

Assemblies of the Member States of WIPO

Forty-Ninth Series of Meetings Geneva, September 26 to October 5, 2011

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, fortieth (20th ordinary) session
- (2) WIPO Conference, thirty-first (20th ordinary) session
- (3) WIPO Coordination Committee, sixty-fifth (42nd ordinary) session
- (4) Paris Union Assembly, forty-fourth (20th ordinary) session
- (5) Paris Union Executive Committee, fiftieth (47th ordinary) session
- (6) Berne Union Assembly, thirty-eighth (20th ordinary) session
- (7) Berne Union Executive Committee, fifty-sixth (42nd ordinary) session
- (8) Madrid Union Assembly, forty-fourth (19th ordinary) session
- (9) Hague Union Assembly, thirtieth (18th ordinary) session
- (10) Nice Union Assembly, thirtieth (20th ordinary) session
- (11) Lisbon Union Assembly, twenty-seventh (19th ordinary) session
- (12) Locarno Union Assembly, thirtieth (19th ordinary) session
- (13) IPC [International Patent Classification] Union Assembly, thirty-first (18th ordinary) session
- (14) PCT [Patent Cooperation Treaty] Union Assembly, forty-second (18th ordinary) session
- (15) Budapest Union Assembly, twenty-seventh (16th ordinary) session
- (16) Vienna Union Assembly, twenty-third (16th ordinary) session
- (17) WCT [WIPO Copyright Treaty] Assembly, tenth (5th ordinary) session
- (18) WPPT [WIPO Performances and Phonograms Treaty] Assembly, tenth (5th ordinary) session
- (19) PLT [Patent Law Treaty] Assembly, ninth (4th ordinary) session
- (20) Singapore Treaty [Singapore Treaty on the Law of Trademarks] Assembly, third (2nd ordinary) session

meeting in Geneva from September 26 to October 5, 2011, 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/40/19), WIPO Conference (WO/CF/31/1), WIPO Coordination Committee (WO/CC/65/4), Paris Union Assembly (P/A/44/1), Paris Union Executive Committee (P/EC/50/1), Berne Union Assembly (B/A/38/1), Berne Union Executive Committee (B/EC/56/1), Madrid Union Assembly (MM/A/44/5), Hague Union Assembly (H/A/30/3), Nice Union Assembly (N/A/30/1), Lisbon Union Assembly (LI/A/27/3), Locarno Union Assembly (LO/A/30/1), IPC Union Assembly (IPC/A/31/1), PCT Union Assembly (PCT/A/42/4), Budapest Union Assembly (BP/A/27/1), Vienna Union Assembly (VA/A/23/1), WIPO Copyright Treaty Assembly (WCT/A/10/1), WIPO Performances and Phonograms Treaty Assembly (WPPT/A/10/1) Patent Law Treaty Assembly (PLT/A/9/1) and the Singapore Treaty Assembly (STLT/A/3/3).

3. The list of the States members of the Assemblies and other bodies concerned and the observers admitted to their sessions as of September 26, 2011, is set forth in document A/49/INF/1 Rev.

4. The meetings dealing with the following items of the Agenda (document A/49/1) were presided over by the following Chairs:

Items 1 and 2	Ambassador Alberto J. Dumont (Argentina), outgoing Chair of the General Assembly
Items 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 28(i), 29, 30, 31, 32, 33(i), 33(ii), 33(iii), 38, 39, 44 and 45	Ambassador Uglješa Ugi Zvekić (Serbia) newly-elected Chair of the General Assembly, and in his absence, the the Vice-Chair Mr. Makiese Kinkela Augusto (Angola)
Items 41, 42 and 43	Ambassador Jüri Seilenthal (Estonia), Chair of the Coordination Committee
Item 34	Ms. Susanne Sivborg (Sweden), Chair of the PCT Union Assembly
Item 35	Ms. Alexandra Grazioli, Chair of the Madrid Union Assembly
Item 36	Ms. Alexandra Grazioli (Switzerland), Vice-Chair of the Hague Union Assembly
Item 37	Ms. Branka Totić (Serbia), Chair of the Lisbon Union Assembly
Item 40	Mr. Javier Alfonso Moreno Ramos (Spain), 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/49/1 and A/49/INF/3, respectively.

6. The Director General's Report is reproduced as an Annex to this present report.

ITEM 1 OF THE CONSOLIDATED AGENDA

OPENING OF THE SESSIONS

7. The forty-ninth 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").

8. 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 Alberto J. Dumont (Argentina), the outgoing Chair of the General Assembly, who made the following statement:

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

“It is an honor for me to address you in my role as outgoing Chair at this, the opening of the Forty-Ninth Series of Meetings of the Assemblies of the World Intellectual Property Organization. As outgoing Chair, I shall preside over the process of selection of my successor.

“I should like to take the opportunity afforded by the opening of this Session to pass on one last brief message to you, before giving the floor to the Legal Counsel under Agenda Item 2, “Election of the Officers”.

“During the Assemblies, we review the work of the Organization, consider policy guidelines and strategies, and discuss plans for the future. The Director General will present an exhaustive report reviewing all of the Organization’s activities.

“The few words I have for you will be very different in nature. As outgoing Chair, I wish to speak about certain things from a personal point of view since I shall be leaving Geneva in a few weeks’ time and am finalizing my duties as my country’s Permanent Representative.

“Firstly, looking at the general pace of our work, I believe that, in particular over the past year, we have maintained an unprecedented rate of progress. In my opinion, the freeing-up of the mandate of the Intergovernmental Committee in 2004 was a positive development that allowed for greater cooperation between delegations.

“Advances have also been made with regard to the implementation of the Development Agenda, as well as in terms of patents, trademarks and copyright.

“I also feel the need to mention the fact that, looking beyond audiovisual performances, we are still not in a position to set out stages concerning other matters that would allow us to establish new standards or treaties. In this regard, we, the Members, are those primarily responsible for this issue. I think that we need to develop greater mutual trust and a broader understanding if progress is to be made regarding the Organization’s agenda as a whole.

“In short, concluding my opening remarks, I believe that greater consensus-based political commitment is required of the Members if the Organization is to reach its full potential, including with regard to the aim of improved integration of intellectual property in development policies for developing countries.

“All that is by way of introduction.

“I could not leave office without first thanking my fellow ambassadors who have supported me for the past two years, as well as the Regional Coordinators and my Vice-Chairs.

“I am also deeply indebted to Mr. Gurry and his whole team, who are here with me now, and, above all, to the staff who assist the Chair, as well as to the Chief of Staff and his team and the Legal Counsel, for all their help.

“I would also like to take this opportunity to mention the work on transparency carried out by the Secretariat over the past few years, and to highlight the frequent exchanges between the Director General and the Permanent Representatives. I believe that efforts should continue along those lines.

“Finally, turning to the consultations I have held on the matter of the Chairs of the bodies of this Organization, I would like to thank all the Members who participated in the consultations. I have made my successor fully aware of the situation and I hope that a decision will be taken shortly in that regard.

“Ladies and gentleman, welcome to Geneva. I hope that this Forty-Ninth Series of Meetings of the Assemblies will be fruitful and I declare it officially open.

“Thank you for your attention.”

ITEM 2 OF THE CONSOLIDATED AGENDA

ELECTION OF THE OFFICERS

9. Discussions were based on document A/49/INF/4.

10. The Legal Counsel said that informal consultations in respect of the 60 officers that needed to be elected under Agenda Item 2 were almost complete and hoped that the list of the said officers would be distributed some time the next day. He, however, stated that for purposes of continuing items 2 to 5, the Assemblies would need a complete set of officers in respect of the General Assembly. On this note, he said that he was happy to announce that informal consultations had resulted in a consensus on a list of candidates in respect of the General Assembly. He therefore requested the delegates to provide nominations in respect of the Chair and the Vice-Chairs of the General Assembly.

11. The Delegation of Slovenia, speaking on behalf of the Group of Central European and Baltic States (CEBS), congratulated the outgoing Chair of the General Assembly, Ambassador Alberto Dumont for the valuable work done as the Chair of the General Assembly. The Delegation wished to thank him, not only for conducting the last General Assembly in a wise and smooth manner, but also for his very active engagement, able guidance and positive energy in handling other formal matters as well, including the establishment of a procedure for the election of officers for various WIPO bodies. The Delegation said that it was a special pleasure as the Coordinator of the CEBS Group to be in a position to propose a candidate for the post of Chair of the WIPO General Assembly for the period 2011-2013. The Delegation wished to nominate, for the position of Chair of the WIPO General Assembly for the period 2011-2013, the distinguished Ambassador of Serbia Mr. Uglješa Ugi Zvekić. It took the opportunity to recall that Ambassador Zvekić had been working in multilateral diplomacy and international organizations for most of his professional career. The Delegation said that his skills in multilateral diplomacy and dedication convinced the Group of CEBS that he was the right candidate the Group wished to propose to chair the General Assembly in the next period. The Delegation said that it was worth mentioning that it was over 30 years since the Group last occupied this eminent position in WIPO. In short, the CEBS Group believed that it was time for the Group to chair the General Assembly, and that it had in Ambassador Zvekić a good candidate for this job. The Delegation also proposed Ambassador Alfredo Suescum of Panama and Mr. Makiese Kinkela Augusto of Angola as the two Vice-Chairs for the General Assembly.

12. The Delegation of the United States of America, speaking on behalf of Group B, said that it was delighted to second the nominations that had just been made, and looked forward to a wonderful chairing from the Ambassador of Serbia.

13. The Delegation of Pakistan, speaking on behalf of the Asian Group, also said that it had the honor to second the nominations of Serbia for the Chair and Panama and Angola for the posts of Vice-Chairs.

14. The General Assembly elected Ambassador Uglješa Ugi Zvekić (Serbia) as its Chair and Ambassador Alfredo Suescum (Panama) and Mr. Makiese Kinkela Augusto (Angola) as its Vice-Chairs, on September 26, 2011.

15. The newly elected Chair of the General Assembly, Ambassador Uglješa Ugi Zvekić made the following statement:

“Honorable Ministers, Excellencies, Director General, Heads of Delegations, Distinguished Delegates, Ladies and Gentlemen. It is indeed a great honor and pleasure for Serbia and for myself to chair this forty-ninth series of meetings of the Assemblies of the Member States of WIPO.

“On behalf of my two distinguished colleagues, Ambassador Suescum of Panama and Counsellor Kinkela Augusto of Angola, and on my own behalf, I would like first of all to thank all the Member States for the trust they have placed in us by electing us in positions of such high responsibility. We confirm our commitment to remain impartial and diligent while respecting the procedural guarantees befitting our obligation(s) as Chair and respectively Vice-Chairs of the WIPO General Assembly. I would also like to pay tribute to and thank those who have been carrying out these duties over the past two years, namely the outgoing Chair, Ambassador Alberto Dumont and his two distinguished Vice-Chairs for their efforts to facilitate dialogue and seek consensus in the discussions and deliberations of the Organization. The Assemblies that open today, will review past WIPO activities, evaluate progress achieved and will work on future strategies to meet the challenges of intellectual property (IP). IP is a key instrument to manage technological innovation and cultural creativity and it also contributes to the large global challenges we face today. We have in front of us a rather busy agenda and numerous hours and days of hard work. Our time is limited and my opening remarks will therefore be brief.

“During these Assemblies we will review the performance, auditing, finances of WIPO and approve the Program and Budget that will guide the work for the next two years. We will also engage in discussions around other administrative matters such as WIPO policies on investment or on languages, and we will have an update on the strategic realignment program that is so fundamental to WIPO’s own development and modernization. We will review the work of the Committees and WIPO bodies and will provide them with guidance for the months ahead. In a number of areas, discussions have progressed considerably and we have before us a proposal for convening a diplomatic conference on the protection of audiovisual performances. These will, I do hope, show the path for similar results on other policy areas as they become more mature. As a cross-cutting subject, we will review the mainstreaming of developmental matters in the work of the Organization and, in particular, we will discuss the implementation of the Development Agenda recommendations. In this context, I would like to invite and encourage all delegations to work in a constructive and open spirit and to be able to show generous flexibility when required. I will need the support and cooperation of all of you as essential elements of the consensus building exercise to guide us to the end of these Assemblies.

“Excellencies, intellectual property has a profound impact on national policy matters. We are aware of its importance on cultural and technological developments; its role in the larger global challenges is as relevant. We will be considering and deciding in the next days the direction of key areas in a manner that may improve the conditions of our citizens across the world. The stakes are high and this Organization requires our engagement. We will only be able to provide it in a consensual manner if we are all able to show cooperative approach to finding solutions to the issues that face us independently of their complexity or sensitivity. The higher interest needs us to adopt a constructive attitude and to show leadership in our negotiations. We will also have time to meet in a more relaxed

mode and strengthen our personal relations and we should definitely use any such opportunity.

“Excellencies, Ladies and Gentlemen, Delegates, I would like to conclude, once again, by thanking you for electing me to this high position and promising all my best efforts to steer the Assemblies to a successful conclusion that will, no doubt, satisfy the interests of the Member States and the Organization itself.

“I thank you very much for trust given to me and the two Vice-Chairs.”

16. When opening the session of the General Assembly on September 28, 2011, the Chair of the General Assembly recalled that although they had elected the Chair and Vice-Chairs of the said Assembly on September 26, 2011, there were still a number of officers to be elected in order for the Assemblies and other bodies to function properly. He announced that as a result of informal consultations among Group Coordinators, a document (A/49/INF/4) which had been distributed to the Member States contained the names of the candidates for the posts of different Assemblies and Bodies of WIPO. As there were no comments or questions on the proposed slate of candidates, the Chair therefore declared the officers listed in document A/49/INF/4 elected.

17. The Chair informed the Assemblies of the Member States that he would continue informal consultations which had been started by his predecessor Ambassador Dumont, in order to come up with an orderly process for election of officers of the Assemblies and other bodies. He hoped that the consultations would finish in time for presentation to the next Assemblies.

ITEM 3 OF THE CONSOLIDATED AGENDA

ADOPTION OF THE AGENDA

18. Discussions were based on document A/49/1.

19. After due consideration, each of the Assemblies and other bodies concerned adopted its agenda as proposed in document A/49/1 (hereinafter referred to in this document and in the documents listed in paragraph 2 above as “the Consolidated Agenda”).

ITEM 4 OF THE CONSOLIDATED AGENDA

DIRECTOR GENERAL'S REPORT

20. The Director General's Speech is recorded as follows:

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

“It is a pleasure for me to join the Chair of the General Assembly, Ambassador Zvekić, in extending to you a warm welcome to this session of the Assemblies of the Member States of the World Intellectual Property Organization (WIPO). Let me congratulate Ambassador Zvekić on his appointment as Chair and say how much I am looking forward to working with him over the next two years. I am very confident that he will be able to steer the meetings of the Assemblies to successful outcomes on the many issues that lie before them. Allow me also to thank the outgoing Chair,

Ambassador Alberto Dumont, for his dedicated service over the past two years and for his advice and guidance over that period.

“I have distributed this morning a detailed report on the main achievements of the Organization over the last year. I shall not repeat the contents of that Report in these remarks. Rather, I would like to take the opportunity to comment on three broad areas or developments that I believe deserve special mention.

“The first area is the financial condition of the Organization, which is always and naturally of primary concern to the Member States. I would like to assure you that it is also of primary concern to the Secretariat. Without sound finances, the work program of the Organization is impossible to undertake, let alone achieve.

“The income of the Organization results, as you know, from the market use of the services that the Organization offers through its Global IP Systems - the Patent Cooperation Treaty (PCT), the Madrid System for marks, the Hague System for designs and the WIPO Arbitration and Mediation Center. In 2011, demand for our services in these systems has returned to pre-crisis levels and started to advance beyond them. International applications under the PCT, the Madrid System and the Hague System have increased by 9.58%, 7.4% and 21.5%, respectively. Revenue has not increased by a commensurate amount, however, because of the adverse impact of the sharp appreciation of the Swiss franc, an impact that will be corrected, for the future, as the adjustment mechanism foreseen for such currency fluctuations takes effect towards the end of this year.

“A lengthy and very productive discussion has taken place between the Member States and the Secretariat in preparation for, and during, the meeting of the Program and Budget Committee on the question of how to approach estimates of market activity for the coming biennium in view of the financial and economic uncertainty that pervades the current global economic outlook. I would like to acknowledge how helpful this discussion has been. We have maintained our forecast of an increase in revenue of 4.7% because this is what the data are telling us at this stage. We also believe that there are sound reasons why the data say this, namely, the increasing rate of investment in intangibles, the multipolar nature of economic growth and changing patterns of use of our Global IP Systems. Nevertheless, out of respect for those who were less optimistic, we proposed to lower expenditure to the level of a 3% increase only. Furthermore, we undertook to monitor very carefully the data and to adjust when as and when they begin to tell a different story. We will keep the Member States closely informed of any evolution in the situation. I would like to thank the Member States for having agreed to this compromise and I look forward to the approval of the draft Program and Budget for the next biennium on these terms later this week.

