of the Intergovernmental Committee to include Arabic, Chinese and Russian, recognizing that this was a symbolic gesture in view of the financial constraints of the present situation. Second, the Secretariat proposed that it would undertake a complete study of the language policy of the Organization extending to documents, interpretation, publications and the website, in order to even out the existing varying practices. To illustrate the unevenness of the current situation, he noted that WIPO's website had a wealth of information in English, which was also available in French, but a lesser amount of information was available in Spanish, and even less in Arabic, Chinese and Russian. The Director General felt that this uneven situation could only be addressed through a comprehensive study that would set out before Member States the information of the current practices, as well as all of the information concerning the costs implications of changing the language policy. The Director General reminded the delegations that WIPO Treaties also had provisions on languages; they had official languages for certain treaties, and added that the situation had evolved to a stage where there was no longer an easily recognizable language policy. The Director General added that if Member States wished to take any action pending that comprehensive study, then of course they could do so. However, he added that it could prove to be difficult because, as mentioned before, the rules said one thing, while the practice said another. The Director General was of the view that WIPO should try to arrive at a clear and consistent policy that treated languages equally and that gave the greatest possibility for the use of languages within the Organization.

233. The Delegation of Pakistan wished to know whether adoption of Item 14 also meant adoption of the proposal made by the It on the language related to Program 17.

234. The Chair confirmed that this was how he understood it.

235. Following invitation from the Chair, the Secretariat read the text of the recommendation made by the PBC with respect to the proposed Program and Budget 2010/11.
236. The Delegation of Spain reiterated its position on Program 27 and its inability to approve the proposed Program and Budget and added that it had not received counter-instruction from the capital. It added that it remained open to a dialogue if certain clarifications were provided.
237. In view of the position of the Delegation of Spain, the Chair declared item 14 still pending.
238. The Director General requested the delegation of Spain to kindly explain what the “certain clarifications” were that were needed to advance the dialogue.
239. The Delegation of Spain stated that its instructions from the Capital had not changed and added that it would be happy to come back to this agenda item on Monday morning. The Delegation believed that the questions had been clearly specified in the conversations which had been held with the Ministry of Culture and Industry earlier. The Delegation offered to repeat those questions on Monday morning upon the return of the members of the Delegation currently absent. The Delegation of Spain recalled that it had been present through the day, with sufficient time to deal with the problem, but had not received any comments in this regard.
240. The Chair announced that discussion on item 14 would be continued on Monday and said that he would welcome an officially submitted written paper on the unresolved issues so that the Secretariat could respond effectively.
241. The Delegation of Spain said that it would submit the document on Monday morning and would list all of the points which we had already publically been expressed before this Assembly as well as the opinions which those gave rise to. The Delegation emphasized its willingness to dialogue on this and other items.
242. The Chair thanked the Delegation of Spain and declared item 14 still pending. He proposed to move to item 24 on the agenda.
243. The Vice-Chair, Mohamed Abderraouf Bdioui (Tunisia), who chaired the proceedings that day, reopened discussions on Item 14 and gave the floor to the Delegation of Spain.
244. The Delegation of Spain stated that it had prepared a written proposal and requested whether it should be read out by the Delegation or submitted to the Secretariat.
245. The Chair invited the Delegation of Spain to read out the proposed text and then circulate paper copies.
246. The Delegation of Spain stated that the proposed text was co-sponsored by the Delegations of Chile, Costa Rica, Spain and Uruguay. The Delegation explained that the text was divided into two parts. The first part concerned interpretation, which was, in the view of the Delegation, uncontroversial, and was an issue acknowledged by the Secretariat. In the Delegation’s view, this could therefore be resolved simply, as it was only a question of organization. The Delegation further explained that, on some occasions, the Spanish speaking

countries had problems when national experts, who could only speak Spanish, attended meetings and no Spanish interpretation was available. It added that, on some other occasions the Spanish interpretation had been made available when it was not really necessary. The Delegation said that it did not intend to request any increase in interpretation, but simply the reorganization of resources, in terms of when interpretation was provided.

247. The Delegation of Spain, in respect of the second part of the proposed, recalled that the Secretariat itself had recognized that documents in other languages than English, were distributed late and added that the Spanish version of the budget document, for instance, had been published just a few hours before the beginning of the meeting. For Latin American States, it was impossible to distribute documents to their capitals, because their delegations had already arrived in Geneva. The Delegation believed that no States could commit to anything if their understanding of the issue in question had not been facilitated in their own language or at least, in one of the main languages of the world, as experts in the capitals should not be expected to be multilingual experts. The Delegation stressed that this was the issue of document distribution in the original language and the question of organizing the work in such a way that documents arrived at the translation and interpretation services in time. The Delegation made reference to the General Assembly and Conference Services Department of the United Nations rule stating that: “documents should be published in six official languages and distributed at the same time when all language versions are ready”. The Delegation recalled the recent climate change summit, where documents had not been available in French or Spanish and where the Delegation of France and the Spanish speaking delegations had said that discussion without these translations could not continue and had therefore been adjourned until those translations had been made available. The Delegation emphasized that despite everything that had been said in this Assembly, it had never been the intention of the Delegation to make Spanish a working language, with the same status as the two WIPO working languages. The Delegation’s intention was to improve the organization of work, including availability of interpretation when it was required, as well as timely availability of translated documents so that they could be studied in the capitals. The Delegation read the proposed first paragraph as follows: “*Following the adoption of this Budget, the Secretariat undertakes to provide interpretation into Spanish in those meetings attended by Spanish speaking representatives whenever they are requested. This does not increase the number of the interpretation days provided, but it just changes the organization*”. The proposed second paragraph read: “*The Secretariat also undertakes, following adoption of this budget, to provide translation into Spanish of all documents to be discussed or introduced in meetings attended by Spanish speaking States and to circulate them, in accordance with United Nations practice or at least, in sufficient time for them to be studied appropriately in advance of meetings.*” The Delegation reiterated that it did not intend to increase the number of interpretation days or translations but only to improve the distribution and reorganization of resources. To facilitate the adoption of this text, the Delegation offered to make concession as to the date on which the proposal would become effective and proposed January 1, 2010.

248. The Director General thanked the Delegations of Spain, Chile, Costa Rica and Uruguay for their proposal. He said that he understood the first paragraph referred to formal meetings held in Geneva. He stated that if the proposal referred to all meetings, it should be understood that it would involve a change of practice with respect to the Patent Cooperation Treaty.

249. The Chair said that the Delegation would now wait for the written text of the proposal that was supposed to be an addition to the existing text of Program 27, which currently said:

“The Secretariat proposes to carry out an analytical study on the publication in all official languages of the Organization”. The Vice-Chair pointed out that the two texts would be difficult to reconcile, as the proposal would put Spanish on one level and the other languages on another level. He sought clarification as to whether preference was being given to Spanish or whether the proposal meant that the practice would be introduced for Spanish first and then the analytical study would be carried out on the possibility of extending this to other languages.

250. The Delegation of Spain reiterated that it did not intend to change anything other than the organizational aspects, so that interpretation for meetings was available when needed. It said that the proposed study would affect other languages, and added that, despite the respect the Delegation had for other languages, that was not the objective of the proposal it had made. It said that it was up to the Director General and the Secretariat to deal with the situation for other languages. It also added that it did not wish to wait for the results of the study before resolving what it considered to be a very specific problem i.e., dealing with the issue of the Spanish speaking experts while not increasing any costs.

251. The Chair said, that with the above explanation, it was now understood that the Delegation of Spain did not ask for any budgetary increase to accommodate its request. The Vice-Chair therefore proposed to adopt the Program and Budget document and to come back to the paragraph on languages, ensuring that its text would be acceptable to all delegations.

252. The Delegation of the Russian Federation said it had also considered the question of the distribution of documentation and was in favor of a reconsideration of translation, and added that timely distribution of documents in Russian was absolutely essential to facilitate discussions and dialogue. With regards to the Spanish proposed text, the Delegation requested that it first be made available in all languages for all delegations' consideration.

253. The Delegation of Paraguay shared the concerns expressed by Spain and supported its position. The Delegation hoped that these concerns would be duly taken into account by the Secretariat so that this issue might be quickly resolved.

254. The Delegation of Venezuela (the Bolivarian Republic of) expressed its support for the Spanish proposal, co-sponsored by Chile, Costa Rica and Uruguay, dealing with the issue of organization of translation and interpretation.

255. The Delegation of Panama wished to be considered a co-sponsor for the proposal introduced by Spain and added that the proposal was a question of organization, rather than a budgetary change.

256. The Delegation of Yemen fully supported the proposal made by Spain regarding the organization of translation services and called for equal treatment for all languages used within the Organization.

257. The Delegation of Angola said that if fully understood the concern expressed by Spanish speaking countries and recalled what had been said i.e., that no country should have to adopt anything which they did not fully understand. It called on equal treatment of all languages as in the United Nations, all States were equal. Therefore, since all States, before they adopt or consider any documents should be in a position to understand them, the Delegation hoped that documents for the General Assembly should be translated into Portuguese as well.

258. The Delegation of Spain stressed that the proposal co-sponsored by the Spanish speaking countries did not intend to exclude any language or ensure that Spanish was considered differently than any other language. It added that it fully understood the statement made by Angola and referred to a 1999 document submitted to this Assembly on the issue of the use of Portuguese. It further added that, despite its understanding, it could not accept that the proposed text was put off to a future discussion. It also said that when principles were accepted orally, without being put into writing, unfortunately, very often they were never really adopted and put in practice. That was why, before any further deliberations, the Delegation wished to see the proposed text adopted and therefore, incorporated into the budget document.

259. The Delegation of France requested the Delegation of Spain for time to consider this proposal in a written form. It added that since Spain advocated that delegations had time to understand what they were adopting, the Delegation of France found it very difficult to understand exactly what was being discussed.

260. The Chair requested that the Delegation of Spain provide the Secretariat with the written text that would be translated and distributed to all delegations.

261. The Delegation of the Russian Federation pointed out that an interpretation error was made in the translation of its statement, and having only heard the text, it wished to consider it once it would have been translated into all languages. It stressed that it did not want to put off the consideration of the budget. However, it wished to consider the text in a manner that would allow it to fully understand its meaning, and added that all of the languages of the United Nations needed to be considered on an equal footing.

262. The Delegation of Spain said that it would immediately transmit the text to the Secretariat.

263. The Delegation of Sudan noted that invitations to certain meetings organized by WIPO were issued only in English or French. The Delegation requested that the meetings of the Organization be held with all languages available to enable more effective participation.

264. The Delegation of China understood the concerns expressed by the Delegation of Spain and supported the statement made by the Russian Federation i.e., that all United Nations languages should be treated equally. Therefore, it called on the Secretariat to take a very comprehensive view of all languages, rather than taking into account one single language.

265. The Delegation of Portugal supported the position taken by Angola, concerning the importance of having the same procedures for Portuguese language as the procedures that were being asked for Spanish. Nevertheless, it did not wish to have this issue prevent the approval of the budget document. It also said that it fully understood the position held by Spain and considered the same procedures should be taken in respect of the Portuguese language.

266. The Delegation of Sao Tome and Principe supported the proposals made by Angola and Portugal and said that the Portuguese languages should be treated equally alongside of the United Nations languages.

267. The Chair summarized the discussion, concluding that all languages should be treated equally, without giving any preference or precedence and came back to the initial proposal to adopt the budget and to revert to this paragraph on languages at a later stage. He said he would remain in close contact with the Coordinators, would study this question and try to come up with a text to propose to delegations, in the course of the day's work. The Chair asked the Delegation of Spain for its understanding of the Chairman's position and that of all of the delegations who wished to see the budget adopted and wished to come back and try to find a wording to the paragraph that would be acceptable to all.

268. The Delegation of Spain concurred with the Chair's proposal to approve the budget on the understanding that it was done in good faith and that the proposed text would be approved by the various representatives and that, once it would have been extended to the other languages; it would reflect what was expressed by the proposal made by Spain. The Delegation stressed that it was not against the adoption the budget, but had simply made a request which did not appear to have been understood, and was therefore tabled by the Delegation today.

269. The Delegation of Pakistan favored approving the budget, after incorporating the suggestions which had been proposed on different programs, and not only on this language issue. It added that it was confident that all the issues were going to be reflected in the revised text and that the budget would be approved.

270. The Chair said that document A/47/3 Add. took into account the suggestions and additions with regard to the Program and Budget. The only outstanding issue was the one of languages.

271. The Delegation of Pakistan said that in its view two issues were still outstanding; one was a revision to the text in Program 27, and the other one was this language issue. On the first issue the Delegation said an understanding had been reached between the Secretariat and its Delegation on how the language was going to be amended. The Delegation's understanding was that those changes would be taken into account and would be incorporated in the revised document, similarly to the revised language on the text relating to the languages issue.

272. The Secretariat confirmed that the proposals made by Pakistan had been integrated into the text of the paragraph on Program 27.

273. In view of the explanation provided by the Secretariat, the Chair asked the Delegation of Spain to demonstrate flexibility so that the budget could be adopted. He promised that there would be a paragraph that would satisfy not only the Delegation of Spain, but all the other delegations that had requirements and needs in respect of the use of languages. .

274. The Assemblies of the Member States of WIPO and other bodies, each as far as it is concerned, approved the proposed Program and Budget for the 2010/11 Biennium (WO/PBC/14/4), with the following agreed changes:

(i) The amendment of program narratives, as requested formally by Delegations, in respect of Programs 5, 8, 9, 14, 16, 17, 18, 20, 27 and 30;

(ii) An increase in non-personnel resources for Program 8 of 100,000 Swiss francs; for Program 9 of 220,000 Swiss francs; and for Program 30 of

230,000 Swiss francs, with a corresponding decrease in unallocated resources totaling 550,000 Swiss francs; and

(iii) A provisional earmarking of 2.3 million Swiss francs to fund the start-up costs and also immediate implementation of Development Agenda projects and coordination mechanism, subject to the approval by the CDIP and the General Assembly. Final budgetary approval of the proposals endorsed by the CDIP will be submitted to the next session of the Program and Budget Committee.

275. The Assemblies of the Member States of WIPO agreed to request the Secretariat to undertake a review of the budgetary process applied to projects proposed by the CDIP for the implementation of Development Agenda recommendations, with a view to submitting the recommendations of such review to the next regular session of the Program and Budget Committee.

276. The Vice-Chair, Yesim Baykal of Turkey, who chaired the proceedings the following day in the absence of the Chair of the General Assembly, announced that the discussion would now resume on the pending issue regarding Conference and Language Services (Program 27), indicating that Vice-Chairman, Mohamed Abderraouf Bdioui, held informal consultations with the concerned delegations and that all the concerned delegations were satisfied with the outcome. The sentence in question had been agreed upon, and its text, in the six languages, was being distributed to delegations. The Chair said that this sentence would be added to the last sentence of the amended paragraph on Program 27, as appearing in document A/47/3 Add. The sentence would read: "Upon the specific request of Member States, the Secretariat will improve the timely availability of documents in the appropriate WIPO official languages for its meetings."

277. The Delegation of Egypt requested clarification with regard to the informal consultations that the Chair of the Assembly, Ambassador Dumont, would be undertaking, i.e., the expected participation and the proposed subject.

278. The Secretariat said that according to the information available to it, the Chair, Ambassador Dumont would hold informal consultations with Group Coordinators and also a separate one, at the ambassadorial level, in the evening.

279. Vice-Chair, Mohamed Abderraouf Bdioui (who had chaired the meeting the previous day) introduced the agreed text of the paragraph. The Vice-Chair reminded the delegations that they had adopted the Program and Budget for the 2010/11 biennium the previous day. He added that apart from the proposal put forward by the Spanish-speaking countries, many other delegations stressed the principle of equity between WIPO official languages and had requested the Secretariat to show fairness in their use. In light of the discussions that had taken place, he had, in his capacity as Chair of the Assembly the previous day, requested the Delegation of Spain, together with other delegations representing other languages, to meet with him. The discussions with these Delegations had been very frank, interesting and fruitful. The Delegations had expressed their concerns and requests in a very transparent manner. After a thorough reflection, all delegations had agreed and expressed their agreement with the following consensual decision. It was decided that the initial paragraph on page 13 of document A/47/3 Add., under Program 27 regarding the analytical study to be conducted by the Secretariat would be kept "as is". The agreement also provided for the addition of a further paragraph that read: "*Upon the specific request of Member States the Secretariat will*

improve the timely availability of documents in the appropriate WIPO official languages for its meetings.”

280. The Delegation of Uruguay pointed out inconsistency of the Spanish translation of the agreed paragraph.

281. The Chair responded that this translation would be corrected accordingly.

282. The Delegation of Sudan said that in the Arabic text, the question the person reading the text would have was when such a request would have to be made. Usually, invitations were prepared at a time when the use of languages had already been determined so “will improve” was an unclear expression and might even not be binding. The Delegation wondered whether the text meant the use of documents and the presence of interpretation.

283. The Delegation of Tunisia thought the point raised by the Delegation of Sudan was very valid. In response to the first question regarding the timing of the request, it clarified that the text meant that a request would already have been made and recorded by the Secretariat. In other words, there had already been an explicit request and it had already been submitted. The text did not refer to a request that might be made in the future. Regarding the second point, the Delegation referred the Delegation of Sudan to the preceding paragraph and the link between them. The preceding paragraph referred to an analytical study to be undertaken by the Secretariat, precisely in order to improve translation and interpretation services for the Assemblies. Therefore, the two paragraphs needed to be read in conjunction

284. The Delegation of Chile was satisfied with the outcome of the Spanish proposal and the fact that it would be included in the budget document would improve the effectiveness of the Secretariat in making available documents in the various WIPO official languages. It hoped that the documents would be distributed in a timely fashion. Nonetheless, the Delegation regretted the amount of time that had been lost in trying to come up with this solution. Finally, the Delegation wished to thank the interpreters and translators for the excellent work done.

285. The Delegation of Morocco pointed out that when the Arabic translation was compared with the French translation, there was a difference in certain terms used. Therefore the Delegation proposed that translation into Arabic would read as followed: “Upon the specific request of Member States the Secretariat will improve the timely availability of documents in the required timeframes” and not appropriate timeframes. It said that, in the French translation, one said “*en temps voulu*” and this did not mean “appropriate” but “*approprié*”. It therefore proposed to say that “the Secretariat will improve the timely availability in all the WIPO official languages”.