“The second area that I should like to mention is the completion of our new building. We shall launch it officially this evening and celebrate it as an architectural object then. Here, I would like to speak of its organizational significance. As you know, this is a project that has been around for a long time - since the early 1990s actually. The new building is now complete and some 500 staff have been re-located from rented premises to it. It is a wonderful working environment and the staff response to it has been very positive. A great many of my colleagues worked to achieve this over the past three years. The successful completion of the building gives us confidence that we are able to complete a major project on time, on budget and with some style. We intend to repeat that experience with the New Conference Hall, on which work has begun, with the aim of holding the meeting of the Assemblies in it in 2013.

“The last area of special mention is the Organization’s normative program. The past year has seen positive outcomes in a number of areas. A breakthrough was achieved on audiovisual performances and a recommendation will, I hope, be approved this week to convene, or to re-convene, a diplomatic conference for which the vast part of the subject-matter has already been agreed. This breaks a deadlock that has lasted for 11 years. In the same Committee, the Standing Committee on Copyright and Related Rights, a major advance was made towards agreement on the content of an international instrument for improving access to published works on the part of the print-impaired. A new work plan was also agreed in the area of the protection of broadcasting organizations.

“Great progress has also been made in the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). Texts have been prepared and have been actively negotiated. The terms of the renewal of the mandate of the IGC for the next biennium were agreed by the IGC and are before the Assemblies for approval. It is the first time that the IGC itself has reached agreement on the renewal of its mandate without having to appeal to the Assemblies to help it to do so.

“Other areas where progress has been made include the work on designs in the Standing Committee on the Law of Trademarks, the adoption of a substantive work program by the Standing Committee on the Law of Patents for the first time in a number of years and the proposed revision of the Lisbon Agreement on the International Registration of Appellations of Origin.

“It has been noticeable in all the meetings that produced these results that the atmosphere amongst Member States has greatly improved. Delegations are very constructively engaged in looking for solutions. A nascent confidence in the Organization’s capacity to agree is appearing. We can only rejoice in this development. While it is fragile, it is momentous and I would like to thank all Member States for the extraordinary engagement that has made this possible.

“One might say that confidence in the Organization’s capacity to develop the international legal framework is not only welcome, but also necessary, in view of the magnitude of the challenges that face the rapidly evolving world of intellectual property (IP). Everywhere one looks in that world, one sees challenges. That is not necessarily a negative thing. Challenges arise not just from difficulties, but also from change, most notably, for IP, the broad transition to economic systems in which intangible assets are increasingly the target of investment and the source of wealth generation.

“Of the many challenges for IP that spring to mind, let me mention three that I believe will be amongst those that dominate the landscape in the coming years.

“The first is the management of demand or the management of the volume of IP applications that are being filed around the world. With over 1.2 trillion United States dollars being invested worldwide every year in research and development (R&D), it is hardly surprising that the number of IP applications continues to rise. We should see this as a long-term trend, even if the trend is subject to a temporary slowdown in the present economic context. Let me give you two sets of figures to illustrate the trend. In the United States of America, the first patent, under the current numbering system, was issued in 1836. In 1911, the one millionth patent was issued. In 2011, the eight millionth patent was issued. In China, in 1989, 9,659 patent applications were filed, together with 48,411 trademark applications and 158 industrial design applications. Twenty years later in China, 241,367 patent applications, 795,759 trademark applications and 367,613 industrial design applications were filed.

“These examples from the world’s largest economies are mirrored in many other economies. The direction is clear. So too, probably, is the objective that we would all like to see attained, namely, cost-effective, simple, accessible and efficient IP systems that deliver quality IP titles and that serve the interests of innovation. What is less clear is how we are going to get there. The answer to the challenge is likely to be a complex one, involving action on many fronts, including more efficient use of WIPO’s Global IP Systems, some legislative action, work sharing arrangements and improved technical infrastructure. But to develop the answer, the international community is going to need an advanced capacity to agree.

“A second major challenge is the migration of all content to digital formats and the Internet. Many of the artefacts of our culture, including CDs and DVDs for music and films, newspapers and perhaps, eventually, books are endangered species. One estimate sees the newspaper becoming extinct worldwide by 2040 or 2050. I do not cite these developments to deplore them. I cite them to recall that we are not far away from a world in which the vast majority of our sources of cultural nourishment, other than live entertainment and personal interactions, will be available only in digital formats and through the Internet. A world where musical, audiovisual and literary cultural creations are content and their expression is virtual is not a distant reality.

“We are all aware of the impact that this transformation is having on the world of copyright. Many governments are actively exploring approaches to the challenge, some of which are very exciting. Like the challenge of demand management, the solution is likely to be a complex one, involving law, infrastructure, cultural change, institutional collaboration and better business models. Like demand management again, there is a sense of urgency and the solution will require a deep engagement and commitment to find agreement.

“The third challenge that I would mention is the enhancement of the capacity of the least developed and developing countries to participate in and use the IP system for encouraging innovation and cultural creativity. This will continue to be an area of special focus for the Secretariat. We have made some progress in improving the delivery of our capacity-building services by introducing strategic planning and by “mainstreaming” or having all the services of the Organization address the capacity of developing countries in their delivery. We have also developed a number of databases, platforms and services that increase the opportunity for developing countries to use the knowledge and information generated by the IP system. We have office automation and modernization projects in over 50 countries, with 40 more countries awaiting such projects. But we are aware that there is room for more improvement and we look forward to working with the Member States to effect that improvement.

“Let me conclude by expressing my thanks to all my colleagues in the International Bureau for their dedication, hard work and professionalism throughout the past year. I believe that we have achieved a great deal, which I hope that my written report demonstrates. This has been their achievement.

ITEM 5 OF THE CONSOLIDATED AGENDA

GENERAL STATEMENTS

21. The Delegations and Representatives of the following 103 States, one observer entity, four intergovernmental organizations and nine non-governmental organizations made statements concerning Agenda Item 5: Algeria, Angola, Antigua and Barbuda, Argentina,

Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Botswana, Brazil, Burkina Faso, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, El Salvador, Equatorial Guinea, Ethiopia, France, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Italy, Jamaica, Japan, Kenya, Kuwait, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Mali, Mexico, Montenegro, Morocco, Mozambique, Namibia, Nepal, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Republic of Korea, Romania, Rwanda, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Republic of Moldova, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe, Palestine, African Union, *Organisation internationale de la Francophonie* (OIF), African Regional Intellectual Property Organization (ARIPO), Eurasian Patent Organization (EAPO), World Blind Union (WBU), Third World Network (TWN), Knowledge Ecology International (KEI), International Video Federation (IVF), International Publishers Association (IPA), International Centre for Trade and Sustainable Development (ICTSD), International Federation of Reproduction Rights Organisations (IFRRO), International Federation of Actors (IFA), International Federation of Film Producers Associations (FIAPF).

22. All speakers thanked the Outgoing Chair for the work he had done during the previous two years and congratulated the Incoming Chair on his election to office. They also thanked the Director General for all his work and untiring efforts in the cause of IP, together with the Secretariat for the excellent documents prepared for the Assemblies meetings.

23. The Delegation of South Africa, speaking on behalf of the African Group, commended the efforts of the Director General to prioritize development activities in WIPO, with an increase in development expenditure from 19.4 per cent to 21.3 per cent in the proposed Program and Budget for the 2012/13 biennium, and by the allocation of financial resources to Development Agenda DA projects from the regular WIPO budget. The proposed Program and Budget would build on the work that had already been done to mainstream the DA. Science, innovation and technology were key to improving Africa's competitiveness and economic growth, and WIPO had a major role to play in those areas. The African Group recognized the role WIPO could play in promoting the understanding and adoption of IP policies and laws in Member States in respect of their different levels of development, as well as enhancing the flexibility of public policies in the area of IP. Technical assistance, capacity-building activities, and development-oriented norm-setting were important if Africa was to benefit from the IP system. The African Group had been encouraged by the discussions in WIPO bodies on the role of the IP system in the economic development of developing countries and least developed countries (LDCs). It had made four substantive proposals in four different committees of WIPO, including a proposal on Genetic Resources and Future Work in the seventeenth session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC); a proposal for a project on enhancing cooperation amongst developing countries and LDCs in the seventh session of the Committee on Development and Intellectual Property (CDIP); a joint proposal on health and patents submitted by the African Group and the Development Agenda Group (DAG) during the sixteenth session of the Standing Committee on the Law of Patents (SCP); and a proposal for a revised draft WIPO Treaty on Exceptions and Limitations for Persons with Disabilities, Educational and Research Institutions, Libraries and Archives, submitted in the twenty-second session of the Standing Committee on Copyright and Related Rights (SCCR). The proposals by the African Group underlined the importance of development in the activities of WIPO, and would reinforce the implementation of the DA. In the area of norm-setting, four issues had attracted the particular attention of the African Group, namely the protection of audiovisual performances; exceptions and limitations to copyright and related rights; the protection of broadcasting organizations; and the protection of genetic

resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs). The African Group welcomed the conclusions of the twenty-second session of the SCCR on resolving the impasse concerning the draft treaty on the protection of audiovisual performances, and was looking forward to the reconvening of the suspended session of the diplomatic conference with a view to adopting the treaty. Significant progress had been made in the discussions on exceptions and limitations to copyright and related rights. The African Group welcomed the work program on exceptions and limitations adopted at the twenty-first session of the SCCR, and which mapped out the text-based work to be undertaken in a phased manner in respect of persons with print and other reading disabilities, libraries and archives, educational and research institutions and persons with other disabilities, with a view to developing one or more international legal instruments. Constructive engagement on these issues should prevail in the SCCR. The African Group felt that, after years of discussions, the time was ripe for the SCCR to embark upon negotiations on a treaty for the protection of broadcasting organizations. The work plan adopted at the twenty-second session of the SCCR would facilitate those negotiations. Although the African Group would have preferred the General Assembly to convene a Diplomatic Conference for the adoption of an international legal instrument or instruments for the effective protection of GRs, TK and TCEs, in alignment with the 2009 mandate of the IGC, it was pleased with the progress made in the negotiations on TCEs and TK. However, it was also concerned about a lack of political commitment to negotiations on GRs. Any further procrastination in the negotiations on mandatory disclosure requirements would undermine the letter and spirit of the IGC's mandate. Given that the General Assembly was about to renew the mandate of the IGC for 2012/13, the African Group stressed the need to develop an international legally binding instrument or instruments for the effective protection of GRs, TK and TCEs. The African Group further welcomed the WIPO language policy, which would progressively ensure equal treatment of the United Nations (UN) official languages within WIPO. It was also pleased that Portuguese had been recognized as a "passive language" in WIPO. The African Group welcomed consultations by the Director General on developing a policy on WIPO external offices. Africa was the only region without a WIPO external office. The African Group therefore supported a formal policy that would facilitate the opening of such offices. Formal discussions could be held to decide on the parameters of that policy. Progress had been made on developing an appropriate mechanism for the selection of Chairs in WIPO under the guidance of the former Chair of the General Assembly. The mechanism should be finalized as soon as possible because current WIPO practices needed to be aligned with those of other UN organizations. While welcoming the implementation of the coordination mechanism and monitoring, assessing and reporting modalities of the DA, a mechanism adopted by the 2010 WIPO General Assembly to enable WIPO bodies to report on the implementation of the DA recommendations, the African Group recommended that all relevant WIPO bodies, including the Program and Budget Committee (PBC), should report on their mainstreaming of the DA, which transcended all WIPO activities. The African Group noted that WIPO governance was another issue worth mentioning. Eventhough Member States differ on the details, there was universal agreement that there was a need to improve WIPO governance especially the existing governance structures so as to reflect broad activities and other institutional developments in WIPO which necessitate reforms. Improvements to WIPO governance should not be misunderstood as overhauling WIPO governance structures. By WIPO governance structures, it referred in particular to the PBC, and the Coordination Committee and the improvements that should be considered regarding their executive functions, frequency and duration of meetings, and the nature of their sessions, amongst others, as well as general governance issues such as the mechanism to select Chairs, enhanced oversight system and the calendar of events by Member States. Other recommendations by WIPO oversight and audit committees should also be considered in order to improve transparency, efficiency and democracy in WIPO's system of governance. Enhanced engagement and a coordinated approach amongst Member States was needed to agree on the improvements Member States wanted the organisation to introduce pertaining to its governance. The Group was convinced that improved governance at WIPO would help to accelerate the process of efficiency and enhance predicatability and transparency.

Within that context, the Group hoped it would be able to make its own humble contribution to the improvements to WIPO governance concomitant with the decision by the eighteenth session of the PBC. As the governance issues would also be reviewed by the Independent Advisory Oversight Committee (IAOC), the African Group took this opportunity to welcome the appointment of the new members of the IAOC who started their terms in February 2011. The Group was particularly pleased with the inclusion of two women in the Committee. The composition of the IAOC signifies the realisation of not only the principle of balanced geographical representation but also of gender representation. The Group was particularly proud to have Ms. Mary Ncube from Zambia representing its region in the Committee. The African Group commended WIPO's achievements during the past year, which were largely the result of enhanced dialogue amongst Member States and between the Secretariat and Member States, that dialogue being important since it encouraged trust and created a constructive environment for an exchange of diverse views.

24. The Delegation of Pakistan, speaking on behalf of the Asian Group, stated that, irrespective of their differing levels of development, most countries in the Asian region were faced with a diverse range of challenges in building and supporting their national IP protection regimes. The nature and magnitude of those challenges were indicative of the absence of a "one-size fits all" approach in that context. The situation on the ground reaffirmed the need for customized IP strategies for those countries at different levels of development. However, translating that recognition into reality remained a far greater challenge. The Delegation encouraged WIPO to intensify its efforts in working with members to develop national IP strategies that reflected a country's level of development and thereby established the relevance of IP protection in enhancing its economic and technological capacity. The Asian Group had an abiding interest in the WIPO DA, which regarded development as the ultimate aim of the global IP system, a system which was balanced and flexible in meeting the needs of different members. The Delegation considered that a calibrated, country-specific IP system was essential in today's world. More importantly, the global IP system should evolve in a balanced way to support the developing and LDCs in achieving their development objectives. The evolution of the IP system should also encourage innovation and creativity, and keep pace with the rapidly evolving global technological, geo-economic, social and cultural environment. The Delegation, noting its appreciation of progress made hitherto with regard to the steps taken by the Organization and its performance during the past year, stressed that it should focus more on improving global IP Services while keeping in view the DA recommendations and their implementation. The DA should not be reduced to an array of activities centering on technical assistance and merely duplicating what was already being done, albeit on a larger scale. The Delegation pointed out that, as the world became increasingly interlinked, WIPO had to play an effective yet prudent role at the global level. The Asian Group welcomed the establishment of the Global Challenges Division at WIPO and its three-fold focus: health, climate change and food security, all issues of utmost importance to the Asian region. The Delegation took note of the Report of the CDIP contained in document WO/GA/40/5. Initial progress made in mainstreaming the development dimension across all areas of WIPO's work was appreciable. In advancing that mainstreaming process, the Asian Group supported the resumption of the CDIP following the suspension of its seventh session. It was important to highlight that, as a UN organization, WIPO had a responsibility to promote and implement South-South cooperation, as a complement to North-South cooperation, and the Delegation reiterated the need for the international community to support the efforts of the developing countries to expand South-South cooperation. The Delegation was hopeful that the proposed project on South-South Cooperation would be expeditiously adopted by consensus once the CDIP had been reconvened. The Delegation was heartened to note that the decision by the Forty-Eighth Assembly to adopt the Coordination Mechanisms and Monitoring, Assessing and Reporting Modalities was being implemented and was bearing fruit in the shape of the first report describing the contributions of the relevant WIPO bodies to the implementation of the respective DA recommendations. The Asian Group also looked forward to resumption of the suspended Session of the Committee on WIPO Standards (CWS). It believed that the CWS should

become operational within its mandate as agreed by the General Assembly, including in the areas of technical assistance and capacity building. The Group also welcomed the proposed Program and Budget for the 2012-2013 biennium. The Asian Group was of the view that effective oversight by Member States of WIPO's budget and management coupled with a transparent and consultative approach adopted by the Secretariat contributed enormously to improving WIPO's effectiveness, by building trust between the Secretariat and Member States, as well as among Member States themselves. The proposed budget aptly reflected the various viewpoints of the Member States. The increase in the Organization's expenditure on development from 19.4 to 21.3 per cent was appreciable. It was hoped that the increase would translate into concrete initiatives to support the social, cultural and economic development of countries in the field of IP. The Asian Group also recognized that providing premier global IP services remained one of the core missions of WIPO as it generated over 90 per cent of its income through the provision of services such as the Patent Cooperation Treaty (PCT), and the Madrid and Hague systems. As a rapid increase in demand for applications under the PCT and Madrid system had been witnessed in recent years, especially among certain Asian countries, WIPO should deploy appropriate staff and resources to cope with the broadening geographic scope. The Delegation took note of the Report of the Work of the SCCR as contained in document WO/GA/40/6. The Group welcomed the decision of the SCCR to recommend to the General Assembly that the suspended 2000 Diplomatic Conference on the Protection of Audiovisual Performances be resumed. The Group also recognized the ongoing discussions in the SCCR on exceptions and limitations as a very positive development, since exceptions and limitations established the necessary balance between private IPRs and public use in the context of national policies and development goals. As regards the report on the work of the IGC, the Delegation was pleased to note that negotiations were being held as to the best way of finalizing an international legal instrument or instruments for effective protection in those areas. The Group had been encouraged by the progress made in that regard and looked forward to a timely conclusion of the procedure. It also recognized the efforts made by one of its Members, the Government of Oman, which, in collaboration with WIPO, had hosted an international technical seminar on registration and documentation systems in relation to the protection of TK and TCEs in June 2011. The Delegation was satisfied to note that the 19th Session of the IGC had agreed to recommend to the WIPO General Assembly the renewal of the IGC's mandate for the 2012-2013 biennium. In conclusion, the Delegation stated that the Asian Group remained committed to working with the WIPO membership and Secretariat on the positive path they were following.