286. The Delegation of Angola wished to know what the official languages of the General Assembly of WIPO were, and indicated that it wished to add the Portuguese language to these, if possible.

287. The Director General responded to the question in the absence of Legal Counsel and confirmed that the official languages of WIPO were the six official languages of the United Nations, i.e., English, Arabic, Chinese, French, Russian and Spanish. The Director General added that a specific provision for the use of Portuguese and the arrangement for the Portuguese interpretation at the General Assembly was adopted by the General Assembly in 2000.

288. The Delegation of Kuwait agreed with the amendment made by the Delegation of Morocco to the Arabic translation of the paragraph.

289. The Chair said that this amendment would be taken into consideration by the Secretariat in the preparation of the text of the Program and Budget publication.

290. The Delegation of Yemen recalled that the Legal Counsel specified during the consultations that the official languages of the WIPO were: English, Arabic, Chinese, French, Russian and Spanish, and that the two working languages were English and French.

291. The Delegation of Angola reiterated its request to add Portuguese, as a General Assembly language, to the official languages of WIPO. The Delegation added that it could not always ask its Mission in Geneva to translate documents that were sent to the capital. It stressed that Portuguese speaking countries had the same right as other countries to send documents to their capital in their national language.

292. The Chair, in view of the importance of the proposal made by Angola, suggested to the Delegation of Angola to submit it in a written form. The Chair added that, despite its importance, this proposal did not seem relevant to the issue of the wording of the sentence presently under discussion.

293. The Chair announced that in the absence of further comments, the Assemblies of Member States of WIPO and other bodies, each as far as it is concerned, adopted the text in question concerning Program 27 as reflected in paragraph 280 above.

ITEM 15 OF THE CONSOLIDATED AGENDA:

PROGRESS REPORT ON THE IMPLEMENTATION OF IT MODULES TO ESTABLISH COMPLIANCE WITH THE NEW FINANCIAL REGULATIONS AND RULES AND IPSAS

294. Discussions were based on document A/47/9 Rev.

295. The Secretariat introduced document A/47/9 Rev. concerning the Progress Report on the Implementation of IT Modules to Establish Compliance with the New Financial Regulations and Rules (FRR) and IPSAS. The Secretariat recalled that this document had been submitted to the fourteenth session of the Program and Budget Committee (September 14 - 16, 2009) as PBC document WO/PBC/14/6. The PBC transmitted this document directly to the Assemblies for their consideration. The Secretariat recalled that in October 2007, Member States had approved in principle the adoption of International Public Sector Accounting Standards (IPSAS), as part of a United Nations system-wide initiative to replace the existing UN Accounting Standards. In December 2008, the Secretariat had submitted a proposal for the implementation of IT modules to establish compliance with the new FRR and IPSAS. The Secretariat recalled that, at that time, there had been a delay in terms of the schedule that had been foreseen and the Secretariat had continued its efforts to introduce IPSAS in 2010. In December 2008, the PBC had recommended to the Assemblies to adopt this proposal as well as an appropriation of 4,200,000 Swiss francs from the Reserves to fund the proposed project. The project was on schedule and within budget. IPSAS policies

had been drafted and submitted to the External Auditor for review. The Secretariat noted that it had prepared a restatement of the accounts for 2008 in order to assess the impact of IPSAS on the financial statements of the Organization. As a result, it was noted that the impact for the 2008 financial statements would have been a reduction in WIPO's net assets, namely, the reserves plus working capital of 21.1 million Swiss francs. This information has been provided in detail in that document.

296. Regarding the consequences of the implementation of IPSAS on WIPO's Budget, the Secretariat pointed out that all the UN agencies have decided to retain their current budgeting systems and to have separate IPSAS accounts which they can compare and then explain the differences (budget basis vs IPSAS basis). It should be noted, however, in the case of the financial statements, after the initial impact of the transition to IPSAS, the annual differences on the Organization's Assets and Liabilities will be relatively minor. Accordingly, the implication for the Budget of moving to the new standards will be relatively minor. An explanation of these differences will be provided in the financial statements at the end of the year or at the end of the biennium.

297. In introducing the updated status of the IT project under implementation for the establishment of compliance with the new FRR and IPSAS, the Secretariat noted that the first phase of the project already began at the end of 2008, with the design phase, and that the project was now in the middle of the building stage, which is to be concluded by the end of 2009, followed by the deployment stage, after which the last stage will deal with maintenance, enhancement and support. The project is proceeding on time and within budget, and the results achieved are up to date and have met the quality standards initially determined. Out of the budget of 4.2 million Swiss francs as approved in December 2008, approximately 1.5 million Swiss francs has already been expended, with a further 2.7 million expected to be spent.

298. The Delegation of the United States stated that it appreciated the report from the Secretariat, which had provided details on the project status, and assurances that the budget situation was favorable at this time, as well as that the target date would be met. It expressed its concern about the possible need for additional work and the potential impact of such additional work on the project, budget and schedule. It took note of the Secretariat's statement that these impacts were expected to be minor, and indicated that it urged the Secretariat to inform Member States as soon as possible if it expected the target date for completion to be delayed or not to be met, or if the funds provided for this project would not be sufficient.

299. The Secretariat thanked the Delegation of the United States for their interest and reiterated that it would submit the information to the External Auditor in respect of Assets and Liabilities in May 2010, and that Finance Services will draw up the Organization's financial statements under IPSAS as of June 30, 2010, in order to validate the Organization's implementation of IPSAS. This will be done in the middle of the year, in order to ensure that there are no difficulties in terms of the implementation of the IPSAS. This practice is in line with that applied by the World Food Programme, the example of which WIPO had used as a basis for its procedures.

300. In the absence of further comments, the Assemblies of the Member States of WIPO and other bodies, each as far as it was concerned, took note of the contents of document WO/PBC/14/6.

ITEM 16 OF THE CONSOLIDATED AGENDA:

PROPOSAL FOR REVISION OF THE FINANCIAL REGULATIONS AND RULES (FRR)

301. Discussions were based on document A/47/6 Rev.

302. In introducing document A/47/6 Rev., the Secretariat recalled that the Proposal for the Revision of the Financial Regulations and Rules (FRR) had been submitted to the fourteenth session of the Program and Budget Committee (PBC) (September 14 to 16, 2009) as PBC document WO/PBC/14/7. The PBC transmitted this document directly to the Assemblies for their consideration. The Secretariat recalled that when the Member States had adopted the new FRR of the Organization, they had requested the Secretariat to revise the text of Regulation 5.6 regarding the flexibility adjustments, which was included in the current proposal. The Secretariat added that a number of other revisions to Regulations and/or Rules were proposed in view of the preparations for the implementation of IPSAS, as a result of which changes regarding the specific titles and grades of some of the senior WIPO officials would have to be made. The Secretariat further explained that the proposed text of Regulation 5.6 foresaw that the respective Assemblies of the PCT Union, the Hague Union and Madrid Union would have the authority to establish the methodology and the formula for the flexibility adjustments, and required that this be disclosed in the proposed Program and Budget being submitted to the Assemblies for their approval. The Secretariat further stated that the majority of the proposed changes to other Regulations concerned terminology, particularly the one used in the Financial Statements. In explaining changes proposed to the Financial Rules, the Secretariat said that under Regulation 10.1, the Director General had the authority to amend the Rules provided that these would be in conformity with the Financial Regulations. Accordingly, a number of changes resulting from the implementation of the procurement and asset management modules were being proposed to the Rules.

303. In the absence of comments the WIPO General Assembly:

- (a) approved the amended Financial Regulations listed in paragraph 4 of document WO/PBC/14/7, effective (i) January 1, 2010, in respect of amended Regulations 3.12, 3.14, 4.7, 4.8, 5.3, 5.4, 6.1, 6.2, 6.3, 6.5, 6.6, 6.7, and 8.10; and (ii) October 1, 2009 in respect of amended Regulation 5.6; and
- (b) took note of the amendments to Financial Rules and their respective effectiveness dates, as detailed in paragraph 6 of document WO/PBC/14/7.

ITEM 17 OF THE CONSOLIDATED AGENDA:

STATUS OF UTILIZATION OF RESERVES

304. Discussions were based on documents A/47/10 and A/47/15.

305. The Secretariat introduced document A/47/10 concerning information on the utilization levels of the reserves. It is recalled that this document had been submitted to the fourteenth session of the Program and Budget Committee (PBC) held from September 14 to

16, 2009, as PBC document WO/PBC/14/8. The recommendation of the PBC concerning this document was recorded in the Summary of Recommendations made by the PBC at that session, contained in document A/47/15.

306. The Delegation of the United States of America welcomed information provided by the Secretariat on the uses and the proposed uses of the reserve funds. It expressed its concern about the growing level of reserves in the Organization and stated that it continued to believe that WIPO generated a greater amount of income than was necessary to run the Organization efficiently. The Delegation was of the view that the use of reserve funds should be for extraordinary one-time expenditures, in other words for building assets, and not for on-going operational activities that were part of the regular budget. The Delegation stated that in the view of its Government, the expenditures described in the Secretariat's report generally met this requirement and were an appropriate method of reducing the level of reserves.

307. In the absence of further comments the Assemblies of the Member States of WIPO and other bodies, each as far as it was concerned, took note of the contents of documents A/47/10 and 15.

ITEM 18 OF THE CONSOLIDATED AGENDA:

THE NEW CONSTRUCTION PROJECT; NEW CONFERENCE HALL PROJECT

308. Discussions were based on documents A/47/11, A/47/12 (and its Appendix, document WO/PBC/14/10) and on the Architect's brochure (referred to in document A/47/13). Reference was made to the large scale models of the conference hall, visible in the WIPO premises, and which the delegations were invited to view. The Secretariat introduced to the Assemblies key external partners involved in the Project: the Architect, Mr. Stefan Behnisch and his colleagues (Behnisch Architekten, Stuttgart, Germany) and the Project Pilot, Mr. Jean-Daniel Fehr (Burckhardt+Partner SA, Geneva and Lausanne, Switzerland), all of whom were present during the discussions of the item.

309. The Secretariat provided additional information and data to complement those already contained in document A/47/12. In its introduction, it referred to the long-standing issue of the availability of adequate facilities for WIPO meetings. In 1998, the Member States had approved the launch of studies for a new building and a new conference hall and, in 2002, they had approved detailed proposals for a new building, a new conference hall and additional parking reserved for delegates. The Secretariat had continued to watch the trends in the attendance to WIPO meetings, the evolution of membership to WIPO treaties and the changing environment for conducting meetings. There were more multilateral meetings and bilateral discussions and more interdependence between the bodies of the various Unions administered by WIPO. The Secretariat then recalled that, in December 2008, the Member States had approved "Phase One" of the New Conference Hall Project (documents A/46/6(c) and A/46/12, report, paragraph 46). The Secretariat noted that, should the Member States approve the Project, the execution of "Phase Two" would take place between October 2009 and the end of 2012 when the new hall would be completed. The Secretariat emphasized three main issues concerning medium and large-size meetings at WIPO: the required combination of rooms, the required number of days and the required period of time during the year. For meetings like those of the Assemblies, WIPO needed one large meeting room

(with at least 800 seats) and at least 12 breakout rooms for delegates (seven rooms for the WIPO Countries Groups, one room for the Groups Coordinators, and about four rooms for bilateral meetings between delegations and groups, some of these rooms requiring interpretation facilities). For meetings held off-site, a total of at least 12 offices were needed for the Chairs of the various Assemblies and the Secretariat. An Assemblies session normally lasted for nine to 10 consecutive days, and, if it was held off-site, three to four additional days were needed to install the rooms and to vacate them. As to medium-size meetings, the most representative of the current WIPO activities were the four main Standing Committees (SCIT, SCP, SCT, SCCR), the IGC, the PBC, the CDIP, for which, on average, a meeting room of 200 to 300 seats was needed, which already corresponded to the maximum capacity of Room A. Twelve breakout rooms were also needed for the same reasons as previously indicated. A few less offices, about seven instead of 12, would however be needed for the Chairs of the Committees and the Secretariat. Today, medium-size meetings gathered between 200 and 300 delegates, but anticipating trends for the next five to ten years, these average numbers were expected to reach a few more hundreds of delegates. In total, the most representative Standing Committees and other committees corresponded to 13 sessions in a year and 57 days of sessions. Adding the Assemblies session, once a year, brought the total to 14 sessions and 67 days per year, or an average of one meeting and five days minimum per month. Discounting the slow periods of the year for intergovernmental-type meetings in Geneva (the month of August and from mid-December to the end of January), the average was one meeting and almost seven days per month. The Secretariat then referred to questions raised by delegations in recent meetings (the Assemblies in December 2008 and the PBC in July and September 2009) regarding alternative solutions. In respect of the first alternative, the *Centre International de Conférences de Genève* (CICG), the Secretariat had made an assessment of a six-year period from 2008 to 2013 for the WIPO Assemblies, noting that reservations were made five years in advance. The Secretariat could obtain all required days, all required rooms during the required periods, only for 2010 and 2013, or in two cases out of six (only 33 per cent). In other cases, there was either no availability (2009), or WIPO was still on the waiting list (2012) or WIPO could not obtain all the days or all the rooms required (2008 and 2011). Furthermore, the Secretariat highlighted that, for 2011, ITU had enquired whether WIPO could vacate the CICG—even though WIPO could not obtain the CICG for the whole period—because ITU needed meeting rooms at that time. In respect of the second alternative, UNOG, the Secretariat emphasized that, in the last ten years, WIPO had not been able to obtain the required combination of rooms, for the required number of days and for the required periods. From time to time, it would have been possible to obtain either only a few rooms, or only for some days of the sessions. The Secretariat highlighted that, in allocating its rooms, UNOG was giving priority to its own meetings, to UN programs and UN commissions and to meetings called by UN New York which took place in Geneva. Moreover, UNOG considered meeting requests from other organizations only once a year, in December, for the following year. Finally, UNOG did not offer to delegates coming from capitals the same flexibility as WIPO offered. Despite the fact that all WIPO delegates did not arrive on the first day of a given session, and all delegates (mostly those coming from the capitals) could not be announced within the deadline set in the invitations, the WIPO Secretariat had always been able to easily cater for such cases, which represented 20 per cent of the total number of delegates coming to WIPO meetings. The Secretariat considered that it should have sufficient flexibility in offering WIPO Member States options for holding meetings of different types, of different nature, of different length, so that Member States were able to work in accordance with their respective agendas, priorities and time frame and in line with their decision-making processes, rather than being negatively impacted by the availability and time schedules of other organizations in Geneva. The new hall, combined with Room A, Room B and all the smaller breakout rooms, would provide much greater

flexibility for the Secretariat in organizing large and medium-size meetings, concurrently or subsequently. Moreover, the hall would be equipped for interpretation in nine languages, which would constitute an advantage in case the hall was rented to external parties. In respect of smaller meeting rooms, most of which were located on the mezzanine and 13th floor of the AB Building, the Secretariat highlighted that, from nine such rooms today, there would be 15 rooms in 2013, taking into account the future modifications to the AB Building which were also part of the Project. The Secretariat wished to emphasize again that the possibility to rent the conference hall to external parties was not the main objective of the proposal since, first and foremost, WIPO was not making a proposal for a conference hall to be able to generate revenue from renting it out. Rather, when not using the hall for its own activities and meetings, WIPO could make the hall available to Member States, other IP stakeholders and other organizations, and thus recover a marginal part of the running costs. As to the estimated construction costs, honoraria and fees for the new hall *per se*, the Secretariat underlined that these would amount to around 55.3 million Swiss francs while the modifications to the AB Building (mezzanine, ground floor, forecourt and basements) and to the new building basement would amount to 8.9 million Swiss francs, for an overall total of 64.2 million Swiss francs. Recalling that the Assemblies had approved in December 2008 an amount of 4.2 million Swiss francs for “Phase One” of the Project, the remaining cost was therefore 60 million Swiss francs. In addition, and similarly to the ongoing New Construction Project—as had been recommended at that time by the External Auditor and the Project Pilot—and because the New Conference Hall Project is also a major construction project, the Secretariat was proposing a “Provision for Miscellaneous and Unforeseen”, corresponding to six per cent of the total, which would amount to an additional 4 million Swiss francs. The Secretariat then underlined its proposal to finance this amount in two parts, 24 million Swiss francs to be appropriated from the WIPO reserves and 40 million Swiss francs to be taken from an extension of the existing commercial loan for the ongoing new construction. The effect on the regular budget would be marginal and would only represent an average total per biennium of 1.6 million Swiss francs as of the 2012-2013 biennium. The Secretariat indicated that the experience gained with, and the lessons learned from, the New Construction Project (as referred to in document A/47/11) would serve as a basis for the management structure of the New Conference Hall Project: (i) the Construction Committee and the Internal Project Monitoring Team; (ii) the architects, engineers and project pilot; (iii) the project charter and risk registers; and (iv) the Selection Board for selecting the future general contractor. As for the current construction project, the Chairs of various Assemblies and Committees would be chairing and vice-chairing the Selection Board. In terms of audit and control, it was expected that the existing three audits (external audit, WIPO Audit Committee and internal audit) would be extended to the new Project.