25. The Delegation of the United States of America, speaking on behalf of Group B, expressed satisfaction with WIPO's efforts to maintain the Organization's place as the global IP authority, to encourage innovation and creativity worldwide and to promote an effective IP system. Those efforts would continue to foster economic, social and cultural development of all countries. Group B was convinced that, regardless of regional group affiliation, Member States should continue to foster mutual understanding in order to make progress. Group B also attached great importance to the long-standing practice of making all decisions in the Organization by consensus. Since the last Assemblies, progress had been made in various sectors of the Organization, such as in the SCCR, the SCP, the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), and the IGC. Positive results had also been achieved during the eighteenth session of the PBC, which had concluded with the recommendation that the General Assembly adopt the proposed Program and Budget with modifications. Amid concern over the fragility of the global economy, many Member States had expressed reservations about the significant increase in spending originally proposed by the Secretariat. Reconsideration of the original proposal had resulted in an agreed budget which did not affect development activities or the administration of the registration unions. Group B welcomed and supported the recommendations of the PBC. Group B would also appreciate a continuing focus on efficiency gains throughout the forthcoming biennium. The past year had also seen the establishment of the new Independent Advisory and Oversight Committee (IAOC), which would be able to review the recommendations of the former Audit

Committee from a risk management perspective and work closely with WIPO to reduce the risk associated with recommendations identified by the IAOC as having a very high risk. The Delegation also encouraged the IAOC to work with the new Director of the Internal Audit and Oversight Division (IAOD) and the External Auditor to create more synergies and strengthen WIPO's auditing and oversight functions. IAOC was to work closely with the PBC to address a number of identified concerns, with the goal of continuing the strengthening of WIPO governance. One of the Organization's recent successes had occurred in the SCCR, where positive engagement had led to the SCCR's recommendation to resume the 2000 Diplomatic Conference on a treaty for the protection of audiovisual performances, with an agreement on the one outstanding article and a precise plan for the completion of the treaty. Although work on addressing the needs of the visually impaired and persons with print disabilities had not been completed, Group B was firmly committed to working with other delegations to achieve a positive result. Group B was similarly committed to advancing a treaty for the protection of broadcasting organizations. During the fifteenth and sixteenth sessions of the SCP, Member States had agreed on a balanced work plan, and Group B would help to lead those projects to a positive conclusion. The SCT had started work in the area of designs, and a diplomatic conference might be convened as a result. Group B noted the significant progress made in the IGC over the past 12 months. Finally, Group B was pleased to see a proposal from the IGC for a renewal of its mandate. Such rich progress in the various fields was proof that WIPO would remain the global IP authority. Group B welcomed the progress made with the Strategic Realignment Program (SRP), and the informative briefings organized by the Secretariat. Group B was confident that the reforms being implemented through the 19 initiatives, comprising the four core values, would enable WIPO to be a more responsive, efficient organization providing global IP leadership and achieving its Strategic Goals. Group B welcomed the Director General's continuing efforts to establish a values-based integrity and ethics system and looked forward to the development of an ethics training program for management and staff. Moreover, Group B believed the Ethics Office should be strengthened and adequately resourced. Group B had welcomed the Declaration of Interest program introduced in 2009. That program would be enhanced by a Financial Disclosure program to further support the integrity of the Organization.

26. The Delegation of Panama, speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC), thanked the Director General for demonstrating his commitment to the issues of special interest for that region, and said that it was confident that his commitment would continue. GRULAC was pleased with the positive atmosphere that had enabled progress to be made in the vital issues under discussion in various committees, such as the PBC, the SCCR and the IGC. In terms of the work of the IGC, GRULAC urged the General Assembly to welcome the recommendation to renew the Committee's mandate. In that sense, it restated its interest in achieving agreement on all issues being dealt with by the Committee, so as to establish and ensure the effective protection of the GRs, TK and folklore of GRULAC member countries. In relation to exceptions and limitations to copyright, GRULAC commended the progress made in that area. The Delegation restated the GRULAC position that progress should be made towards adopting a treaty for visually impaired persons and other people who had difficulty accessing the printed word. For the countries of the region, the issue was of major importance, because it would provide access to knowledge for vulnerable groups that had been previously marginalized and that should be given priority in society, by promoting, protecting and ensuring full enjoyment, in conditions of equality, of the human rights and fundamental freedoms for disabled people, as laid down in the principles and objectives of the United Nations Convention on the Rights of Persons with Disabilities. As for other items on the SCCR agenda, the Delegation declared that GRULAC recognized the progress made in protecting audiovisual performances, and confirmed its resolute and committed will to continue collaborating constructively on that matter. The Delegation also affirmed that, GRULAC hoped the Committee would step up its efforts to achieve concrete progress towards the protection of broadcasting organizations. Furthermore, GRULAC repeated and underlined the importance for the Regional Group of the implementation of the language policy at WIPO, and in that sense the

Delegation highlighted the step forward represented by including Spanish, as well as all the other official UN languages, in the documents of the various working groups, and not simply for the Committee documents. It was of particular interest to GRULAC that the expansion of that policy to working groups was implemented as quickly as possible. GRULAC restated its long-standing position that, based on considerations of quality, accuracy, savings and efficiency, the application of the language policy should continue to be improved substantially in the areas of interpreting, publications, webcasting and the Organization's website. Since the adoption of the DA and the creation of the CDIP, GRULAC had supported WIPO in its work to integrate the development dimension throughout the Organization, and it should carry out such work as a specialized UN agency, so as to contribute to the achievement of the Millennium Development Goals (MDGs). In that context, it was vital to review the current situation of the Committee, in order to ensure continuity for the projects it initiated, and to make efforts aimed at ensuring that the coordination mechanism created by the Assembly kept Member States informed of progress made in a coordinated way in terms of implementing the DA, by means of concrete activities and the contribution of the various committees to the recommendations relevant to them. In order to improve the practical aspects of the process of electing Chairs of WIPO Committees, GRULAC considered it necessary for the President Elect of the General Assembly to continue the valuable work done by Ambassador Dumont, so that the consultation process for setting up an institutional mechanism based on the principles of equity, balanced representation and certainty could be finalized as soon as possible. As far as the work of the WIPO Secretariat was concerned, the Delegation asserted that GRULAC highlighted the constant work that the Regional Bureau for Latin America and the Caribbean did for the region and the work of the Organization, and that the Group was interested in ensuring that the Office had sufficient human and financial resources to carry out the work needed by the region. In that sense, it was a source of great satisfaction to GRULAC and the region that the Secretariat had given a guarantee at the most recent PBC about the availability of funds and other support needed to implement the cooperation activities requested by the countries of the region. GRULAC underlined the important work of the WIPO Academy for the training of human resources in the region, by means of educational, training and research programs. The Delegation stated that GRULAC was proud of the fact that the WIPO Creative Industries and Culture Sector was headed by a national of a GRULAC country. Lastly, on behalf of GRULAC, the Delegation called on WIPO Member States to continue a high-level dialogue on issues within the Organization's remit. GRULAC was convinced that differences of opinion enriched debates and made it possible to reach solid and lasting solutions, in order to consolidate a better IP regime to the benefit of WIPO and Member States. It was only through sufficient development of the IP system, by rewarding creativity and innovation, that greater economic and social development could be achieved.

27. The Delegation of Slovenia, speaking on behalf of the Central European and Baltic States (CEBS), wished to highlight several areas in which the CEBS Regional Group had seen significant progress over the past year. Firstly, the Regional Group wished to acknowledge the decision by the Member States to recommend that the Program and Budget for the 2012/13 biennium should be adopted by the General Assembly. The planned increase in expenditure on development activities would be reflected in the positive impact of measured activities in the field. The Group also welcomed the measures that had been taken to ensure the continued strategic realignment of WIPO, in particular, the improvements to the Medium-Term Strategic Plan (MTSP) for the period 2010-15. It was hoped that the MTSP would help to strengthen and improve the management and development of IPRs under the WIPO umbrella. WIPO governance had recently been strengthened, mainly due to the appointment of the IAOC. The IAOC had proved to be highly credible, motivated and dedicated in its advisory role and the Group looked forward to seeing increased cooperation between all bodies responsible for auditing and financial oversight. During the Sixty-Fourth (23rd Extraordinary) Session of the WIPO Coordination Committee in July, Member States had expressed overwhelming support for, and confidence in, WIPO Management with regard to the resolution of pending staff-related issues and the improvement of communications and

cooperation with staff. The Group encouraged all the interested parties to engage in a constructive dialogue in order to find solutions. The agreement reached during the Fifteenth Session of the SCP would allow for further constructive discussions and should lead to the harmonization of patent law at the international level. The Group acknowledged the success of the Twenty-Second Session of the SCCR, in particular in the field of the protection of audiovisual performances, and hoped that a new international instrument would be forthcoming. More needed to be done to offer broadcasting organizations adequate protection at the international level. Access to copyright protected works for persons suffering from a print disability had been improved significantly, yet further effort was required in order to reach an agreement acceptable to all stakeholders. The SCT was extremely important. The Group welcomed the progress that had been made with respect to the draft provisions of the industrial designs law. The possibility of convening a diplomatic conference in the next biennium with a view to adopting a design law treaty could be discussed with the other Member States. Such an instrument would serve as a useful tool for promoting innovation and creativity. The Group supported the adoption of the recommendation relating to the mandate for the IGC. Finally, the Group recognize the importance of the work of the CDIP. It was unfortunate that a single issue had caused the suspension of talks. If all Member States cooperated and worked constructively, then that issue would be resolved at the next Session of the CDIP. Furthermore, efforts should continue to implement the DA recommendations, launch other pending projects and find viable solutions for modalities for a coordination mechanism for the DA at the next session.

28. The Delegation of China gave a brief account of China's encouraging achievements in various IP fields over the past year, noting that since the adoption of the National IP Strategy in 2008, further progress in IP protection had been made in China. After the entry into force of the revised Patent Law in 2009, the draft revisions of the Trademark Law were made public on September 1, 2011 to solicit comments and suggestions, whereas the third revision of the Copyright Law was also on the legislative agenda of the Central Government, and was set in motion in July 2011. As regards its number of IP applications, the Delegation was happy that it had already been noted. However, it cited a few other figures to show the strengthened capacity of IP creation in China, as was evidenced by its ever increasing number of patent and trademark applications. It observed that the first eight months of 2011 saw 303,000 invention applications filed, of which 232,000 were domestic, or a year-on-year increase of 43.7 per cent; a total of 10,701 PCT international applications were filed, or an increase of 38.1 per cent from last year, and 43,000 PCT applications had entered China's national phase, up by 15.2 per cent year-on-year. Between January and August in the current year, 925,093 applications for trademark registration were received, or 35.26 per cent higher than the previous year, among which 743,698 were examined. In the same period, 26,073 trademark opposition applications were received, and 33,489 such cases were settled. The Delegation reported that the environment for IP protection had been under constant improvement in China. To that end, the Government of China had launched a nine-month campaign in October 2010 to crack down on IP infringement, copyright piracy and fake or shoddy products. Through well-coordinated efforts involving a number of agencies and localities over those nine months, IP authorities at various levels acted together with the Ministry of Public Security and the General Administration of Customs in dealing a heavy blow to those responsible for IP infringement and copyright piracy as well as such acts over the Internet, and in ensuring a comprehensive headway in the use of authorized software nationwide. The Delegation noted that the rapid increase of investment in China by global enterprises, as well as its ever rising number of patent and trademark applications, demonstrated China's firm commitment to and confidence in IP protection. It stated that China unveiled its 12th Five-Year Plan in 2011, in which strategic adjustment of the economic structure was made a key priority. It affirmed that in order to make such adjustment possible, one important tool would be through scientific and technological advancement and innovation, in which the IP system had an indispensable role to play. The Delegation believed that China's efforts in recent years to develop and improve its IP system had contributed, and would continue to contribute, to further development of the global IP system, and that China

would like to learn from, and share experiences with, other countries in the field of promotion of IP undertakings, with an aim to strive jointly for common development and meet challenges of the future. It commented that WIPO had always been working to promote development and improvement of IP systems worldwide, and China had received strong support from WIPO under its successive Directors-General in its efforts to establish and develop its IP system. The past year saw further cooperation between China and WIPO in many fields, including raising public awareness and personnel training. The co-hosting of the Advanced Roving Seminars on PCT had greatly promoted the use of PCT in China. In 2010, the number of PCT applications filed by Chinese applicants exceeded 10,000 for the first time, moving China to the world's fourth largest user of the PCT system. In 2011, in order to improve public awareness on the use and protection of industrial designs in China, WIPO and China jointly organized the first Roving Seminar on Industrial Design Protection. Several other seminars were also jointly held in China in the course of 2010 and the first four months of 2011 to promote the use of the Madrid system for international trademark registration, and attracted participants from over 4,000 companies. China ranked sixth in terms of numbers of applications under the Madrid system. In the area of copyright protection, a study was conducted under the auspices of WIPO on the exemplary copyright protection work carried out in Dehua, a county located in the Fujian Province of China. The Delegation thanked WIPO for its longstanding support, and looked forward to deeper cooperation in the years ahead. It continued that in the new era of globalization, and with the new advances in science and technology, innovation policies were considered as national strategies in more and more countries, and global issues such as climate change, food security, public health and energy crisis had brought both new challenges and fresh opportunities to the international IP system. It was happy to note that against that backdrop, WIPO, under the leadership of its Director General Mr. Gurry, was implementing the SRP, the Medium Term Strategic Plan (MTSP) and the nine Strategic Goals as proactive responses to the latest developments in the changing world. It also welcomed the efforts by WIPO to continue to strengthen its internal governance and to speed up the process of formulating its language policies, with the active participation of its Member States. The Delegation commended WIPO for its efforts to raise its capacity and international profile, and supported WIPO as the most universal, representative and authoritative UN specialized agency in the IP field, to play an important role as the coordinator of global IP affairs, so that together with its Member States, WIPO would meet their common challenges and promote a balanced development of the international IP system. In that respect, the Delegation made a few proposals in relation to IP development within the framework of WIPO, saying that it was imperative to further improve and strengthen the PCT system which, as an important international patent application system, had a significant role to play in facilitating the filing of patent applications, in promoting invention and innovation activities in various countries, and in advancing the international IP system as a whole. The Delegation reiterated its commitment to its continuous participation, with an active and open attitude, in the WIPO-led PCT reform process within the current legal framework. It recalled that it had proposed to include China's patent documentation in the PCT Minimum Documentation, and regarded it as a contribution to the further development of the PCT system. With the rapid increase of patent filings in China, its patent documentation was also expanding rapidly. By August 2011, documentation for inventions, utility models and industrial design in China reached 6.65 million pieces, and it was growing by hundreds of thousands every year. It believed that the inclusion of patent documentation in Chinese into the PCT Minimum Documentation would enable patent examiners from various countries to search more complete prior art documents, thus improving the efficiency and quality of PCT searches, and making greater contributions to global technological innovation, invention and creation, as well as to the comprehensive development of the IP system. The Delegation reaffirmed that China had made, and would continue to make, unremitting efforts towards that goal. At the PCT Working Group and PCT International Authorities meetings, that proposal made by China received warm support, for which it expressed its gratitude, and hoped that such active support from the Member States would continue. It then reiterated its appreciation and support to the constructive work in the SCCR,

as well as its commitment and support to the work of the IGC. It commended all parties for their hard work in reaching consensus and in achieving the desired results, and hoped to see an early breakthrough in future discussions. Last but not least, it believed that the ongoing discussions in the CDIP would not only have a lasting impact on developing countries, but also benefit developed countries, whose interests were closely entwined with those of developing countries in an era of globalisation. It expressed its hope that WIPO would provide adequate financial and human resources to ensure speedy and efficient implementation of the adopted recommendations, thus bringing tangible benefits to developing countries, especially the least developed ones. It concluded by pledging China's full support to the work of the Assembly and other WIPO committees, assuring that as a responsible developing country, China would actively participate in the discussions under various important agenda items. It expressed its readiness to have an open and candid exchange of views with other parties on various global challenges and IP-related issues of common interest. It wished to have more engagement and cooperation with other Member States and join efforts to advance the global IP system. It then passed the floor to another member of the Delegation, the representative from the IP Department of China's Hong Kong Special Administrative Region to make some additional remarks on the latest IP developments in Hong Kong. The Representative from China Hong Kong emphasized the special efforts in Hong Kong to further expand its IP industries for more economic development. It noted that a large number of patents held by inventors had not been put to work for profits, and that many SMEs were unable to achieve transformation or upgrading due to the lack of R&D funds and time. In that regard, Hong Kong wished to promote the demand for IP related intermediary services, so as to create an IP-centered transformation model. It continued that Hong Kong had always been advocating the idea of IP trading, and informed that a seminar focusing on IP trading would be held with other IP institutions from mainland China in November, in addition to other related commercial and trade events. The objective was, it concluded, to foster related development and create a win-win situation, for which it pledged its readiness to cooperate with all interested parties all over the world.

29. The Delegation of Egypt, speaking on behalf of the Arab Group, stated that the DA illustrated the importance of enhancing capacities of developing countries and LDCs to integrate and benefit from the knowledge-based economy. There was a need to go beyond traditional technical assistance activities and embark on value-added projects that took into consideration varying development levels and specific economic and social conditions. Such projects should help developing countries to establish National IP Strategies based on available flexibilities, exceptions and limitations. Projects should respond to specific needs and priorities of Member States, contribute to the promotion of local creativity, foster development efforts and reinforce science and technology infrastructure. While regretting the suspension of the CDIP seventh session, the Arab Group looked forward to resume discussions in the November CDIP session to address outstanding issues, including the adoption of south-south development projects. The Arab Group welcomed the implementation of the 2010 General Assembly decision for all WIPO bodies to report to the General Assembly on the implementation of DA recommendations. The Delegation considered that more needed to be done to ensure that IP was used to support development in developing countries. In order to improve development work, there was a need to promote creativity, facilitate transfer of and access to technology, and ensure that protective IP policies did not hamper development efforts nor restrict public policy space or flexibilities that were available to developing countries. The Arab Group emphasized the need for WIPO to maintain communication with Member States regarding the integration of the development dimension into the Organization's activities and projects. In its norm-setting activities, WIPO should ensure that such IP norms supported development objectives and took into consideration flexibilities that helped developing countries in setting up their development strategies. The Arab Group stressed that integrating the global IP system should not run contrary to national public policy objectives. For the IP system to fulfill its role as a tool for wealth creation, progress and development, it should be recognized that countries needed IP legislation and public policies which were in line with their respective conditions. The IP system should reinforce rather than reduce public policy space, including food security, public health,

environment and climate change. The Arab Group welcomed the adoption of the 2012/13 proposed Program and Budget, including an increase in development share to up to 21.3% (compared to 19.4% in the previous biennium). The Delegation also welcomed the consensus reached by Member States in the IGC seventeenth session on the renewal of its mandate. The IGC should continue its text-based negotiations to agree on a legal international instrument or instruments for the effective protection of GR, TK and TCEs. Preparations should also be made for convening a diplomatic conference in 2012. The Arab Group welcomed efforts by the Secretariat for TK registration and documentation, and highlighted the outcome of the International Technical Workshop on Documentation and Registration of Traditional Knowledge and Traditional Cultural Expressions (Muscat, June 26-28, 2011), organized by WIPO in cooperation with the Government of Oman. The Workshop demonstrated the significance of TK registration and documentation as part of norm-setting activities in the field of TK, TCEs and GR. In addition, Workshop participants expressed support for a proposal by Oman to establish an International Register for Traditional Knowledge and Traditional Cultural Expressions as a technical background for international, regional and domestic enactments. The Arab Group called for work on drafting the said proposal in treaty language for its integration into an appropriate international legal instrument. With regard to efforts made by the Palestinian National Authority (PNA) to end occupation and establish an independent State, the Arab Group praised the work by the PNA in building effective national institutions and capacities in the field of IP and sustainable development. Such efforts would contribute to build a strong national economy, enhance technology transfer and safeguard the heritage, material and human resources of Palestinians. The Arab Group welcomed those efforts and called for further support to Palestine. The Arab Group welcomed the participation of the Palestinian Minister of Economy and his Delegation in the current General Assembly. Such participation reflected Palestine's vision to develop its IP institutions and capacities, and its accession to the UN and other specialized agencies, including WIPO. The Arab Group welcomed the recommendation of the PBC eighteenth session on the adoption of the WIPO Language Policy which ensured the extension of language coverage, including Arabic, to all WIPO Committees, Main Bodies and Working Groups, including new publications, by 2015. The Arab Group looked forward to the extension of such policy to interpretation services and WIPO's internet website. The Arab Group wished to emphasize that the increase in high-quality outsourced translation services, especially in developing regions, would allow for further cost-saving while contributing to capacity and institution building in developing countries. The Arab Group looked forward to more extensive and accelerated consultations regarding the Policy on WIPO's External Offices which, it hoped, would result in the creation of an Office in the Arab Region. The Arab Group wished to express concern regarding the long-awaited recruitment of a Director of the Arab Bureau, as such delay would adversely affect the smooth implementation of cooperation activities. In conclusion, the Arab Group reiterated support for WIPO's efforts with a development dimension.

30. The Delegation of Singapore, speaking on behalf of the Association of Southeast Asian Nations (ASEAN), stated that cooperation between ASEAN and WIPO continued to broaden and intensify, adapting to the changing needs of individual ASEAN countries. Activities included patent and trademark examination training, promotion of creative industries, IP asset management, accession to international registration systems and the formulation of national IP strategies. Those multi-faceted joint projects remained rooted in the shared belief in the importance of IP for social, economic and cultural development. The activities reflected the mainstreaming of IP development in the region and, more importantly, WIPO's assistance in placing IP at the core of national development plans to support growth. Trademark activities in Indonesia, Myanmar and Viet Nam had focused on the development of trademarks into brands and into franchising opportunities to enhance competitiveness. The DA project on IP and product branding for business development was being implemented in Thailand. Another area of focus was the strengthening of IP infrastructure to improve the capacity of IP Offices to participate effectively in the global IP system. A project plan had been formulated for Cambodia and the Lao People's Democratic Republic in the context of the DA project on smart IP

institutions. Activities were also being conducted in the Philippines and Brunei on digitization and dissemination of IP information as well as on integrated management of IP Offices. A competition on innovative solutions in everyday life had been launched in Malaysia to improve understanding of the role of IP in promoting creativity and innovation. In Singapore, the WIPO Singapore Office had served to reinforce WIPO's presence in the region and remained a symbol of WIPO's commitment to ASEAN. The WIPO Office's work in advising on the international registration systems, arbitration and mediation and collective management of rights had been useful and beneficial for ASEAN. At the institutional level, the involvement of WIPO in the ASEAN Working Group on IP cooperation and the annual consultation between the Director General and the ASEAN Committee in Geneva served to strengthen the partnership between WIPO and ASEAN. With those positive developments the Delegation was confident of and grateful for WIPO's continued partnership with ASEAN, particularly as ASEAN moved towards its own economic integration target of 2015. Notably the ASEAN IPR Action Plan 2011/15 reflected the approach to address IPR issues in a systematic and comprehensive manner. ASEAN welcomed the areas identified for cooperation with WIPO, namely accession to the Madrid Protocol, Hague Agreement and other international IP treaties, the modernization of IP Office systems, the support for capacity building of patent and trademark examiners, technology innovation support offices and copyright exceptions and limitations for the visually impaired and persons with disabilities. The Delegation looked forward to WIPO's active engagement to help ASEAN achieve its goals and objectives set forth in its IPR action plan. Major steps had been taken in WIPO's normative agenda in the past year and ASEAN welcomed those achievements resulting from leadership and cooperation among all WIPO Members and the effective support from the Secretariat. It firmly supported earlier comments mentioning the positive atmosphere currently being witnessed. ASEAN strongly supported the resumption of the suspended Diplomatic Conference on the Protection of Audiovisual Performances and looked forward to the continuation of its negotiation in the coming year. Progress had also been made in the work on limitations and exceptions for persons with print disabilities. ASEAN was committed to improving access to copyright-protected works for the visually impaired and persons with disabilities and would request the inclusion of copyright exceptions and limitations as an area of cooperation between ASEAN and WIPO in the coming year. Another issue of importance for ASEAN was the work of the IGC. While recognizing that the IGC had a lot of work ahead, ASEAN welcomed the considerable progress already made to develop texts on the issues under consideration. It underscored its support for the renewal of the IGC's mandate along the terms agreed at IGC 19 and an acceleration of its work to develop international legal instruments for the effective protection of GRTKF. With a new mandate, the IGC needed to move forward on a basis of greater consensus and build up areas of common ground while narrowing divergence. To that end, ASEAN called for more active engagement by all Member States, more cross-regional policy dialogues and, importantly, a needed political will. The implementation of the WIPO DA and the work of the CDIP continued to be central to ASEAN's interests. ASEAN's development experience epitomized the conviction that IP protection was not an end in itself but a means to promote public interest, technological progress and development. In that context, the continued efforts to mainstream the DA into all areas of WIPO's work and to bring greater coherence to WIPO's development activities were welcomed. In advancing that process, ASEAN supported the resumption of the CDIP as soon as possible subsequent to the suspension of its seventh session. ASEAN stood ready to engage constructively with all Member States in expediting the implementation of the 45 DA recommendations in all WIPO activities. The past year bore testimony to the deepening collaborative relationship between ASEAN and WIPO. The Delegation looked forward to building on that strong foundation and pledged ASEAN's firm commitment to working with fellow Member States and the Director General in advancing the Organization's work.

31. The Delegation of India, speaking on behalf of the DAG, stated that the principal objective of the Group, which had been set up in April 2010, was to integrate a development dimension into the discourse and decisions on IP within WIPO, as mandated by the DA. That did not mean that the DAG did not value IP or sought to diminish its importance in any manner. On the

contrary, it believed that IP was an important contributor to socio-economic growth and development everywhere and that it was increasingly becoming a critical asset in a growing global knowledge economy. It was, therefore, even more necessary to contextualize IPRs within the larger framework of development, both in order to ensure that IP regimes were appropriately tailored in different countries, and to foster socio-economic growth and development. The DAG was happy to see the progress that had been made in integrating the development dimension in various facets of WIPO's activities over the past year. Headway had been made in three key areas: norm-setting, organization-wide mainstreaming of development, and program and budget. In the important area of norm-setting, impressive progress had been achieved in developing consolidated texts on TK, TCEs and GRs, along with a focused, thematic work program to facilitate their finalization in the renewed mandate of the IGC for the 2012/13 biennium. The Group hoped that the instruments would be finalized in a timely manner and adopted within the current biennium at a diplomatic conference. The DAG was also pleased to see that a clearly defined work program had been evolved in the SCCR to develop a suitable normative framework for providing exceptions and limitations to copyrights to make copyright-protected works accessible to visually impaired persons, libraries, archives, education, research and other groups of persons with disabilities.. The DAG viewed exceptions, exclusions and limitations as an intrinsic and essential part of the IPRs framework that brought the much-needed balance between private IPRs and larger public interests, in the context of national public policies and development goals. The DAG hoped that those discussions would give rise to the effective international harmonization of exceptions and limitations in those key areas in a timely manner, and in accordance with the work program. The fact that the ongoing discussions on norm-setting in the area of industrial design were expected to take on board the development implications of the proposed norm-setting was encouraging. The Group welcomed the progress in the discussions concerning the long-pending treaties on the protection of audiovisual performances and broadcasting organizations and looked forward to the early finalization of the two instruments. It was hoped that Cluster B of the DA pertaining to norm-setting would be mainstreamed in all forthcoming WIPO norm-setting initiatives. The DAG was heartened that a significant step forward had been taken in respect of mainstreaming the DA in all areas of WIPO's work, through the adoption and operationalisation of the coordination mechanism and monitoring, assessing and reporting modalities. The Group welcomed the first set of reports submitted by various WIPO bodies to the General Assembly, and looked forward to detailed consideration in that regard within the CDIP, as mandated. The balanced work programs that had been evolved in the SCP, the PCT Working Group and the Advisory Committee on Enforcement (ACE) were encouraging. They reflected the complexities of the global IP discourse and took into account divergent perspectives while reflecting development concerns. The Group welcomed, in particular, the agenda item on patents and public health in the SCP and looked forward to progress being made regarding the joint proposal presented by the DAG and the African Group. It hoped to see the early revival of the dormant Committee for Technical Assistance, provided under Article 51 of the PCT, in order to better enable the PCT system to coordinate technical assistance projects for developing countries under the PCT. The DAG was glad to note that the discussion on WIPO governance reforms, which had been initiated the previous year, remained on the agenda of the PBC, with a clear plan of action to move forward. The DAG had submitted its proposals in writing, and looked forward to the implementation of feasible reforms to WIPO's existing governance structures, such as the Coordination Committee and the PBC, in order to further streamline the functioning of the Organization, without necessitating a radical reform or overhaul of WIPO's governance structures. Another encouraging progress was the integration of the development perspective in WIPO's programs, program performance reports and budget. The DAG was glad to note that development remained a strategic priority for WIPO with a relative increase of 1.9 per cent in the percentage of WIPO's budget dedicated to development expenditure in the upcoming biennium, as compared to the budget of the current biennium. Mainstreaming development was not only a strategic goal for WIPO, but a pragmatic and necessary component of the global IP regime, if IP was to play a credible role as one of the contributors to socio-economic growth and

development. While the DAG warmly welcomed the upward revision in terms of 21.3 per cent of the budget being allocated to development expenditure as compared to 19.4 per cent in the last biennium, it was important to arrive at an objective assessment of the precise extent of resources being spent on development-oriented initiatives and activities. In order to do so, it was imperative that we come to a clear and shared understanding of what constitutes 'development expenditure' and what activities could be qualified as 'development activities'. In the absence of such a precise definition, inflated figures could lead to misleading impressions that a large percentage of WIPO's budget was being spent on development-oriented activities. The DAG, therefore, was happy that that important gap had been recognized by the PBC, and looked forward to refining and fine-tuning the definition of 'development expenditure' for drawing up the next budget for the 2013/14 biennium. The DAG took positive note of these encouraging developments, and wished to place on record its appreciation to the Director General and his team, as well as all Member States for the spirit of cooperation displayed by them, this past year. As in any big institution dealing with important issues, there was always more that needed to be done. This was especially true for the DA in WIPO, considering that the DA was barely four years old in an Organization whose origins were more than a century old. The DA will continue to be a 'work in progress' and the DAG hoped that it will continue to play its due role in bringing about a lasting paradigm shift, in which IPRs were viewed not as an end in themselves, but as a means to the larger end of fostering development and in finding solutions to the most pressing problems being faced by humanity, such as climate change, food security, energy security and health. While welcoming the ongoing implementation of DA recommendations through time-bound, specific thematic projects, the DAG highlighted the importance of not losing sight of the larger picture and to collectively seek to employ IP for the improvement of mankind everywhere, through calibrated norm-setting, protection, enforcement and technical assistance. In that context, it attached importance to the work being undertaken in the area of global challenges by WIPO, focusing on health, food security and climate change. As developing countries that are most affected by these challenges, the DAG looked forward to being regularly apprised of the work being done by the Global Challenges Division in that area in an appropriate inter-governmental forum such as the CDIP or the SCP, apart from routine updates to the PBC. The Group welcomed the Secretariat's efforts to assist Member States in evolving appropriate national IP strategies designed to contribute to national growth and development, as well as the establishment of Technology and Innovation Support Centers (TISCs), in a nascent form in some developing countries. In its view, efforts such as these that are aimed at promoting home-grown innovation in developing countries, contribute to democratizing and globalizing IP ownership and enable developing countries to become stakeholders in the international IP system. That, in turn, enables developing countries to contribute to global technological innovation, economic growth and productivity, which was urgently needed in a world that continues to confront a persisting and deepening global economic crisis. The DAG looked forward to a more meaningful role being played by the technology and innovation support centres as 'national innovation hubs' and urged a more serious and transparent approach to helping developing countries evolve country-specific IP strategies that utilize available flexibilities and advance development. Against this larger canvas of the world economy, South-South cooperation in the area of IP was critical. South-South cooperation was an established element of the UN mandate, and South-South trade and co-operation in diverse areas such as health, environment, labor, food and agriculture were actively promoted by the UN and its specialized agencies. It was, therefore, anomalous and unfortunate that a project simply aimed at promoting South-South dialogue on IP had not been approved in WIPO. The DAG hoped that the proposed project on South-South cooperation would be adopted by the Member States when the CDIP resumes its session in a few weeks, thus enabling WIPO to join other UN organizations in fostering intra-South cooperation, in tandem with North-South and triangular cooperation. The DAG hoped that the –newly created CWS whose first session was regrettably suspended owing to a partial rejection of its mandate by some Member States, would be able to resume its work after Member States reached a common understanding of its mandate given by the General Assemblies in 2010. "Provision of

technical advice, assistance for capacity-building and support to IP Offices in undertaking projects on IP information dissemination” as provided in the General Assembly’s mandate were established ways of mainstreaming the technical work done by the Committee in developing countries and in ensuring that they are integrated in the outcomes of its work. The DAG, therefore, hoped that the CWS would be allowed to resume its work and retain its mandate, including in the areas of technical assistance and capacity-building, while clarifying the exact nature of those activities in the context of the committee’s work, if necessary. It also hoped that the active participation of developing countries in the CWS would be encouraged and facilitated, including through funding assistance for such participation. The DAG reiterated its commitment to participating constructively in the Assemblies’ deliberations in order to contribute towards a productive and successful outcome. In conclusion, the DAG commended WIPO and its Member States for moving in the direction of a balanced and inclusive global discourse on IP that was supportive of development objectives and considerations. The DAG hoped that WIPO would be able to further advance in the journey it has embarked upon since 2007, and make progress towards contextualizing IP and using it as a means of promoting innovation, growth and development, everywhere.