310. The Architect, Mr. Stefan Behnisch, highlighted, on the basis of his brochure (referred to in document A/47/13) and a slide presentation, some of the most significant architectural and technical features of the proposed new conference hall, as a future part of the WIPO buildings complex including the new administrative building under construction. The available space at the foot of the AB Building appeared at first rather small for placing therein a conference hall for 900 people but that had not been seen by the Architect as a constraint, rather as a positive challenge. One of the other main ideas behind the design had been to catch the cool Northern light and bring it into the hall. The design of the foyer of the conference hall had from the start, and as requested by WIPO, to take into account the main lobby of the AB Building and be conceived in such a way so as to be accessible for external use by other organizations without interfering with internal use of the WIPO buildings complex. Hence, after having passed the security clearance and registration points, it would be possible to enter into the new hall through two entrances, either directly outside via the

forecourt of the AB Building, or inside via the AB Building lobby or mezzanine. In order to cater for large numbers of delegates attending WIPO meetings or external meetings, in addition to staff, a new main access center to all the WIPO buildings, with reinforced security, would be created from an extension of the AB Building lobby onto the forecourt. That new access center would be integrated into the future perimeter barrier surrounding all WIPO buildings (in compliance with UN H-MOSS). Access to the WIPO buildings through that new access center would lead to the reception desk, several security lines where badges would be checked or handed out, depending on whether or not the person entering was already an accredited delegate, a delegate already registered, a visitor, another non-accredited person or a staff member. The 260 parking spaces reserved for delegates (in the additional underground parking currently under construction) would be located partly below the future conference hall, thereby providing convenient access to WIPO meetings. The foyer, situated underneath the sloped seating of the hall would have a prime view of the *Place des Nations*. It was meant to act as a central focal point and to constitute an open access area to the hall itself (ground floor or first floor), the lobby of the AB Building, several informal meeting points for delegates and various meeting rooms on the ground floor and mezzanine of the AB Building. The foyer would also be connected via an underground corridor to the new administrative building currently under construction, facilitating access to the future cafeteria in that building. The hall would be accessible to disabled persons via ramps or elevators, including one elevator near the podium for speakers, and more than 60 seats would be easily reachable by disabled persons. On the mezzanine level of the AB Building, several new meeting rooms would be easily reachable by delegates from anywhere in the new hall or foyer, or from the lobby of the AB Building. Interpretation booths and interpreters' room were integrated in the design from the start with due account to interpreters' needs. A hall of this size should function well even if it was not always fully occupied. Seating could be arranged according to different layouts, so that the hall did not look empty, offering a wider variety of options for optimum scheduling of meetings, including or not Room A and/or Room B. Additional informal meeting spaces and lounge areas, which were very important for the types of meetings and conferences held at WIPO, would be fitted in the lobby of the AB Building where the current facade would be moved out. The new hall and all new smaller meeting rooms would be equipped with the newest technology for video and audio presentations. In response to WIPO's request for a sustainable building, the Architect chose a wooden structure, as wood was a very sustainable material, locally available. A conference hall, unlike an office building, might only be used two to three days a week, requiring heating up or cooling down in a rather short space of time, when people arrive and leave. A wooden construction was very efficient, as it could be heated up or cooled down very quickly, while not storing energy. The cooling system would use water from the lake, coupled with a very efficient ventilation system, making the building a very low-energy building, sustainable, not only in building materials, but also in running costs. The Architect concluded his presentation by thanking the delegations for the interest they had shown in the design of the proposed hall.

311. The Secretariat referred to document A/47/15 (page 4, agenda item 14), containing the recommendations made by the PBC at its fourteenth session, held from September 14 to 16, 2009, and drew the attention of the Assemblies to the fact that the PBC had recommended to the Assemblies, each as far as it was concerned, to take note of the proposed New Conference Hall Project (as contained in document WO/PBC/14/10 and in the Architect's brochure) and of the estimated total cost, to consider the proposal relating to the use of a "Provision for Miscellaneous and Unforeseen", to consider the proposal relating to the remaining financing, to take note of the management structure, control and audit, and of the indicative timetable for the Project.

312. The Delegation of Monaco stated that it was aware of the space problem at WIPO meetings, especially for the Assemblies. However, on several occasions, the Delegation had had the opportunity to voice a number of concerns and questions regarding the Project, including at the recent session of the PBC. Firstly, the Delegation queried the timing for the execution of the Project in view of the current major economic and financial crisis and its repercussions on the activities of the Organization, whose income was expected at best to remain stagnant over the next few years. Should the Assemblies approve the Project, WIPO would every year have to allocate a non-negligible amount for maintenance costs and the interest on the commercial loan, which amount would not be used for various WIPO activities and programs. Furthermore, the Delegation regretted that the document presented by the Secretariat (A/47/12) leading to the conclusion that no alternatives were available to remedy the space problem—the best solution residing in the construction of the new conference hall for 64 million Swiss francs—was not comprehensive enough and that it was not based on documents originating, for example, from the UNOG or the CICG, showing tables and schedules of meetings over the last few years in order to allow delegations themselves to arrive at the same conclusion as that presented in document A/47/12. The Delegation concluded nevertheless by stating that Monaco did not intend to oppose the approval of the proposal.

313. The Delegation of Japan thanked the Secretariat for providing updated information on the Project, as contained in the documents as well as in the presentations made by the Secretariat and the Architect. The Delegation was of the view that the explanations given helped the understanding of some of the merits of having a larger conference hall. However, in the context of the current economic crisis, the Delegation was wondering whether it would not be more prudent to re-examine the timing of the construction and the manner in which the Secretariat intended to finance it. According to document A/47/12, 24 million Swiss francs would be appropriated from the WIPO reserves and 40 million Swiss francs would be obtained through a commercial loan. The Delegation expressed doubts as to whether utilizing a large amount from the reserves was the best way to move forward at this time. Considering that the economic situation was still fluctuating, the Secretariat and the Member States should bear in mind all possibilities and be aware that the estimated WIPO revenue might deviate more or less from the best case scenario and therefore approach the more pessimistic scenario.

314. The Delegation of France thanked the Secretariat for the transparency it had displayed with a view to better convince the Member States of the quality of the Project. The Delegation said that it would also have liked to be convinced by the relevance and the proposed mode of financing of this Project. With regards to relevance, the Delegation still had questions on the rate of occupancy of the future hall. It appeared to the Delegation that the hall would be occupied at most two months per year, according to the participation noted in various committees and Assemblies in 2007 and 2008. Also, according to information provided, the renting of rooms to hold the Assemblies in the CICG would cost between 1.6 and 2 million Swiss francs per year, for two months. With a conference room of 900 places, which would cost 64 million Swiss francs, WIPO would for 33 years have to absorb under its regular annual budget a number of expenditures such as the interest on the loan for 700,000 Swiss francs on average, the reimbursement of the capital totaling 1.2 million Swiss francs, the maintenance costs for around 600,000 Swiss francs, and finally the management costs of the room, bringing a total annual cost of around 2.5 million Swiss francs. The Delegation also had questions on the proposed financial modalities. Noting that WIPO's regular budget was already absorbing the cost of the interest on the loan for the current construction project, and even though the Delegation recognized that interest rates were fairly low at the present time, funds borrowed would still cost more than the income that

would be derived from invested reserves. Furthermore, the Delegation was wondering why WIPO would not resort more to the available reserves since, by the end of 2010, over 20 million Swiss francs would become available beyond the threshold level set aside to meet any unforeseen expenditure due to the risk of decreased revenue. The Delegation also requested from the Secretariat a commitment to the effect that the future hall would be used in an optimum fashion externally in order to generate revenues to limit the maintenance costs under the regular budget.

315. The Delegation of Spain thanked the Secretariat and the Architect and congratulated them for the excellent presentations they had made. The Delegation considered that, from the point of view of procedure, the handling of this Agenda Item should have followed Agenda Item 14 dealing with the Proposed Program and Budget for the 2010-2011 biennium. This being said, the Delegation reiterated what it had said at the recent session of the PBC. It wondered whether costly projects such as the New Conference Hall Project (for an amount of 64.2 million Swiss francs) were really necessary in this current context in which budgets were not without limits, and in which a reduction of WIPO income of about 1.6 per cent was forecast. If the construction of a new hall was a priority, why wouldn't other areas, in particular the Development Agenda, also be priorities. The audit report by the WIPO Audit Committee had also expressed reservations given the current economic situation (document A/47/15, page 4, under Agenda Item 9). The Delegation had understood the rationale behind the position of the Secretariat defending the need not to increase the regular budget for the next few years because of the financial crisis. But, based on the same rationale, the Delegation had on a number of occasions asked the Secretariat from where would come the 700,000 Swiss francs per year needed to pay for the loan interest. If the budget was not increased but costs were increased, some programs would see a reduction in their budgets. The Delegation considered that it still had not received an answer to that question. It concluded by stating that, like other delegations who had taken the floor, it was not opposed to the construction of a new conference hall, but it wished to insist on the fact that, given other priorities and the lack of sufficient explanations from the Secretariat with regards to this Project and its budgetary implications, it would continue to remain prepared to enter into dialogue to find a common solution.

316. The Delegation of the United States of America expressed appreciation for the detailed proposal for the construction of the new conference hall, the presence of the Secretariat's guests and the information just presented on the occasion of the introduction to this item. The Delegation noted in general that the estimated cost of the hall somewhat exceeded the original estimate that the Secretariat had provided previously, which at that time, was already felt as being high. The Secretariat should find ways to reduce the cost. The Delegation had also expressed the view that the proposal to construct the new hall should indicate where cost savings had been identified through the design of the facility, and also how the Secretariat planned to limit the risks of future cost increases, should Members States agree that the Project should proceed. The Delegation stated that it had now received such information. It recalled that it had sought information about any lessons learned or efficiencies that the Secretariat had identified in connection with the ongoing New Construction Project, and how those lessons learned or efficiencies could be applied to the construction of the proposed conference hall. The Secretariat's proposal, supplemented by the information from the Architect, addressed the concerns in part. The proposal also indicated that the Secretariat intended to apply the same project management and procurement approaches that have benefited the New Construction Project, and would use existing contractors where possible. The Delegation considered that that was a positive approach. At the same time, the Delegation felt that the Delegations of Monaco, Japan, France and Spain had raised legitimate

concerns and questions which should be answered by the Secretariat and that, if the decision of the Assemblies was to go forward with the Project, the Delegation urged the Secretariat to seek ways to reduce the overall cost and to identify additional cost savings in the course of securing tenders for the construction phase of the Project.