32. The Delegation of Nepal, on behalf of the Group of Least Developed Countries (LDCs) noted several programs and activities launched by the Organization for the protection of IP and the development of the IP system, which included WIPO’s valuable contributions to the United Nations Least Developed Countries Fourth Conference in Istanbul, as well as the initiatives launched in the LDCs which provided technical assistance to generate IP awareness, modernization and capacity building of national IP Offices. The Delegation felt that LDCs required going beyond a simple project-based approach to address the structural weaknesses inherent in LDCs with a view to improving their poor IP infrastructure and stated that technical assistance and capacity building for LDCs were vital, and that the needs assessment of the LDCs should be coordinated effectively to ensure their full compliance with their pressing requirements and priorities. The Delegation referred to the conference outcome document of the Fourth United Nations Conference on the Least Developed Countries in Istanbul in May, 2011, which had adopted a program of action for the LDCs for the decade 2011 to 2020, and identified a number of priority areas for action which included precisely defined actions to be taken by the LDCs themselves with their development partners, multilateral organizations and other stakeholders. The imminent challenge was to ensure the effective and unfailing implementation of the program of action to augment the developmental level in LDCs and enable half of 48 LDCs to graduate from the Least Developed Countries category by 2020. The Delegation indicated that there were a number of priority areas for action where WIPO could contribute within its mandate, which included: productive capacity, agriculture, food security and rural development, women and social development, trade, technology, addressing multiple crises and other emerging challenges as the major priorities underpinning the Istanbul Programme of Action (IPoA). The Delegation drew the attention of the meeting to paragraph 153 of the IPoA which invited the Governing Bodies of the United Nations Funds and Programs and all the multilateral organizations to contribute to the implementation of the program of work and to integrate it into their respective programs as appropriate. The Delegation noted the submission of a brief resolution for the consideration of the Assemblies to formalize the integration of the IPoA into WIPO’s program and work, and appealed to the Member States for its adoption. The Delegation underlined the need to have an equitable and efficient IP regime based on modern information and technology in which there was increased participation from LDCs. That required building human, institutional and physical infrastructure including in the field of technology to harness the innovative and creative potential of the people in LDCs. The Delegation stated that the 2009 LDCs’ ministerial meeting had made important recommendations for the benefit of LDCs, including the submission of an annual report on the implementation of the Declaration, the creation of the LDC Trust Fund, the provision of the LDC Division with sufficient human and financial resources and the inclusion of separate checks for LDCs in the Program and Budget. The Delegation welcomed initiatives that supported the implementation of the Declaration and urged expeditious and concrete action to assist the LDCs

to overcome their economic, financial and administrative constraints and harness their potential for economic development. The LDC Group attached importance to the work of the CDIP and the efforts made by it in mainstreaming the development concerns of the wider spectrum of WIPO membership. The Delegation urged resumption of the suspended seventh session of the Committee and its support to enable it to fulfill its important mandate that included developing work programs for the implementation of the DA and its monitoring. The realization of the DA was indispensable if a sustainable IP system were to be created. The Delegation noted that technology had made breakthroughs to transform the world and had brought prosperity to the lives of human beings. There was a need to address the technology gap and knowledge and digital divide between the LDCs and other countries. The divide in IP and its ills was indeed going to perpetuate the divides in income, living standards and every attribute of life, and the creation of a favorable IP environment was essential for economic development. Advances in technological capability, production investment, and innovation were key to knowledge and wealth creation. The Delegation felt that a new set of tools was needed to address emerging problems that had never been foreseen and called for the transfer of appropriate and productive technology and the dissemination of information for creating a sound and viable technological foundation to promote knowledge, creativity and innovation for the benefit of the economy and society. TK, GRs, TCEs and folklore needed to be seen from the overall perspective of socio-economic development, while formulation of national legislation to protect them from misappropriation was necessary, since protection measures at the national level alone were not enough. The Delegation stated that serious efforts were needed to develop comprehensive strategies to protect the rich cultural heritage and use the precious indigenous resources for wealth creation and employment innovation. Initiatives to protect them through a copyright and related rights system and other appropriate mechanisms to ensure mandatory disclosure of the TK in the country of origin were also required. The Delegation welcomed the progress made by the IGC, in the ongoing text-based negotiations on the normative standards that were aimed at ensuring their protection and was of the view that the Committee should be allowed to continue its work until a clear and acceptable legal instrument had been finalized and put in place. The Delegation was encouraged to see IP emerging as an integral part of the development process but noted that the domain of IP had not been immune from the ongoing impacts of the financial and other emerging crises. According to an Organisation for Economic Co-operation and Development (OECD) report, spending on research and development had significantly declined in 2008 and 2009. IP had been quick to respond to the signs of recovery in 2010. The early review of the international patent system published by WIPO indicated that in 2010 the world would see an almost six per cent increase in patent filings as an indicator of the creation of new goods and services. The Delegation stated that the biggest growth had occurred in the emerging markets but that growth had not been equitable. In fact, the top three sub-regions had accounted for over 80 per cent of patent filings and in the race to foster creativity and knowledge LDCs did not feature. The crucial importance of IP in an economy could not be overemphasized at the current time with looming crises of all kinds. Indeed, IP had the potential to contribute to resolving the most challenging problems in generating jobs and economic growth. Innovation was needed in order to discover new climate serving technologies, generate noble life saving medicines, introduce new technologies in agriculture and bring the marginalized into the mainstream for creativity and knowledge. At a time when the world was undergoing social and economic pressure, the role of IP remained pivotal in promoting decent jobs, thereby generating sustainable lifestyles, addressing the crisis and contributing to a fair, inclusive, stable and secure situation.

33. The Delegation of Algeria expressed satisfaction at the major projects carried out by WIPO over the past three years under the enlightened leadership of Mr. Francis Gurry, whom it also thanked for the presentation summing up his annual report. Algeria of course endorsed the statements made by South Africa, India and Egypt, respectively, on behalf of the African Group, the DAG and the Group of Arab Countries. Algeria was one of the countries stressing the need for the IP system to incorporate a development dimension, so as to narrow the gap between developed and developing countries. Indeed, the current century was that of the knowledge

economy, knowledge which had to be shared in order to promote the well-being of all rather than monopolized to ensure the technological domination of a few. Many sectors for the production of goods and services depended on technology and innovation. Because of those two factors, the IP system was the driving force for social and economic progress and development. In the future, that system could be an asset for countries rather than a constraint. Algeria had therefore taken numerous steps to derive maximum benefit from the opportunities opened up by the IP system. The new industrial strategy that was being implemented was based on the development of multiple sectors. That strategy was primarily geared to relaunching industrial production and ensuring that national economies were integrated into the world economy. Multilateral action, whereby WIPO could play a predominant role in technical assistance and capacity-building for developing countries, could help guarantee the success of such steps. In that connection, Algeria welcomed the projects initiated by WIPO in conjunction with the DA, which had been launched in 2007. The visit of the WIPO Director General to Algiers in October 2010, which had culminated with the signing of a framework cooperation agreement between Algeria and WIPO, had highlighted the value of IP-driven growth in national economic recovery. It had also provided an opportunity to increase awareness of IP issues among decision-makers and the media in Algeria. The Delegation was in favor of renewing for 2012/13 the IGC, and hoped that the negotiations during that new term would come to a successful conclusion with the adoption of one or more legally binding international instruments, above all on the protection of folklore, TK and GRs. Fortunately, the Member States of the SCCR had reached a consensus on Article 12 of the draft Treaty on the Protection of Audiovisual Performances, which had remained in abeyance since the last diplomatic conference in 2000. In that respect, the Delegation encouraged the General Assembly to reconvene the diplomatic conference as soon as possible to adopt the treaty in question. Algeria, like the other countries on the African continent, recognized the need to ensure that international standards for copyright exceptions and limitations be established for the visually impaired, but specific standards had also to be set for the benefit of teaching, research, libraries and archive centers. A work program similar to the one adopted by the Committee would facilitate the negotiations to that end. The Delegation welcomed the progress made in implementing the DA. It hailed the fact that more than 20 per cent of the Organization's budget for the 2012/13 biennium was earmarked for that purpose. It reaffirmed the principle of funding the DA out of WIPO's ordinary budget rather than depending on reserves, which were more uncertain. It would also prefer the full utilization of the loans allocated to that end. However, there was a need to work out a more comprehensive definition of development activity, based on the one proposed by the Secretariat in conjunction with the draft program and budget for the 2012/13 biennium. That would make it possible to define useful benchmarks for measuring the cross-cutting integration of the development dimension in the activities of the Organization. Algeria was delighted to see the progress made, particularly the adoption of the mechanism for coordination, monitoring, evaluation and reporting on the implementation of the DA. It was important to initiate discussions within the Committee on Intellectual Property and Development (CDIP). In that connection, the Delegation supported the proposals made by the African Group and the DAG during the previous two CDIP sessions, aimed at making that question a standing item on the CDIP agenda. That body should also examine WIPO's role in achieving the MDGs and prepare the future conference on IP and development. Algeria supported the governance option which had been adopted at the PBC session. It was in favor of continuing to promote ethical values within the Organization, as proposed by the Ambassador of the United States of America on behalf of Group B. That proposal concerned one dimension of the overall improvement of governance rather than an isolated topic. In that connection, the Delegation supported the proposals made by the African Group advocating, firstly, the reform of existing WIPO bodies rather than the creation of new structures, and, secondly, the establishment of objective rules for the distribution of elected positions on WIPO bodies, in accordance with the principle of geographical rotation. It further stressed the need to define the broad lines of future WIPO policy with regard to external offices, as the criteria identified by the Secretariat for the creation of such offices had to include the principle of geographical balance

within regions. That principle should further be observed even within a given region, in view of the cultural and linguistic diversity that characterized each subregion. As the Ambassador of South Africa had recalled, the African region had no external office, a gap which should be filled. Finally, the Delegation announced that Algeria intended to accede to the Madrid Protocol shortly. The instrument of accession would be deposited with the WIPO Director General as soon as the internal procedures had been completed. The Delegation thanked WIPO for its awareness-building efforts undertaken with a view to encouraging Algeria to accede to the Madrid Protocol.

34. The Delegation of the Republic of Korea expressed its concern that the financial crisis in the world's major economies would lead to a global economic downturn and in particular weaken investor and customer confidence, and discourage the creation of IPRs which could in turn affect the activities of WIPO and its Member States. The Delegation stated that WIPO's role in the global IP field had been increasing, and believed that WIPO needed to take steps to avoid any reduction in its activity which could be achieved by strengthening WIPO's role as a service provider and by improving efficiency through internal reform. WIPO also needed to extend and improve its means of communication with customers and devise mechanisms to ensure that investors and applicants overcame the current difficulties caused by the economic recession and continued to create IPRs. That would provide a firm foundation for WIPO activities. The Delegation commented on ways in which WIPO could move forward in IP services. It welcomed the improvements to the PCT system in 2011 and suggested that further improvements could be made to meet emerging user needs created by ongoing social, economic and technological development. Further progress was needed and the SCP needed to advance on the broad discussions on patent law harmonization. Regarding trademarks and designs the Delegation noted the drop in usage of the Madrid system to only 36.9 per cent of all international registrations of trademarks in 2009 compared to 2008. That drop indicated that users still had difficulty with some parts of the system but once the system had been reformed to meet the needs of potential users, it would experience tremendous growth similar to that seen in the PCT system. The Delegation would therefore actively support the SCT and hoped that its deliberations would lead to the establishment of a design law committee. In terms of trademarks and industrial designs, the Republic of Korea had been promoting an approach to ensure that domestic laws were harmonized with international systems. The Delegation reported that in 2011 the Republic of Korea had acceded to the Locarno Agreement and Vienna Agreement and planned to accede to the Hague Agreement and the Singapore Treaty on the Law of Trademarks (STLT) in 2012. Copyright issues such as the protection of broadcasting organizations, the protection of audiovisual performances and limitations and exceptions to copyright and related rights were being actively discussed in WIPO. In particular, the 22nd session of the SCCR had shown significant and substantive progress in regard to the protection of audiovisual performances. The Delegation expected that effective and well balanced international instruments for the protection of audiovisual performances would be adopted by consensus in the near future. The Delegation believed that the WIPO DA, which was closely related to the MDGs of the UN, should be actively promoted. The Republic of Korea had contributed to the development field by sharing its experiences and achievements in respect of recent economic growth. The Delegation indicated that the Republic of Korea would increase its annual contribution of 930,000 Swiss francs to the Korean Funds in Trust at WIPO, for both the copyright and the industrial property areas, by a further 150,000 Swiss francs for the promotion of the fund based projects. The Delegation believed that IP systems were a great means of overcoming the global economic crisis and WIPO, as the overseer of the global IP system, could play a crucial role to overcome the crisis, especially given that it had the backing and support of its Member States.

35. The Delegation of Japan expressed its deepest appreciation to the Secretariat and Member States for the heartfelt condolences and support extended immediately after the Great East Japan Earthquake which resulted in a Tsunami. The Government of Japan had requested countries, where Japanese companies filed applications, to take bail-out measures for the

earthquake victims. That announcement was warmly welcomed by many countries. The Delegation, on behalf of the Japanese applicants and the nation of Japan, extended its utmost gratitude to all delegations. After serious contemplation about what could be done for its Nation in such a time of national crisis, the Delegation was strongly convinced that the Government of Japan needed to revitalize the industry by actively promoting innovation, which will eventually contribute to early recovery from earthquake disaster and further economic development. The Delegation hailed the continued importance of IP policy in promoting innovation in industry and noted Japan's commitments in that context. The Delegation cited recent amendments to the Patent Act aimed at enhancing system user-friendliness, protecting both inventors' rights in cases of joint research and development, protecting license agreements, and promoting the rapid resolution of IP disputes. Those changes would contribute greatly to the promotion of innovation and IP policy in Japan. The Japan Patent Office (JPO) was a fervent advocate of work-sharing with a view to securing patent protection without unnecessary delay. The Delegation explained that, with the recent economic globalization, companies were more likely to file a patent application claiming the same invention with multiple IP offices had led to a rapid growth of the number of patent filings in developed countries and developing countries. Under such circumstances, workloads in IP offices were increasing, resulting in long pendency and heavy redundancy in examination. The Delegation added that the examination of the same invention in various IP offices was redundant, was hindering early patent protection and harming incentives for innovation. Therefore, securing early patent protection was extremely important not only for Japan but also for global users of the system, and could be achieved by reducing workloads through global work sharing. The JPO had established: a Patent Prosecution Highway (PPH) program; a Dossier Access System, allowing examiners to mutually refer to the search and examination results at the United States Patent and Trademark Office (USPTO), European Patent Office (EPO) and Korean Intellectual Property Office (KIPO); and an Advanced Industrial Property Network (AIPN). The JPO had PPH agreements with 15 countries and regions and provided examination results free of charge through AIPN for 37 IP offices worldwide. The Delegation referred to patent harmonization talks among the Five IP Offices (IP5), involving China, Europe, the Republic of Korea, the United States of America and Japan. Discussions on work sharing showed that it was helpful for reducing workloads but also shed light on the innate problem of differences existing in the IP systems and operations of each country. The Delegation stated that patent harmonization was important in order to minimize the differences for the users of the system --who are the key players of the innovation—and avoid, for example, that the examination of the same invention in different countries produces different results. An agreement had been reached at the IP5 Heads Meeting in June 2011 to begin such talks on the understanding that patent harmonization would be based on reciprocal respect for national sovereignty. The Delegation observed that those talks were open to all and welcomed the participation of all interested countries and government agencies. Regarding issues related to the DA and IP, the Delegation was satisfied that work programs for implementing the 45 adopted recommendations of the DA were being discussed. Japan would continue to advocate early implementation of those recommendations. For over 20 years, Japan had made voluntary contributions through the Japan Funds-in-trust for Industrial Property, annually offering some 2.3 million Swiss francs, primarily to developing countries and LDCs in the Asia-Pacific region. As a result, more than 1,100 persons had been accepted as trainees in Japan or had been sent as experts to developing countries. Since 2008, Japan had provided around 1.1 million Swiss francs annually to Africa, and in 2011 had sponsored the "Policy Forum on Partnership between WIPO/JPO and the African Regional Economic Communities on Leveraging Intellectual Property for Economic Development", held in Zambia. The Delegation reported that the WIPO Japan Office (WJO), established in 2006 by, and run under, the Japan Funds-in-Trust, had been working extensively with the same aim. The Delegation wished to take the opportunity to present the recent activities of the WJO. The preceding week, the winner of an anti-counterfeiting Manga competition, held by WIPO in spring 2011, had been published. It was presently available on the WIPO website free of charge, and printed copies were also available at the CIGG entrance gate. Manga was one of the characteristics of

modern Japanese cultures, and had big fans all over the world. The project aimed at raising awareness about the counterfeiting issue through Manga. Currently, only English and Japanese versions were available, but it soon would be translated into other UN official languages. The Delegation encouraged the use of Manga for global awareness campaigns, and hoped that it would be factually helpful for that purpose. The Delegation also mentioned the potential role of the WJO as a promotional service center for the global IP system, such as PCT or Madrid, utilizing JPO's abundant experience in the IP field and noted Japan's intention to take on that role in cooperation with WIPO. The Delegation expressed its high expectation with regards to WIPO's efforts on six major issues: Firstly, a strong leadership of the Director General in accomplishing the process of restructuring the Organization through the SRP, focusing on IP protection to promote creativity and innovation and providing solutions to global issues; Secondly, a sound, efficient and steady implementation of IP policies, meeting users needs through an efficient budget management; Japan welcomed the Secretariat's efforts in the Program and Budget 2012-2013 and expected the budget to be approved by the General Assembly; Thirdly, further improvements to the PCT system to make it truly user-friendly. With more than 70 per cent of the total revenue of the Organization, the PCT had become the foundation of WIPO activities, an indispensable tool for the development of global business of large users, but also an important tool for business development and economic growth of key players in innovation including companies in developing countries and SMEs in all countries; Fourthly, improvements in the design system since designs were becoming more and more important in business activities and the need for more user-friendly procedures was given growing attention. Japan welcomed this trend and expected practical and productive discussions to continue steadily on this issue; Fifthly, progress in the discussions at the IGC, through a patient and steady step by step approach. Japan expected WIPO to take initiatives in approaching various international IP issues, with the contribution of experts and in cooperation with other international agencies. Japan also expected the mandate of the IGC to be renewed by the General Assembly; Sixthly, progress of the discussions in order to complete copyright protection of all creative works in the field of digitization and internet transmission. Japan expected discussions on the protection of broadcasting organizations to continue steadily resulting in an early agreement. With regards to the treaty on the protection of audiovisual performance, Japan welcomed the decision of the SCCR at its 22nd session to recommend the resumption of the 2000 diplomatic conference to the General Assembly. As to exceptions and limitations, Japan recognized that it was important to enhance accessibility to knowledge to persons with print disability while ensuring a proper balance between protection and use. In conclusion, the Delegation believed that IP was an important tool for economic development as well as a solution for global issues and therefore expected WIPO, as the U.N. specialized agency specialized in IP, to continue to take lead in discussions on these issues. The Delegation reiterated that Japan would actively participate and cooperate in WIPO's activities under the strong and effective leadership of the Director General.

36. The Delegation of Italy expressed support for the statement made by the United States of America on behalf of Group B. The General Assembly provided the Delegation with the opportunity to share some thoughts on the high importance that Italy attached to IP, namely that IP was a major tool to promote innovation by rewarding investors, designers and artists as well as by securing crucial investments in industrial and scientific research and the development of innovative products, services and creative works. The Delegation emphasized that innovation had become the cornerstone on which countries built their competitiveness, reinforced their economic recovery from the global crisis and achieved further economic growth and social progress. However, there could be no innovation without protection of IPRs. Italy welcomed the return to growth in 2010 of applications to WIPO's global IP systems and the increased number of countries contributing to that growth. To consolidate that trend the Delegation considered of paramount importance the role of WIPO in enhancing worldwide awareness of the benefits arising from the protection of IPRs in strengthening the capacity of national IP Offices and the cooperation among them, and in providing essential services to the business community. Italy was interested in a wealthy, responsive and efficient WIPO and

noted the positive progress in the implementation of the SRP. The Delegation hoped that by the completion of the program further results would be achieved in terms of sound, transparent and accountable management and the provision of customer-oriented services. The Delegation also highly appreciated the choice of a cautious approach in the implementation of the Program and Budget for 2012/13 and the renewed commitment by WIPO to rationalize resources. Looking at the next biennium, Italy would support WIPO's efforts to improve the functioning, and increase the use, of the global systems for patents, trademarks, industrial designs and appellations of origin for the benefit of the businesses applying for IP protection and other users. The Delegation also considered important the technical assistance provided by WIPO to developing and LDCs to help them to benefit from the economic potential of IP. Special attention should also be given to the initiatives aimed at ensuring a greater use of IPRs by small and medium-sized enterprises (SMEs) which could be found in many regions of the world, including Europe, and constituted an important source of innovation. It was essential to reach a consensus on new and balanced agreements in major fields such as patent law (including exceptions and limitations), copyright (namely audiovisual performances and broadcasting), industrial designs, TK, TCEs and GRs. Italy welcomed the results reached in the negotiations on the protection of audiovisual performances which paved the way to the reconvening of the 2000 Diplomatic Conference and hoped that a similar outcome could be obtained in the talks on the protection of broadcasting organizations. Italy also sincerely hoped to see some progress in the negotiations on TK, TCEs and GRs. To that end, only a more reasonable and constructive spirit could make possible a long overdue compromise on such matters. Italy wished for a stronger WIPO commitment to encourage cooperation in the area of geographical indications and was actively engaged in the discussion on the review of the Lisbon System on Appellations of Origin, which had a limited membership. In that respect the Delegation advocated a solution which would not undermine the current level of protection granted to appellations of origin and which would extend the protection to all other geographical indications. Finally, the Delegation thanked WIPO for having organized during the year a Masters of Law in Intellectual Property in cooperation with the International Labour Organization (ILO) training center in Turin. Since its inception, the Masters of Law in Intellectual Property, a highly successful initiative, had resulted in providing training to about 350 public officers, professionals, researchers and students coming from all over the world, particularly from developing countries.

37. The Delegation of India stated that India was at a critical phase in developing IPRs. On the one hand there was a move to form groupings to strengthen the existing regime and enforce stiffer norms, while on the other hand there was also a growing sensitivity among others to ensure that the regime was equitable to facilitate the fulfillment of the aspirations of the majority of humanity while ensuring that the innovative processes remained unhampered. There was a need to balance the rights of the innovators against the cost imposed on society due to the protection provided. Innovation lay at the heart of long-term economic growth and international competitiveness. India had experienced consistent growth rates in the past and needed to continue along a high growth path to ensure that the huge backlog of unmet demands, whether in education, health, water or energy provision, were addressed. India continued to need innovation to make growth more inclusive as well as environmentally sustainable. Realizing the importance of nurturing innovation to achieve a higher growth path and improve India's competitiveness in the world markets and provide access to essential services, the President of India had declared 2010/20 as the decade of innovation. Consequently, the National Innovation Council had been established in India. Sector innovation councils on IPRs had been established with an objective to formulate India's national IPRs strategy for encouraging innovation with a view to adequately addressing the consequences of sustainable development including growth and food security. The Council would also formulate the medium-term policy objectives that could be the building blocks of India's IPR strategy. The IPR framework was arguably one of the important aspects of the innovation ecosystem since there were policy makers and economists who felt that the legal rights provided by IPRs drove technical innovation. That system of legal rights created an incentive to innovate but could also create monopoly situations and hinder competition and even access to technology for further

adaptation and use in unrelated sectors. In that sense it affected growth. Technology transfer provided the mechanism by which technological innovations could be shared while protecting the interests of the innovator. The issue of technology transfer needed to be addressed adequately by Member States and policies that facilitated it were to be encouraged. India was a strong believer in multilateralism and it remained committed to supporting WIPO's crucial role as a UN agency which was mandated to promote IP as a means of achieving economic development. The Delegation was pleased with the progress recently registered in several Committees of WIPO, particularly in the IGC in terms of evolving comprehensive texts on TK, TCEs and GR following the mandate in 2009 for negotiations to finalize legal instruments on GRTKF. While India welcomed the proposed renewal of the mandate of the IGC for the 2012/13 biennium to exercise the negotiations based on a clearly defined work program there was a hope that there would be a closure on GRTKF issues in this biennium with a text or texts of an international legal instrument or instruments being submitted to the General Assembly for convening a diplomatic conference. The Delegation was also satisfied that the Bali text on TCEs, TK and GR targeted by the group of like-minded countries including India could now contribute to finalizing the texts as working documents of the IGC. As one of the countries which continued to be most affected by misappropriation and bio-piracy, India attached great importance to the early finalization of international legal instruments on all three issues and the convening of a diplomatic conference within the next biennium. The Delegation was happy to see the progress being made on the draft Treaty on Exceptions and Limitations for making copyrighted work accessible to visually impaired people. The Delegation also looked forward to similar final progress with regard to the exceptions and limitations for libraries and archives, research, education and other disabled groups as outlined in the SCCR work program. The Delegation was also pleased to note the forward movement on two long-pending treaties: the Treaty for the Protection of Audiovisual Performances and the Treaty for the Protection of Broadcasting Organizations. The Delegation was similarly encouraged by the progress being made on the broadcasting treaty and hoped to arrive at a closure in the negotiations based on the 2007 General Assembly mandate for the protection of broadcasting organizations on a signal-based approach in the traditional sense without extending it to the digital environment such as webcasting or Internet broadcasting. The Delegation was happy at the progress being made in implementing the DA recommendations through relevant projects in the CDIP. The DA was an encouraging framework that called for a conceptual paradigm shift by placing IP in the larger context of socio-economic development, instead of seeing IP as an end in itself. It replaced the one-sided simplistic notion: IP was good, more IP was even better; with a more advanced and calibrated view that IP was good when it served as a tool to enhance economic growth and social development and was tailored to suit a country's needs and situation. The Delegation was also happy to note the new focus on exploring how IP could contribute to finding solutions for pressing global challenges in the areas of health, food security and climate change. WIPO's approach to such important issues was viewed as very encouraging. Given the fact that those critical issues impacted developing countries like India, the Global Challenges Division was urged to report regularly to Member States in the relevant intergovernmental committee. That would enable Member States to periodically update their view on the work being undertaken by WIPO in that area to guide programs as required and benefit from the program output for use in national contexts wherever possible. The Delegation considered the growth of the SMEs sector extremely critical for development and was confident that WIPO would continue its intensive association with the SMEs sector as it had in the past. Since the SMEs sector had many IPs, covering patents, trademarks, designs, geographical indications and copyright, any intervention in that sector would have to be comprehensive in nature and have a dedicated implementing unit.

38. The Delegation of Iraq recalled that it was widely recognized that sustainable development required first and foremost the safeguard of cultural heritage and resources, especially GRs and TCEs, and the provision of international legal protection. International endeavors and discussions within WIPO should be intensified in order to bridge the gap among societies and ensure effective application of IPRs. The Delegation recalled the ancient history

of Mesopotamian civilization which exemplified the value of human creativity. The Code of Hammurabi was considered as the first set of legal enactments in history and it subsequently set the background for the recognition of IP by establishing four Sections on IPRs and providing for scaled punishments against infringing acts. The Delegation firmly asserted that Hammurabi was the first to recognize the importance of IP in civilization. Following that route, Iraq eagerly left behind a period of isolation which the country endured particularly due to dictatorship that denied freedoms and oppressed every creative effort. With its current democratic government, Iraq focused on promoting knowledge through extensive international cooperation. Every effort was made to bridge the gap between the national and developed IP systems. The Delegation wished to recount the various achievements made in cooperation with WIPO: (i) establishment of the National Center for Copyright and Related Rights, the Patent Directorate and the Trademark Directorate; (ii) creation of the National Register for Tangible and Intangible Heritage of Iraq; and (iii) elaboration of IP curricula for schools, institutes and universities, with a particular emphasis on creative children in Iraq. The Delegation praised the yearly celebration of the World IP Day which aimed at increasing awareness and disseminating IP culture. The Delegation expressed gratitude for the useful IP references provided by WIPO, and stressed the country's need for further and wider assistance from the Organization.

39. The Delegation of Côte d'Ivoire declared that it truly appreciated the remarkable work, done under the leadership of the Director General, to accompany and boost the country's process of social and economic development. The Delegation was also compelled to mention the work of the WIPO International Bureau and the experts, as that contributed to the proper functioning of the Organization and the significant progress achieved in the activities of the various technical committees. At a time when Côte d'Ivoire was rediscovering peace and social and political stability, on behalf of the President of the Republic of Côte d'Ivoire and his Government, the Delegation wished to thank all Member States for their constant support and to express the gratitude of the Ivorian people for the commitment and determination they had shown following the post-election crisis in Côte d'Ivoire, ensuring that democracy had prevailed and that new development prospects had opened up for the country. The Delegation of Côte d'Ivoire added that, during the period of reconstruction, the country was in dire need of the precious and essential assistance of the international community and the large family of development agencies (including WIPO) to strengthen government capacities, so as to better meet the basic needs of its population in the areas of industry and culture. The Delegation affirmed that the Government of Côte d'Ivoire was moreover working from that perspective, and was committed to relaunching all cooperation programs with both bilateral and multilateral external partners. The Delegation declared that, like other WIPO Member States, Côte d'Ivoire attached particular importance to the system of intellectual, literary and artistic property, as balanced and shared management of the system could help to reduce inequalities and create more wealth for the happiness of everyone. The Delegation pointed out that Côte d'Ivoire was highly committed in that regard, and was increasing the number of actions aimed at integrating the national IP plan into its development policy and strategy, so as to establish a genuine culture of IP within all sectors of economic and social activity. The Delegation specified that, in the above-mentioned framework, each year the Ministry of Culture and Francophonie and the Ministry of Industry organized festivities to mark World IP Day, as established by WIPO. The Delegation wished to specify that, at the institutional level, the Ivorian Intellectual Property Office had considerable resources at its disposal to carry out its mission. Similarly, the Delegation stated that the fight against piracy and fraud was one of the country's key commitments. The Delegation was of the opinion that, in matters of literary and artistic property, the imminent adoption of a law on the development of books and the enforcement of the law protecting works of the mind should undoubtedly provide a lasting and effective solution to the problems that had been besetting creators. The Delegation felt that such a step should strike a balance between the holders of IPRs and consumers of works of the mind. In order for such actions to be effective, however, the Delegation considered that they had to be supported by WIPO. The Delegation therefore wished there to be an effective presence on the ground, particularly when it came to choosing Côte d'Ivoire as a host for various activities and seminars. The Delegation

stated that Côte d'Ivoire was decidedly committed to peace and stability, and that it therefore was in great need of support from its development partners, including WIPO.

40. The Delegation of the United Kingdom (UK) supported the statement made by Group B and looked forward to a constructive year. It pointed out that WIPO played a unique role as the only comprehensive international intellectual property organization in helping all Member States move together towards their goal of increased innovation and growth. The previous year, the UK had promised to share the results of the UK review of IP and Growth with the Assemblies, and the Delegation thanked the Secretariat for hosting the seminar the previous Friday. The UK was taking forward all the recommendations of that independent review which had brought out just how important IP was for boosting growth and innovation and helping society benefit from knowledge and ideas. Such constructive exchange could be encouraged by WIPO. The Delegation welcomed WIPO's ambition to propose new solutions to the global challenges the Member States faced. With the right leadership and support from its Member States, WIPO had the potential to build links between nations and bridge traditional divides. It could boost global growth and tackle national challenges such as public health and climate change. The Delegation supported WIPO's determination to achieve results, but doing so required building effective dynamic consensus, which took commitment and persistence from all involved. The WIPO Secretariat had made considerable progress over the previous year in providing a transparent and efficient service to its Member States. The Delegation hoped that WIPO would maintain its momentum so as better to deliver its mandated aims and objectives. The Director General had set an ambitious agenda of reforms. Fully delivering the Strategic Realignment Plan would be critical to getting a well-governed, transparent and effective organization. The Delegation welcomed WIPO's steps to improve the PCT, for instance by suggesting top-up searches. The PCT was an important tool whose potential was not yet fully realized. It hoped that the PCT would become a vehicle that helped to improve quality, efficiency and ease of use in the international patent system. The Delegation welcomed progress made in the SCT towards consensus on designs and hoped that an outcome would soon be reached that was agreeable to all parties. It supported progress made on accessibility for the visually impaired, the work on a treaty of broadcasters' rights as a step towards a more transparent and fair global copyright system, and the efforts of WIPO's Global Challenges Division to accelerate technology development and deployment on key global issues. It hoped that a meaningful and productive discussion could be resumed in the CDIP and was pleased to see that the IGC had been able to agree on a new mandate. It also welcomed the agreement on a coordination mechanism and stressed the importance of employing effective financial governance and project management for the future. It called on all Member States to demonstrate their commitment by contributing positively to the challenges faced and finding creative solutions. The Delegation suggested looking beyond the traditional divides that might have proved obstacles in the past and hoped that Member States would focus on what they could achieve at WIPO and try to remove obstacles in areas where so far consensus had eluded them.