317. The Delegation of Senegal, speaking on behalf of the African Group, reiterated the Group's position in favor of the construction of the new conference hall, which from the point of view of the Group, would be mainly for the Member States and their delegates, in particular for large meetings like the Assemblies in which it was difficult to participate under reasonably comfortable conditions. The Group thought that it was necessary to better control the calendar of meetings of the Organization, which would be more difficult to achieve if the Organization had to be subjected to other organizations or entities in charge of conference facilities elsewhere, the latter eventually deciding on the WIPO meetings and schedule instead of WIPO. The new hall could be rented out to external users, without prejudice to WIPO activities. Even though some reservations had been expressed by a few delegations, no one had questioned the merits of the project *per se*, the legitimate question was rather how it should be achieved.

318. The Delegation of Morocco stated that it was in favor of the new hall, the need of which had become quite clear during the high-level segment at the opening of the Assemblies. If 64 million Swiss francs were indeed a lot of money, while rental of facilities elsewhere was a preferred alternative for some delegations, the Delegation stated that, at the end of 33 years of rentals, there would be nothing left for WIPO, while constructing would result in WIPO owning a conference hall at the end of 33 years, which would be a profitable investment. Referring to the statement made by the Coordinator of the African Group, the Delegation questioned how the new hall should be financed and indicated its preference to draw a maximum from the WIPO reserves, should the remuneration of the reserves be lower than the cost of interest on the loan. The Delegation concluded by expressing again its support for the new hall.

319. The Delegation of Yemen, speaking on behalf of the Asia Group, welcomed the presentation made by the Architect and his team and thanked him for the information provided. Recalling the general statement made on behalf of the Group at the opening of the Assemblies, it expressed its support for the new hall, noting that it would enable all delegations attending WIPO meetings to participate in a more efficient manner. The need for appropriate meeting rooms where all members of a given delegation could attend all the proceedings had been clearly witnessed again at these Assemblies.

320. The Delegation of Tunisia recalled the statement it had made on behalf of the Arab countries expressing support for the Project. In its view, the Project respected environmental rules, safeguarded energy and reflected very clearly the degree of development achieved by the Organization in the field of modern communication. Regarding the appropriate time to proceed with the Project, the Delegation found that the time was opportune and appropriate now, because during periods of economic crises, institutions turn to investments to be able to cover their needs once the crises have elapsed. In conclusion, the Delegation stated that it was the right time to proceed with the Project, noting in particular the multi-functionality and other features of the hall as well as the time savings that would ensue from being able to use such a space.

321. The Delegation of Norway saw it as quite important that the premises of the Organization be quite functional in order to accommodate the Member States in an effective

way, providing modern facilities to enable delegates from around the world to come together for fruitful deliberations on topics of importance in the intellectual property area. The Delegation expressed support for the planned Project as it was of the view that it would provide very good facilities for the Assemblies in future years. The Delegation emphasized that the Project was indeed an important investment in dialog. Functional meeting facilities were needed in order to gather delegates from all regions to build dialog, exchange views and move towards consensus on common goals. The Delegation considered that the planned conference hall as presented met these requirements. It concluded by stating that it had confidence in the analysis done by the Organization and its advisors in respect of the financial aspects of the Project.

322. The Delegation of China thanked the Secretariat for its detailed introduction of the Project and observed that the upward trend of the activities of the Organization entailed the need for an increase of relevant facilities, as was evidenced by the ongoing Assemblies in which all delegates had felt such a need. The Delegation therefore expressed its support for the Project, which, in its view, was consistent with the WIPO strategic goals. As discussed during the recent PBC session, it was evident that the activities of the Organization were expanding and accelerating, as were the interactions among Member States and between WIPO and other international organizations. The Delegation considered that the demand in meeting facilities resulting from such interactions would be unprecedented, and that the best solution was for WIPO to have a new conference hall of its own. The Delegation pointed out that, although one should take into account the possible impact of the current financial crisis, one should also see the favorable side of it, for example, the relatively low prices of various materials and cost of labor during a period of global economic recovery. Prices and costs, including construction costs, would increase at the end of the economic recovery. The Delegation concluded by supporting the Project.

323. The Delegation of Pakistan raised a hypothetical question as “food for thought” for other delegations and the Secretariat. It wondered what would happen if WIPO moved from Geneva. Would WIPO sell the conference hall or would it donate it to Switzerland? Should the conference hall be sold, would the amount spent on construction be recovered? Should the hall be donated to Switzerland, who should be bearing the cost for constructing it now?

324. The Delegation of Niger expressed appreciation for the additional explanations provided by the Architect which had helped to better understand the Project. It recalled that there had not been enough space in Room A for all its members at the opening of the Assemblies. It expressed strong support for the Project, endorsing the statement made on behalf of the African Group. Listening to other delegations, it was clear that the question of constructing a new hall was not at issue, rather the question was whether it was opportune to proceed at a time of economic and financial crisis. The Delegation was in favor of proceeding now, stressing that the price of commodities was increasing worldwide and that waiting for a decision would increase the risk of higher costs. It was therefore time to build now.

325. The Delegation of Benin reiterated the declaration it had made at the opening of the Assemblies to the effect that the construction of the new hall was both necessary and opportune.

326. The Delegation of Guinea recalled that it had already remarked on the lack of space at the opening of the Assemblies. It wished to thank the predecessors of the delegations present at these Assemblies for having been visionaries when they had approved, at that time, the investment necessary to provide Member States with the room in which the present

deliberations were held. The Delegation also remarked that the number of Member States to WIPO treaties kept increasing, in particular with the emergence of many new independent States, while few countries could be represented by large delegations at this time. The Delegation expressed the wish that WIPO would be able in future to finance the participation of more delegates and host more meetings to cover more activities. It fully supported the Project and, noting that the hall would belong to WIPO at the end of the 33 years referred to by the Delegation of France, it highlighted that the hall would live well beyond those years, for a hundred years if not more.

327. The Delegation of Finland thanked the Secretariat for its impressive and detailed presentations which put forward a convincing and exhaustive list of arguments for this Project. The Delegation associated itself with the arguments put forward by the Delegations of Norway and China to the effect that the Assemblies should go ahead with the Project. As to the concerns expressed by some delegations about the financing, and after having read the documents and heard the explanations given by the Secretariat, the Delegation stated that it had full trust in the Secretariat for managing and financing this Project properly in the years to come. It was of the view that the Assemblies should give a green light to the Secretariat and go ahead with this Project.

328. The Delegation of Algeria associated itself with the statement made on behalf of the African Group and thanked the Secretariat for the clarity of the presentations made. It fully supported the construction of the hall and expressed the wish that future high-level segments could be held in the new hall.

329. The Delegation of Qatar expressed support for the statements made by Tunisia on behalf of the Arab countries and by Yemen on behalf of the Asia and Pacific Group. It welcomed and supported the Project.

330. The Delegation of Angola thanked the Secretariat for its presentations and recalled the statement made by the Deputy Minister of Industry during the high-level segment at the opening of the Assemblies, supporting "Phase Two" of the Project. The Delegation also expressed support for the statement made by the Delegation of Senegal on behalf of the African Group. While recognizing that the Project was an investment that would constitute an active accountability for the budget of the Organization, the Delegation hoped that the Project would also help the Organization in future to face the issue of space constraints that many delegations had been confronted with at the opening of the Assemblies.

331. The Delegation of Côte d'Ivoire recalled the statement in favor of the new conference hall, made by the Minister of Industry and the Private Sector on the occasion of the high-level segment. The limited space at WIPO meetings had once again been an issue during these Assemblies, as in previous years. The Delegation welcomed and gave its full support to the Project.

332. The Delegation of Barbados thanked the Secretariat for its presentations. It was of the view that the decision to build a larger conference hall should be based, amongst other things, on the question of need. The presentation by the Secretariat had gone a long way in demonstrating that there was a need. The question posed now was rather when should WIPO act to satisfy this need. The Delegation clearly stated that, the longer the wait, the greater the need and the greater the cost of satisfying the need; it therefore made greater sense to move now to address this need. With respect to the issue of reserves, the Delegation considered that it was normally good business to use reserves to build assets that appreciate over time, as

distinct from using reserves to fund operating expenses. Associating itself with the statements made on behalf of the African Group, the Asia and Pacific Group, the Arab countries and many others, the Delegation supported the approval of the execution of "Phase Two" of the Project.

333. The Delegation of the Democratic People's Republic of Congo wished to thank the Secretariat for its presentations on the Project and express support for the statement made by the Delegation of Senegal on behalf of the African Group. The Project would be a long-term investment for the Member States and the further development of WIPO's activities.

334. The Delegation of Sudan joined the statements made by the Delegation of Senegal on behalf of the African Group and by the Delegation of Yemen on behalf of the Asia and Pacific Group, as well as other delegations who spoke in favor of the construction of a new conference hall. The Delegation strongly supported the construction of a hall commensurate to the stature of WIPO as a developing Organization with growing membership, as well as the external use of the hall when not occupied by WIPO meetings.