41. The Delegation of Azerbaijan believed that further developing the IP system in Azerbaijan would lead to its integration into the multilateral trading system, and to a more diversified economy, development of industries other than the oil sector, high standards of living and sustainable socioeconomic development. The Government intended to invest revenues from the oil and gas sector in human resource and knowledge development. A long-term national IP strategy had been formulated with that in mind, including a program to enhance protection of copyright and other IPRs which was ready for adoption. The cooperation agreement between the Government and WIPO contributed positively to further development of the national IP system. The Government paid special attention to innovation and creativity and, during recent years, innovative development had occurred at a fast pace. It had created an infrastructure for innovation, including a Center for Scientific Innovation and a Foundation for Scientific Development. With WIPO's assistance, preparatory work for implementing the project for modernization of the national patent system was being successfully carried out and would continue in the coming years. That project included qualitative improvements to work processes

and enhanced expertise, and development of a database and electronic filing system that would link to global filing and registration systems. According to an analysis conducted in 2010, the share of the copyright-based industry was equal to 3.4 per cent of GDP. Copyright information systems had been improved, and an electronic database for registering copyrighted materials and their rights holders had been created. Since the application of that system, several thousand copyrighted works had been registered. An electronic database for registering works created digitally had been improved, and a digital library on folklore had been enriched. The Government considered it a priority to strengthen the fight against piracy. In that regard, the national law on enforcement of IPRs had been improved and was ready for adoption. A complex program aimed at fighting piracy had been enhanced to improve IP protection through the use of special control marks and a digital rights management system, and a center for the enforcement of IPRs had been created. The Government had signed agreements to ensure proper use of licensed software programs, and monitoring had shown that the level of piracy in Azerbaijan had continued to diminish significantly. The Government had implemented a number of measures aimed at improving socioeconomic conditions for visually impaired persons and their better integration into society. Those measures, which included public awareness campaigns, had enabled visually impaired persons to benefit from facilitated access to information and communication technologies, enhanced access to copyright-protected works, and opportunities for education and new jobs. The Government intended to organize a regional conference in Baku in 2012.

42. The Delegation of Morocco endorsed the statements made by the Delegation of Egypt on behalf of the Group of Arab countries and by the Delegation of South Africa on behalf of the African Group. It congratulated the Secretariat on the remarkable work it had done despite an economic climate aggravated by successive financial crises and on the very honorable results it had obtained: in addition to a new building and the ongoing construction of a new conference room, far-reaching financial and administrative reforms were underway. In view of those achievements, and given that prudent and pragmatic management during the previous financial year had made it possible to propose a balanced budget for the next biennium, the Delegation supported the Secretariat's proposals to increase the budget, primarily to cover spending increases for development projects. It was, however, concerned by the drop in resources allocated to certain programs, particularly those which were crucial for the implementation of the DA. It saw a need to step up expenditure earmarked for the development and promotion of a balanced IP system, and therefore backed all efforts and initiatives to place the six official UN languages on an equal footing. Moreover, it continued to call for the strengthening of human and financial resources in all WIPO regional offices. In respect of the evaluation, the Delegation was delighted that the Organization had come to play a key role as the leader in the field of IP. World challenges such as health, education, food, technology transfer and climate change affected all. As before, the question of development and the achievement of the MDGs depended not only on the strengthening of partnerships and international cooperation but also and above all on the pooling of all local forces in each country concerned. To that end, Morocco had over the past decade been implementing major reforms to align and strengthen its capacities and infrastructures. It had carried out many projects in the fields of agriculture, technology, renewable energies and appropriate infrastructures, as well as thousands of other projects in connection with the National Human Development Initiative launched in 2005. The implementation of that body of measures had mobilized considerable human and financial resources in order to take up many challenges such as the consolidation of the rule of law, the establishment of gender equality, efforts to combat drought and desertification, the fight against poverty and exclusion, and the facilitation of access to basic social services for all citizens, in particular in the fields of housing, education, health, and water and electricity supply. In that overall strategy, IP as a vehicle for innovation, creativity and economic and social development had been mainstreamed into all relevant programs. The Delegation further recalled, among the latest measures taken to strengthen the legal framework, that from an international perspective, Morocco had become a party to three fundamental WIPO instruments in July 2011: the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the

Purposes of Patent Procedure, the WIPO Performances and Phonograms Treaty (WPPT), and the WIPO Copyright Treaty (WCT). On the domestic scene, the new Constitution, which had been adopted on July 31, 2011, stipulated that the authorities would support the development of cultural and artistic creativity by appropriate means. As a result of all those reforms, the country now had an IP system which met international standards. However, there were still constraints and economic and social difficulties which hampered efforts to increase protection for all IP sectors. Accordingly, Morocco wished to intensify its cooperation and partnership with the Organization with a view to the elaboration of a national strategy making it possible to promote creativity and innovation while giving due consideration to specific national needs. The Delegation further attached great importance to the results sought in the negotiations underway in the various WIPO standard-setting bodies aimed at preserving and promoting traditional riches and considered that effective protection at the international level implied the drafting of binding legal instruments for all countries. In that respect, it welcomed the progress made over the past two years by the IGC, and therefore was in favor of renewing that body's mandate. Finally, the Delegation planned to follow closely during the current Assemblies the progress made by other WIPO bodies, particularly the SCCR and SCT, and would remain open to any initiatives making it possible to design a balanced IP system that was beneficial for all Member States.

43. The Delegation of Iran (Islamic Republic of) said that there was a widely-held belief that progress was based on innovation and creativity. The advancement of nations and the economic and social welfare of peoples was beholden to the efforts of individuals whose ideas and investments had transformed economic, social and cultural life. However, innovation needed a fair and balanced IP system in which to flourish. WIPO should work with Member States and other relevant international organizations to improve the system and help Member States through technical and legal assistance. Development issues had been duly added to the agenda. The Delegation supported the efforts of the SCCR to update the rights of broadcasting organizations and also backed limitations and exceptions, even though the emphasis in that area was on copyrighted material for the visually-impaired and other persons with disabilities. The Delegation called upon the Committee to organize national and regional forums to resolve ambiguities and allay the concerns of developing and LDCs. The Delegation also welcomed the organization of a Diplomatic Conference on the Protection of Audiovisual Performances. It supported the activities of the WIPO IGC. Furthermore, the Delegation hoped that an agreement could be reached which would lead to a binding international instrument that guaranteed the effective protection of TK, folklore and GRs, as well as introducing balance to the IP system. In the area of GRs, it was hoped that a protective mechanism could be put in place in the near future. The CDIP needed to promote IP in developing countries by translating it into economic and social progress. There had to be a balance between rights and obligations. The Delegation welcomed the amendments to the Lisbon Agreement because they would make membership more attractive to non-member countries and intergovernmental organizations. The scientific and technical capabilities of countries and their development needs and goals, as well as their socio-economic ambitions, needed to be taken into account when standards were being set. The dissemination of information on inventions had an important effect on technical progress. WIPO therefore needed to work with Member States and use new communications technologies to provide users and Member States with regularly updated, translation-friendly databases. The PCT system needed to be reformed so as to incorporate the concept of technology transfer. A bare minimum of hard and soft infrastructure was required for national registrations. WIPO's assistance with regard to both the translation of documents on international declarations and the reconciliation of the reports of international search authorities with domestic legal criteria for examining inventions would be necessary. The Islamic Republic of Iran had made efforts to create the infrastructure needed to implement the PCT but additional assistance from WIPO would be welcome. Technical and legal assistance would expedite the process of depositing instruments of accession. In conclusion, the Delegation said that its country had taken a number of measures to promote IPRs, such as drafting a bill on the

protection of artistic and literary works and establishing IP protection bureaus in different ministries.

44. The Delegation of France fully endorsed the statement delivered on behalf of Group B. More than ever, WIPO had to play a key role in the promotion and protection of IP. One response to the current crisis was to encourage innovation and creativity with a view to boosting economic growth. IP was an essential component of any economy based on knowledge and progress. It was in that spirit that France had endeavored to mobilize the G8 by devoting part of its work to that major issue. The IP question had been taken up within the framework of the G8's work on innovation but also the Internet, with the holding of the first ever e-G8 forum. The Delegation noted that the Assemblies of WIPO Member States were opening in favorable conditions. The session of the PBC had provided an opportunity for convergence, by striking a balance between the necessary cost savings and the needs of the Organization. The Delegation expressed appreciation for the Secretariat's efforts to enhance communication and transparency, and urged WIPO to continue striving for greater efficiency. International organizations would be increasingly judged on their performance. The Delegation underscored its commitment to standard-setting efforts underway, particularly those aimed at facilitating access to works for the visually impaired. It hoped it could be part of a constructive solution designed to achieve the common goal. It further welcomed the resumption of the diplomatic conference for the adoption of a treaty on the protection of audiovisual performances. Those were but two examples of the many efforts being undertaken in various committees which featured a strong focus on standard-setting. The Delegation called for the convening of a diplomatic conference for the adoption of a treaty on industrial designs, once enough progress had been made to justify the holding of such an event. Activities to ensure respect for IP also implied the effective implementation of existing standards. In that connection, the Delegation emphasized the success of the Sixth Global Congress on Combating Counterfeiting and Piracy, organized in Paris on February 2 and 3, 2011 by the French Intellectual Property Institute (INPI), together with WIPO, Interpol and the World Customs Organization (WCO). Without innovation, there could be no economic development. Accordingly, it was essential that every Member State work at the national level to strengthen IP. WIPO had to pursue its efforts to consolidate States' capacities. France was committed to ensuring that the international IP system furthered development. WIPO played an essential part in that field, by implementing its many assistance programs and by earmarking a large share of its budget for such activities. That concern reflected a desire to promote better regulated and more equitable globalization. INPI worked together with many of its counterparts throughout the world. Nevertheless, vigilance was required to ensure that WIPO retained its status of a specialized organization, whose primary calling was to set standards and provide IP services. It had to avoid undue politicization or instrumentalization. Finally, it was in the common interests of both developing and developed countries to have a WIPO that was effective, strong and forward-looking.

45. The Delegation of Brazil stated that the DA had filled a major gap by promoting the extension of the benefits of the IP system to large population groups and to developing regions. In 2010, more than 70 per cent of patent applications had come from just five countries. The Programme and Budget proposal for the 2012 -2013 biennium prepared by the Programme and Budget Committee (PBC) did much to advance the implementation of development activities. There remained the challenge of perfecting the monitoring of approved activities and of critically assessing results indicators, with changes being made as and when necessary. The significant contribution of the DAG should be recorded. The DAG had always sought to be constructive and to mainstream development in all areas of WIPO's work. The PROSUR (regional cooperation system on IP) program would allow for cooperation at the operational level between nine South American national patent authorities, with the aim of sharing experiences, search reports and patent examinations. However, despite the good results obtained to date, the task of implementing the DA had yet to be completed. It was important to make progress in that regard in the long term, as well as to promote cultural change in the functioning of the Organization. The "member-driven" nature of WIPO should be consolidated and transparency

and accountability in the Organization's activities should be strengthened. Another objective in the process of cultural change was to mainstream development in all WIPO activities. In that context it was worth taking note of the coordination mechanism for the implementation of the DA recommendations. The relevant bodies of WIPO would report to the Member States at the General Assembly on their contributions towards the implementation of the DA. The process would benefit greatly from the inclusion of the PBC as one of the bodies presenting a report to the General Assembly, due to the all-encompassing nature of the Committee's mandate and its central role in defining lines of work to be adopted at each biennium. The planned Brazil/WIPO Executive Program for the establishment of a technical cooperation project would be managed by the WIPO Brazil Office in Rio de Janeiro and would have resources of 6.4 million Reais, for the next four years. The aim of the Program would be to spread the IP culture through capacity-building, in order to allow for productivity increases in operations relating to IP, as well as promoting technology transfer. The Program would be executed by the National Intellectual Property Institute (INPI), an entity which had signed around 20 Memoranda of Understanding with institutions worldwide, particularly in South America and Africa. The SCCR had built a consensus regarding the convening of a Diplomatic Conference on the Treaty for the Protection of Performers in Audiovisual Works. A work programme and time table had been approved for different categories of beneficiaries in the negotiations on exceptions and limitations. With regard to visually-impaired persons, significant advances had been made concerning substantive clauses of the legal instrument, but a consensus had yet to be reached. Brazil continued to be committed to the conclusion of a treaty on access for visually-impaired persons to printed material.

46. The Delegation of Pakistan aligned itself with the statements made by the Asian Group and the DAG. It expressed its enduring interest in the development of a balanced international IP system that was flexible in meeting the needs of different levels of development and emphasized its belief in an IP system that promoted both innovation and access to knowledge. It encouraged WIPO to increasingly engage its efforts to help develop national IP strategies that reflected the level of development of a country and thereby created the relevance for IP protection in enhancing a country's economic and technological capacity. The Delegation noted that in the national sphere, the IP Office of Pakistan, an autonomous legal institution able to decide its matters promptly and advance an accessible IP system, had taken some important steps to make comprehensive progress in the country's IP system, namely: enhancing accessibility by establishing registries and counters for receipt of applications; establishing two new regional offices for convenience to the public; establishing tribunals to decide IP cases exclusively; establishing management sections on each subject in the country office to improve governance; and establishing special units in departments like Customs, the Federal Investigation Agency, the Police and the Pakistan Electronic and Media Regulatory Authority in order to give focus and promote effectiveness. The Delegation identified the IT system as a special feature which was functioning with the help of international partners. In 2011, Pakistan had presented national journalistic awards in the field of IP to encourage journalists to contribute to awareness and the enhancement of IP concepts. The national IP Office was also working in collaboration with its international partners to share experiences and lessons learnt in order to enhance the capacity of Pakistan's national IP personnel as well as business and research institutions. The Delegation expressed appreciation for the European Union's assistance in financing a comprehensive ongoing Trade Related Technical Assistance Program which included a significant IP component. The Delegation looked forward to further international collaboration for support in the areas of documenting and protecting traditional medicine and analyzing the role of IP in ensuring access to reasonably priced educational material and medicines. It noted that regional as well as international sharing of experiences and lessons learnt could foster enhanced understanding and cooperation. The Delegation observed that at an international level the steps taken by WIPO during the last year remained appreciable, as did its performance. It welcomed the progress made so far towards the implementation of the DA recommendations, applauding the dynamism that had been introduced into the process, and expressed appreciation for the work of the CDIP. The Delegation noted that although progress

made to date in mainstreaming the development dimension across all areas of WIPO's work was appreciable, more needed to be done. It looked forward to the resumption of the suspended work of the CDIP on South-South Cooperation and was hopeful that the proposed project on that issue would be expeditiously adopted by the next session. As co-sponsor of the coordination mechanism proposal, Pakistan was glad to see the first report of the relevant WIPO bodies being presented to the General Assembly on the implementation of the respective DA recommendations and looked forward to a detailed discussion on it in the corresponding CDIP sessions. With regard to the work of the SCCR, the Delegation hoped that the discussions on limitations and exceptions would lead to a suitable normative framework, that being a pressing area of concern for Pakistan insofar as it contributed to granting access to educational and scientific material. The Delegation declared that it was encouraged by the forward movement in the IGC and looked forward to timely progress under the new mandate to be granted to the IGC during the current Assemblies. The Delegation stressed the need to rectify shortcomings in the patents system that tended to stifle innovation and impose high costs on developing countries like Pakistan in acquiring and developing new technologies. It also noted valid concerns about overloading of the system, and stressed the need for measures which would enhance the efficiency of the patent regime without compromising available flexibilities and policy space.

47. The Delegation of Australia welcomed the progress that had been made to move the substantive agenda forward and equally the work that had been done to build internal capacity and capability within WIPO. Ongoing reform and steady improvements in governance would bear welcome fruit in years to come. Australia would offer its strong support as the Organization moved forward down that path. The Delegation was pleased at the progress made within many of the Committees during the year. Australia welcomed the positive progress the SCCR had made on copyright matters. Member States, WIPO and the Director General could all be satisfied with the recommendation to resume the Diplomatic Conference on a Treaty for Audiovisual Performances. Australia acknowledged the significant work undertaken by the proponents of the four proposals on an instrument for the print disabled and had co-sponsored the single text early, signaling strong support for an outcome on that issue as well. The Delegation hoped to see a strong and effective stakeholder platform as a key element in taking the visually impaired persons (VIP) initiative forward. Australia remained committed to making progress on the work agenda for the SCCR over the next budgetary biennium. The Delegation also acknowledged the hard work of Member States in gaining agreement to a renewed mandate of the IGC. The flexibility and commitment shown by all Member States was a welcome development in that important area and the Delegation had trust that the existing spirit would continue although it recognized that there were still widely divergent policy positions and desired outcomes from the process. Nevertheless the renewed mandate on agreed terms showed significant and important political will. As part of the work towards a text of an international legal instrument, Australia recognized and appreciated the valuable contribution made by indigenous observers whose views and insight provided all with important guiding perspectives. To support that valuable input, Australia would contribute a further 100,000 Australian dollars to support indigenous participation in the IGC. Australia encouraged other countries to make contributions to the WIPO voluntary fund, in order to ensure that indigenous observers could continue to provide input and could participate effectively in the IGC. Australia, along with Canada and the United Kingdom, partners in the Vancouver Group, were progressing initiatives to eliminate duplication in patent prosecution. IP Australia had led the Vancouver Group's collaboration with WIPO to develop an IT platform now known as WIPO-CASE. The launch of WIPO-CASE in March 2011 was a significant achievement and was already demonstrating real benefit to examiners in each Vancouver Group Office. The Delegation looked forward to working with WIPO on the future evolution of WIPO-CASE and supported the extension of that platform to other Offices. The Government of Australia continued to work closely with its neighbors in the Asia-Pacific region on IP issues. In February 2011, WIPO and IP Australia, with the assistance of the ASEAN Secretariat, jointly organized a two-part Regional Workshop on the Madrid System of International Registration of

Marks and its Practical Implementation. That activity demonstrated in part IP Australia's continued support for technical assistance and sharing of experience in the region under its work plan with WIPO. The Delegation thanked WIPO for fully supporting those activities. Australian Government agencies would continue to work with Members to enhance cooperation and networks in the Asia-Pacific region. Reforms to Australia's IP system were supporting the national innovation agenda. The Raising the Bar Bill aimed to raise the quality of granted patents, reduce barriers to innovation for researchers and inventors, allow patent claims to be resolved faster and strengthen penalties for counterfeiting. That Bill was currently before the Parliament. The proposed reforms reflected an evolving IP landscape and demonstrated the growing need for governments to ensure that IP laws were appropriately calibrated to strike the right balance between rights and responsibilities and keep pace with the needs of all stakeholders. The Delegation stated that Australia looked forward to continuing productive outcomes in WIPO over the next year.