335. The Delegation of Ecuador referred to the general statement it had made previously on behalf of GRULAC supporting the construction of the new conference hall.

336. The Delegation of Cameroon thanked the Secretariat for its presentations and supported the statement made on behalf of the African Group, considering that the Project was in line with WIPO strategic objectives.

337. The Delegation of Madagascar, referring to the statement made by the Delegation of Senegal on behalf of the African Group, expressed support for the Project which was commensurate with the dimension of WIPO and replied to needs for modern infrastructure. The Delegation stated that it had full confidence in the Secretariat for managing the costs in the current economic and financial crisis.

338. The Delegation of Costa Rica endorsed the statement made by GRULAC expressing the Group's support for the Project. Throughout all the years that it had been coming to WIPO meetings, the Delegation had always had to fight for one or two seats to be able to bring experts in various fields in order to cover each of the subjects in depth. It had become increasingly necessary to build a hall suitable for the work of each of the delegations. The Delegation considered the Project to be not only architecturally sound, but also highly appropriate for WIPO's functions. In terms of the effect on WIPO's budget, a balance should be struck, as pointed out by other delegations.

339. The Delegation of Seychelles fully supported the statement made on behalf of the African Group and indicated that it looked forward to the construction of the new hall.

340. The Delegation of Indonesia, considering the real needs for a new hall, supported the statements made by the Asia and Pacific Group and the African Group in favor of the Project.

341. The Delegation of Burkina Faso supported the Project, stressing that it was necessary to take stock of the continued frustration of delegations, in particular since small countries like Burkina Faso were only given one seat in meeting rooms and were often asked to change seats in the room during a session to accommodate the overall seating plan. It was time to address the matter and correct it.

342. The Delegation of Turkey recalled that it had supported the construction of a new conference hall in the past and that it was still of the same view today. The need was clear, as evidenced again during these Assemblies. The Delegation trusted the Secretariat insofar as the financial implications were concerned. The Delegation wished to congratulate the Architect for his very impressive project and for his very good presentation.

343. The Delegation of Chad associated itself with the statement made by the Delegation of Senegal in favor of the new conference hall.

344. The Delegation of Estonia was grateful to the Secretariat for the documents and brochure on the new construction projects. It stated its support to the new construction projects which were, without any doubt, necessary. Renting rooms was not the best way for working arrangements, even if it seemed to be cheaper. The Delegation referred to an old saying to the effect that one is not rich enough to buy cheap goods. Money earned should be used for creating something solid and long-lasting, even if it took more time than expected at the beginning. Economic crises were followed by better times sooner or later.

345. The Delegation of Papua New Guinea expressed support for the Project, stating that it was the only representative of the Pacific Islands at the Assemblies and hoped that the absence of representatives of other Islands was not because of space. It noted that, if the growth of the Organization continued at the current speed, there might be a few more such countries attending in future, amongst the 14 countries in that region.

346. Noting that many delegations had expressed support for the proposed Project, the Secretariat addressed the queries and concerns raised by various delegations and highlighted, in particular, the following points. In response to the question as to what would happen to the new hall if WIPO left Geneva, the Secretariat remarked that the question should in fact be raised about all WIPO buildings including the new building currently under construction. The Secretariat strongly emphasized that building the new hall would constitute an investment. It remarked that, for those whose main activity was in the industry, investments were made by building manufacturing or other plants. For those whose main activity was to bring Member States together for discussions towards better understanding and consensus on important issues, such as WIPO, the tools in which to invest were meeting and conference facilities, which was the reason for the proposal for a new conference hall. The Secretariat urged delegations to remember that the need for meeting and conference facilities was not new, as it had been raised by the Secretariat since the 1990s, and that, in 2002, the Member States had approved the construction of a new conference hall, thereby fully recognizing those needs. While indicating that it not only understood the concerns raised by a number of delegations, but also shared them, the Secretariat emphasized that the amount of 64 million Swiss francs would constitute an investment, not an expenditure, and that the recurring costs of the interest on the loan would be covered under the regular budget while the investment *per se*, for 24 million Swiss francs, would logically be appropriated from the reserves. The Secretariat recognized that the current economic and financial crisis could not be overlooked. However, it strongly believed that there were good reasons to engage on such a project at this time. Firstly, WIPO was in a position to handle such an investment on the basis of the level of reserves, as detailed in document A/47/10 and with due account to the various amounts earmarked for the risk of a decrease in the WIPO revenues generated by registration activities and for several approved projects. Furthermore, the ongoing economic and financial crisis was a time particularly prone to investment. Today, interest rates were at a historical low in Switzerland. Realizing the proposed investment with one third from the reserves and two thirds from a commercial loan was, in the view of the Secretariat, a safer approach than

drawing more on the available reserves. As to the question of remuneration for the funds invested by WIPO, the Secretariat noted that the difference between the remuneration on invested reserves and the interest on the loan was marginal. The most important benefits of the proposed approach remained nevertheless a prudent management of the Organization's funds and the guarantee of a long-term financing for a long-term investment, noting that the object, the conference hall, was meant to last 50 years, 100 years, and even more. The annual average cost of the interest, in the amount of about 700,000 Swiss francs, was marginal as it represented less than 0.2 per cent of the annual budget of the Organization. The Secretariat highlighted that the cost of construction of the hall had been one of its concerns throughout the elaboration of the Project in numerous discussions with the Architect, Pilot and other specialists. The Secretariat had compared the cost of the proposed hall with that of the conference room built for the WTO in 1998 and, after having taken into account the respective capacities, the absence or presence of certain features, the cost of living, the indexation applicable to the construction industry, it had been able to conclude that the difference in overall cost between the two constructions was less than five per cent.

347. The Assemblies of the Member States of WIPO and other bodies, each as far as it was concerned:

- (i) approved the execution of the proposed New Conference Hall Project as described in document WO/PBC/14/10 (in paragraphs 30 to 38 and Annex II) and in the Architect's brochure referred to in document A/47/13;
- (ii) approved the estimated total cost of 64.2 million Swiss francs, noting that an amount of 4.2 million Swiss francs was already approved by the Assemblies on December 12, 2008, for "Phase One", as outlined in document WO/PBC/14/10, paragraph 52 and Annex IV;
- (iii) authorized the Secretariat to use, if and when necessary, a Provision for Miscellaneous and Unforeseen in the amount of four million Swiss francs, as outlined in document WO/PBC/14/10, paragraph 53 and Annex IV;
- (iv) approved the remaining financing of the Project through an appropriation of 24 million Swiss francs from the WIPO reserves and a commercial loan in the amount of 40 million Swiss francs, as outlined in document WO/PBC/14/10, paragraphs 56 to 58;
- (v) took note of the management structure, control and audit proposed for the Project, as outlined in document WO/PBC/14/10, paragraphs 42 to 49;
- (vi) took note of the indicative timetable for the Project, as referred to in document WO/PBC/14/10, paragraph 41 and Annex III; and
- (vii) took note of the Progress Report on the New Construction Project, as contained in document A/47/11.

ITEM 19 OF THE CONSOLIDATED AGENDA:

PROGRESS REPORT ON THE PROJECT TO UPGRADE THE SAFETY AND
SECURITY STANDARDS FOR THE EXISTING WIPO BUILDINGS

348. Discussions were based on document A/47/14.

349. The Secretariat recalled that the WIPO Security Project was first approved by WIPO Assemblies in 2008, and as well as by the session of the Program and Budget Committee last week. The Project will be implemented in three phases and was now in Phase 1 (preparatory stage) on schedule and within the budget line. The Secretariat wished to emphasize that the Project which was based upon entirely the UN H-MOSS standards taking the WIPO environment into consideration, was supported by the Government of the host country, which not only provided financial support but also all the necessary assistance. Given the close link between WIPO's current premises and the New Construction project, including the New Conference Hall, and for the purpose of strengthening safety and security, the project was also being extended to those involved in the New Construction, such as the architects. Effective coordination and cooperation with the host country had made it possible to draw up a joint project which will be implemented from 2010 to 2011.

350. The Director General thanked the Chair and all the distinguished delegates and stated that he would like to take the opportunity to acknowledge the very generous support that had been received from the Host Country, Switzerland, in respect of that particular project. The Government of Switzerland had made a contribution of five million Swiss francs to the works that the Organization was undertaking in order to conform to the security guidelines of the United Nations and the Organization was very grateful indeed for that assistance from Switzerland.

351. The Delegation of the United States of America was very grateful to the Secretariat for the report indicating that safety and security upgrades were proceeding on schedule and within budget. It particularly welcomed the level of cooperation and, as just mentioned by the Director General, the very direct support from the Host Country, Switzerland, since everyone was aware that security and especially perimeter security was a shared responsibility. The Delegation also especially welcomed the fact that acquisitions, up to then had been generally for less than the budgeted amounts and looked forward to receiving cost estimates for remaining work once tenders were received during Phase 2.

352. The Assemblies of the Member States of WIPO and other bodies, each as far as it was concerned, took note of the contents in document A/47/14.

ITEM 20 OF THE CONSOLIDATED AGENDA:

THE CARBON NEUTRALITY PROJECT

353. See the report of the session of the General Assembly (document WO/GA/38/20).

ITEM 21 OF THE CONSOLIDATED AGENDA:

SUMMARY ANNUAL REPORT OF THE DIRECTOR OF THE INTERNAL AUDIT AND
OVERSIGHT DIVISION

354. See the report of the session of the General Assembly (document WO/GA/38/20).

ITEM 22 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

355. See the report of the session of the Coordination Committee (document WO/CC/62/4).

WIPO COMMITTEES

ITEM 23 OF THE CONSOLIDATED AGENDA:

REPORT OF THE COMMITTEE ON DEVELOPMENT AND INTELLECTUAL
PROPERTY (CDIP)

356. See the report of the session of the WIPO General Assembly (document WO/GA/38/20).

ITEM 24 OF THE CONSOLIDATED AGENDA:

REPORT ON THE WORK CONCERNING THE ADVISORY COMMITTEE ON
ENFORCEMENT (ACE)

357. See the report of the session of the WIPO General Assembly (document WO/GA/38/20).

ITEM 25 OF THE CONSOLIDATED AGENDA:

REPORT ON THE WORK OF THE STANDING COMMITTEE ON COPYRIGHT AND
RELATED RIGHTS (SCCR)

358. See the report of the session of the WIPO General Assembly
(document WO/GA/38/20).

ITEM 26 OF THE CONSOLIDATED AGENDA:

REPORT ON THE WORK OF THE STANDING COMMITTEE ON THE LAW OF
PATENTS (SCP)

359. See the report of the session of the WIPO General Assembly
(document WO/GA/38/20).

ITEM 27 OF THE CONSOLIDATED AGENDA:

REPORT ON THE WORK OF THE STANDING COMMITTEE ON THE LAW OF
TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS (SCT)

360. See the report of the session of the WIPO General Assembly
(document WO/GA/38/20).

ITEM 28 OF THE CONSOLIDATED AGENDA:

REPORT ON THE WORK OF THE INTERGOVERNMENTAL COMMITTEE ON
INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL
KNOWLEDGE AND FOLKLORE (IGC)

361. See the report of the session of the WIPO General Assembly
(document WO/GA/38/20).

ITEM 29 OF THE CONSOLIDATED AGENDA:

STANDING COMMITTEE ON INFORMATION TECHNOLOGY (SCIT)

362. See the report of the session of the WIPO General Assembly
(document WO/GA/38/20).

GLOBAL INTELLECTUAL PROPERTY SERVICES

ITEM 30 OF THE CONSOLIDATED AGENDA:

PCT SYSTEM

363. See the report of the session of the PCT Union Assembly (document PCT/40/7).

ITEM 31 OF THE CONSOLIDATED AGENDA:

MADRID SYSTEM

364. See the report of the session of the Madrid Union Assembly (document MM/A/42/4).

ITEM 32 OF THE CONSOLIDATED AGENDA:

HAGUE SYSTEM

365. See the report of the session of the Hague Union Assembly (document H/A/28/4).

ITEM 33 OF THE CONSOLIDATED AGENDA:

LISBON SYSTEM

366. See the report of the session of the Lisbon Union Assembly (document LI/A/25/3).

ITEM 34 OF THE CONSOLIDATED AGENDA:

REPORT OF THE IPC COMMITTEE OF EXPERTS

367. See the report of the session of the IPC Union Assembly (document IPC/A/29/2).

ITEM 35 OF THE CONSOLIDATED AGENDA:

INTERNET DOMAIN NAMES

368. See the report of the session of the WIPO General Assembly (document WO/GA/38/19).

OTHER ASSEMBLIES

ITEM 36 OF THE CONSOLIDATED AGENDA:

COOPERATION UNDER THE AGREED STATEMENTS BY THE DIPLOMATIC
CONFERENCE REGARDING THE PATENT LAW TREATY (PLT)

369. See the report of the session of the WIPO General Assembly (document WO/GA/38/20).

ITEM 37 OF THE CONSOLIDATED AGENDA:

PATENT LAW TREATY ASSEMBLY (PLT)

370. See the report of the session of the Patent Law Treaty Assembly (document PLT/A/7/2).

ITEM 38 OF THE CONSOLIDATED AGENDA:

SINGAPORE TREATY ASSEMBLY (STLT)

371. See the report of the session of the Singapore Treaty Assembly (STLT) (document STLT/A/1/4).

CLOSING OF SESSIONS

ITEM 39 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE REPORTS

372. Comments by several delegations were noted by the Secretariat for inclusion in the final versions of the reports.

373. This General Report was unanimously adopted by the Assemblies of the Member States of WIPO and other governing bodies, each as far as it was concerned, on October 1, 2009.

374. Each of the 20 Assemblies and other governing bodies of the Member States of WIPO, each as far as it was concerned, unanimously adopted the separate report concerning its session on October 1, 2009.

ITEM 40 OF THE CONSOLIDATED AGENDA:

CLOSING OF THE SESSIONS

375. The Director General, at the invitation of the Chair, took the floor and extended thanks to the Chair for his excellent guidance and wise counsel over the two weeks of the Assemblies and also thanked the two Vice-Chairs for their important guidance and assistance. He also thanked all Delegations and Member States for their very constructive involvement in the Assemblies. It was, in his view, a consequence of that constructive commitment that a

significant number of important decisions had been reached. First, the construction of a New Conference Hall had been decided upon. Also, the Program and Budget for 2010/2011 had been adopted. Both were very welcome decisions on the part of the Member States. Within the service sector, the PCT roadmap had been endorsed, two new international authorities, Egypt and Israel, had been appointed, and important work had been agreed for the Lisbon Agreement and its future. The Director General felt that perhaps the most significant decision of all was the one taken immediately prior to the closing session of the Assemblies, namely that regarding the Intergovernmental Committee, where a very robust and clear mandate had been adopted for the coming two years. It was a real step forward for the Organization. The Director General also thanked colleagues for the significant volume of work done in producing the reports for adoption and paid tribute specifically, and not forgetting the extensive discussions on language matters during the Assemblies, to Ms. Mercedes Martínez Dozal, the Head of the Interpretation Section in the Language Service, for whom it would be the last Assemblies. Ms. Martínez was very well known to many of the delegates and a constant source of assistance to all. In concluding his comments, the Director General referred to the very first High-Level Ministerial Segment held during the Assemblies. It had proved to be a successful event, with the participation of over 40 Ministers. The positive comments made by the Member States showed that it was an opportunity to raise the profile of intellectual property to a higher political level. For the 2010 Assemblies, Member States would be consulted much earlier, perhaps in February and March 2010, about the possible selection of a theme which might constitute the basis of the 2010 High-Level Segment.

376. The Delegation of Nigeria thanked the Chair and recognized the dignity he had brought to that office, thus adding to what the former Chair, the Ambassador of Nigeria, had done. It also thanked the Director General for sound performance and looked forward to further good work. It thanked the Secretariat for the work done, and Ms. Mercedes Martínez Dozal who for the African Group was the voice of translating and interpreting which was tremendously appreciated. The Delegation expressed its satisfaction that the Assembly had delivered an agenda for the IGC, and was looking forward to conclusions and an internationally legally binding instrument. The Delegation also proudly announced that on that day it was Nigeria's Independence Day.

377. The Delegation of Egypt expressed its thanks to the Chair and the Vice-Chairs for their efforts over the arduous 10 days of the General Assembly. It also thanked the Director General for his commitment to the Organization, and the entire staff including Ms. Mercedes Martínez Dozal who had greatly facilitated communication within the African Group. The Delegation also recognized the creative, persistent yet positive contribution of the Delegate of Pakistan who was to depart for a new posting. It further bade farewell to the Delegate of Germany as Group B Coordinator, whose precise scientific methodology had enabled good progress to be made on some issues. The Delegation looked forward to working with the new colleagues who would take office in the near future.

378. The Delegation of Yemen, on behalf of the Asian Group, expressed thanks to the Member States, the Director General, the Secretariat, IGOs and NGOs, and appreciated the flexibility of all in enabling WIPO to move ahead. The Delegation confirmed that the Asian Group remained committed to the implementation of initiatives and decisions taken at the Assemblies.

379. The Delegation of Pakistan thanked the Delegation of Egypt for its kind words and thanked also the Director General, colleagues from Member States, the Secretariat and the interpreters for bearing with the countless interventions over the previous three years.

Speaking in a personal capacity, the Delegate recognized that he had witnessed some of the most interesting times in WIPO, as a negotiator, and that it had been a very good learning experience to participate actively in all the meetings and activities. As he would be taking up a new assignment in Tokyo he expressed thanks to all for their cooperation and support.

380. The Delegation of China announced that it was the anniversary of the founding of the People's Republic of China on that day, October 1, and that there had been grand celebrations in Beijing. The Delegation was honored to learn that it was also Nigeria's Independence Day. The Delegation was pleased that some very encouraging outcomes had been finally achieved, on which it congratulated the Chair, the Director General and the Secretariat for their remarkable work. It also took the opportunity to express its gratitude to Ms. Mercedes Martínez Dozal for her support and interpretation services, as well as to the Delegate of Pakistan, and wished him all the best in his new post in Tokyo.

381. The Forty Seventh Series of Meetings of the Assemblies and other Bodies of the Member States of WIPO was closed by the Chair of the WIPO General Assembly.

[Annex follows]