48. The Delegation of Honduras endorsed the comments made by the Delegation of Panama on behalf of GRULAC, and thanked the Director General for his exhaustive presentation and his steadfast commitment to topics of special interest for Honduras in particular and Latin America and the Caribbean in general. His personal efforts, in Geneva and in Central America, had enhanced awareness at the highest political levels of IP as a tool for development. With regard to copyright, the Delegation agreed on the priority of facilitating access for vulnerable groups, thereby allowing them to participate effectively in society. It therefore reiterated its support for a treaty in favor of persons with visual impairments or difficulties in accessing printed text, while further recognizing the importance of protecting audiovisual performances, a topic in which the Delegation continued to participate constructively. With regard to GRs, TK and folklore, Honduras supported the renewal of the Committee's terms of reference. The establishment of effective protection for such elements was a competitive advantage, which, with the ensuing creation of capacity arising from its implementation, had the potential to generate income and create jobs and start-ups. Cooperation programs that promoted a responsible corporate culture, employment and competitiveness were vital, as they made a clear contribution to peace, coexistence and stability in society. In that respect, generating opportunities for vulnerable sectors, in particular the country's youth, was a priority. The Delegation was encouraged by the Secretariat's indication during the session of the PBC that funding was available to move ahead with IP-related processes, which would further strengthen IP as a tool for development. Honduras recognized in the main lines of its Vision for Peace that "education and culture are means of social emancipation", that "productive infrastructure drives economic activity", and that competitiveness in the productive sectors "is necessary for sustainable development". Those elements were closely linked to IP as a strategic means for promoting innovation and stimulating technology transfer and the development of sustainable domestic technological capacity in Honduras. On that basis, the end of 2010 had been marked by two cooperation initiatives between Honduras and WIPO, to develop the technical infrastructure of the Intellectual Property Office on the one hand, and to establish and fund support centers for technology and innovation on the other hand. Those initiatives would surely have a positive impact on investment, innovation, technology transfer and productivity. Regional efforts had also yielded positive results. The First Ministerial Meeting on Public IP-related Innovation Policies had been held in Central America in December 2010, with the Director General in attendance. The decisions, which were being implemented, included the formulation of national development and innovation strategies, as well as the strengthening of organizational arrangements and coordination between the countries in the area. In view of the challenges which lay ahead, the Delegation was convinced that each country in particular, and the UN system as a whole, would be positioned strategically if coordinated efforts were made to achieve the MDGs. At the end of the day, all were committed to developing an open commercial and financial system based on established, predictable and non-discriminatory rules, and to opening up the benefits of the new technologies, particularly those arising from information and communication. In conclusion, the Delegation was confident that more effective results would be achieved by means of firm political will and countries' own efforts,

complemented by the concerted action of WIPO and its Member States, geared to the provision of appropriate cooperation and technical assistance.

49. The Delegation of Peru stated that the presence of more than one thousand delegates in the room demonstrated both the significance of the meeting for WIPO and the need for all to renew their commitment to the Organization, in particular at a time when the global economic situation was highly complex. Despite all the difficulties and challenges it faced, the new Government of Peru was forging ahead with a process of social inclusion that involved the conversion of the economic growth that the country had enjoyed over the past few years into social development. In order to consolidate said process and to generate opportunities for all Peruvians, it was necessary to remain faithful to a model of development that promoted economic and commercial openness, as well as encouraging domestic and foreign investment, while safeguarding the vital role played by education, research, development and the promotion of innovation in general. The effective use of the tools offered by the IP system was undoubtedly a key factor in achieving social inclusion and ensuring that the country continued along the path of growth and development, thus promoting the creation of innovative technology and making Peru more competitive. Aware of the importance of IP and of the role it played in encouraging development, the Delegation wholeheartedly renewed its commitment to continue to work closely with WIPO, and in particular with the Bureau for Latin America and the Caribbean, on the various ongoing projects. Schemes currently underway included the development of a national strategy coordinating and giving direction to existing plans and policies in the fields of science, technology, innovation and IP, as well as the strengthening of the National Intellectual Property School which, it was hoped, would, with the invaluable assistance of WIPO, become a regional center for the dissemination of knowledge in the near future. Furthermore, the Delegation reaffirmed its undertaking regarding the work that was being carried out by the various bodies of WIPO, stating that it was aware that the efforts made at the national level were often insufficient. It was necessary to work together in order to consolidate an international IP system that truly encouraged innovation, growth and development. In that regard, the Delegation welcomed the results which had been obtained at the previous session of the IGC, highlighting in particular the recommendation relating to the renewal of the Committee's mandate in order to enable it to continue to negotiate with a view to achieving the goal of a legally-binding international instrument governing the protection of GRs, TK and folklore, issues that were of vital importance to a mega-diverse country such as Peru. Said results, along with the progress made concerning the adoption of a treaty allowing for the improvement of the access of visually-impaired persons to printed material, constituted clear examples of what could be done to achieve those common objectives. Another issue of paramount importance to Peru was the successful outcome of the work of the CDIP, in particular with regard to the implementation of the DA. Peru had been one of the first countries to promote and foster said Agenda through the Group of Friends of Development which, in 2007, had called for a shift in the paradigm within WIPO in order to enable the Organization fully to assist Member States in achieving development objectives. While expressing satisfaction at the significant progress that had been made, the Delegation stated that it should not be forgotten, however, that much remained to be done, in particular with regard to the consolidation of the DA in all WIPO activities. In order to achieve such consolidation, the delegations must demonstrate flexibility and commitment at each session and the provision of the financial resources necessary for the implementation of projects must continue to be ensured, as had been called for during the process of preparing the draft Program and Budget. Such was Peru's vision of how the challenges presented by poverty, exclusion and inequality could be tackled from an economic and commercial point of view. A strengthened WIPO and international IP system were indispensable if those obstacles were to be overcome. Peru was convinced that the IP system was a fundamental tool for the economic, social and cultural development of countries. Furthermore, Peru's accession to the PCT, the Trademark Law Treaty (TLT), the Lisbon Agreement and the International Union for the Protection of New Varieties of Plants (UPOV), among others, corresponded to that aim. Finally, the Delegation thanked WIPO and the Director General in particular, as well as the Bureau for Latin America

and the Caribbean and the Brands and Design Sector, for having allowed Peru to host the 2011 Worldwide Symposium on Geographical Indications. The Symposium had been a great success and was a clear example of Peru's firm commitment to an international IP system such as that which WIPO sought to consolidate, under which innovation, growth and development were promoted.

50. The Delegation of Israel described the changes undergone by the Israeli Patent Office during the past few years, which it believed were an excellent example of collaboration with WIPO. During the 2009 Assemblies, the Office had been appointed as an International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) under the PCT, in accordance with Articles 16(3) and 32(3) of that Treaty. Since that time, the Office had endeavored to comply with the requirements for ISAs and IPEAs, as set forth in Rule 36 of the PCT Regulations. In that regard, it had hired additional patent examiners bringing the total to at least 100. Training had been carried out locally as well as with the assistance of WIPO and other patent offices. Quality control measures had been put into place and minimum documentation requirements met. The Office expressed its appreciation to the institutions concerned, which had included WIPO, the Federal Service for Intellectual Property, Patent and Trademarks (ROSPATENT), the EPO, CIPO and KIPO. The Office would begin operating as an ISA/IPEA during the first half of 2012. To facilitate a 21st century working environment, the Office's information technology systems had been considerably enhanced through a pioneering project on IP system automation. That project included full-featured patent and PCT applications that would enable the Office to fully carry out its work. The Delegation highlighted the development of the System for Administration and Processing of International Applications (PCT-SAPIA System), which enabled PCT receiving offices, ISAs and IPEAs to adopt electronic filing and management. The Delegation believed that the advanced PCT-SAPIA System would produce great benefits and increase efficiency through enhanced entry, storage, handling, managing and processing of international applications. It would also allow the progressive phasing out of paper-based operations. The Office had successfully begun operations under the Madrid system in 2010. That success was the result of hard work and coordination between the Office's trademarks department and IT division, and with WIPO. The Delegation believed that those changes demonstrated Israel's commitment to the DA and its aim to ensure the implementation of a robust IP infrastructure for meeting increasing demands on the global IP system. In line with the DA, the Delegation expressed its willingness to share its experiences with other offices.

51. The Delegation of Singapore noted the important steps that had been taken on both the normative and the organizational fronts in the previous 12 months and was encouraged by the significant progress made in the SCCR and indicated its strong support for the recommendation to resume the Diplomatic Conference for the Performance of Audiovisual Performances, and looked forward to the successful conclusion of the diplomatic conference in 2012. The Delegation also remained committed to help accelerate the work on copyright limitations and exceptions for the print disabled; it considered this a strategic norm setting effort that epitomized the mutually supportive relationship between IP and development. The Delegation noted that much progress had been made on the mainstreaming of the DA and that this was most evident in the Program and Budget for the 2012/13 biennium where development had been placed at the core of the results-based framework. This shift in the Program and Budget approach was significant to ensure prudent and sustainable development efforts. The Delegation warmly supported the development-oriented programmatic focus and financially prudent Program and Budget, and stated that efforts to mainstream development had yielded good returns to all Member States. The WIPO Office in Singapore continued to be instrumental in delivering the DA of WIPO to the increasingly buoyant IP eco-system in the Asia-Pacific Region. Under a Memorandum of Understanding on Joint Training between WIPO and Singapore, over 500 officials from the Asia-Pacific region and beyond had benefited from technical assistance activities held at the WIPO Singapore Office, including in June 2011, the Regional Workshop on the Collective Management of Copyright and Related Rights. Many

more officials and stakeholders in the Asia-Pacific IP businesses would benefit from two regional workshops: the formulation of effective IP public awareness strategies, and the effective harnessing of IP for SMEs' competitiveness, scheduled for later in 2011. The Delegation reported that Singapore had worked closely with WIPO and its Singapore Office on targeted initiatives for countries in the region and other IP stakeholders including: in June 2011, Singapore and WIPO co-hosted training programs for Cambodian trademark examiners and Brunei IP officials as well as joint expert advisory missions to Brunei and Cambodia regarding the feasibility of an integrated IP office for those two countries. The WIPO Arbitration and Mediation Centre (AMC) in Singapore was yet another concrete manifestation of WIPO bringing its services closer to serve Member States. Established in 2009, the WIPO AMC in Singapore had added to the range of IP services available to support regional growth. The Delegation was currently looking to deepen the collaboration by having the AMC provide an Alternative Dispute Resolution facility to IP dispute cases filed in Singapore which would pave the way for others in the region to use the AMC facility in Singapore. The previous 12 months had been busy for Singapore on the IP front with the celebration of the tenth anniversary of the Intellectual Property Office of Singapore which was currently in the process of bringing the IP registration system to a new level of integration, automation and customer-centricity. Once completed, it would allow users to initiate IP filings and dispute resolution proceedings across the range of registrable IPRs, through a single integrated platform and would also serve as a single point of contact with all international partners. The Delegation reported that a Memorandum of Cooperation had been signed with USPTO, JPO and Office of Harmonization for the Internal Market (OHIM) in December 2010 to benefit trademark applicants; it would allow greater consistency and harmonization in the classification of goods and services internationally so that respective trade mark applicants across the different market regions could save time and avoid costs. The Delegation believed that IP had an important role to play in fostering greater social and economic development but that it should be done on a systematic and sustained basis, it being clear that the fruits of harnessing IP could not be reaped overnight. Each Member State had to find the right mix of policy and operational measures which were unique to their national development strategies. The Delegation remained committed to the partnership with WIPO in helping countries in the region make the most of IP on the journey towards regional economic integration and sustainable development.

52. The Delegation of the Holy See expressed its support for the efforts of the Secretariat in encouraging innovation and creativity over the previous year in all the regions of the world while promoting a balanced and effective international IP system. It pointed out that the Holy See had argued in various forums that IP deserved protection since it created incentives for innovation. Such protection, however, had to be tempered to allow the spreading of the benefits of innovation as widely as possible. The very creative and innovative impact that IPRs provided should aim primarily at serving the common good of the human community. Individual persons and associations were called to contribute to the cultural, economic, political and social life of the civil community to which they belonged. Since all human beings were to contribute to society, special attention was required to make possible also the participation of the most disadvantaged. The poor were therefore to be helped to acquire expertise, to enter the circle of exchange, and to develop their skills in order to make the best use of their capacities and resources. Education was the critical strategy to achieve that goal as it endowed needy people with the basic knowledge which enabled them to express their creativity and develop their talents, making them active protagonists for their future and no longer merely passive elements in the social order where the human person had to be, and had to continue to be, its subject, its foundation and its end. Since the previous Assemblies, meaningful and hopeful progress had been made in various substantive sectors of the Organization, such as the SCP and the IGC. The SRP had been refined and its progressive implementation shared through informative briefings offered by the Secretariat. A major success of the Organization had occurred in the SCCR. After 10 years of a stand-off, a positive and cooperative engagement by delegations had led to the SCCR recommendation to resume the failed 2000 Diplomatic Conference on a Treaty for the Protection of Audiovisual Performances. The Delegation also looked forward to

reaching an agreement on the visually impaired and on persons with print disabilities. That agreement would make a significant contribution to mitigating the difficulty faced by more than 284 million visually impaired people worldwide, about 90% of whom lived in developing countries. Those were people with limited access to education and culture, not because they lacked thirst of knowledge or aspiration to play their part in the material and cultural welfare of the world community, but because of their disability. The rapid development of technology in the media was one of the signs of advancement in the current society but was also a challenge for the Member States of WIPO that had to undertake a particular effort to face it. The Holy See, as a practical demonstration of its commitment to and recognition of the leading role played by copyright, had updated its legislation in that field by adopting a new law. Such a decision showed the significant role played by IP in the Holy See. During the previous biennium, the IGC had undertaken a tremendous effort towards the development of an international protection instrument and during the previous session had elaborated a proposal for a renewal of its mandate. The Holy See remained engaged in the Committee and underlined that intellectual manifestations of tradition or folklore deserved recognition, first, because they constituted a means of constructing and projecting the identity of the members of the community concerned, and second, because they were a common asset of that same community, which had grown by small, anonymous contributions over many generations. The Delegation further stressed that many biological resources bearing great economic and social usefulness were located in territories inhabited since time immemorial by native communities within the jurisdiction of countries other than those where industrial development of genetic material took place and patents were obtained. Those native communities already had some knowledge and made use of some of the biological properties protected by patents. Indigenous communities' ancestral concern for the soil had to be considered and generated a right to its use and usufruct. That right extended also to the plants and animals of a territory. Consequently, the biological environment tended to be closely associated with the culture of local people and constituted an integral factor of their identity and social cohesion. The Delegation concluded by reaffirming the right to private property and in particular to IP. That right was under a 'social mortgage' for the satisfaction of essential human needs. It had an intrinsically social function, which was justified precisely by the principle of the universal destination of goods. That principle represented the sum total of social conditions which allowed social groups and their individual members to arrive at their own fulfillment. The common good was realized if solidarity prevailed. In the globalized world, an equitable relationship with others was a must since all were responsible for all.

53. The Delegation of Poland, speaking on behalf of the EU and its member states, stressed the importance attached to creating and maintaining a balanced and effective international IP system, and shared the common view that IP was an important tool for sustainable growth and wealth creation. The EU and its member states considered WIPO a crucial player in creating a secure environment for investing in IP and in fostering innovation. They therefore reiterated their support for WIPO's mission to promote innovation and creativity for the economic, social and cultural development of all countries through a balanced and effective international IP system. The EU and its member states expressed their continuing support for WIPO's global goals and reaffirmed their commitment to the appropriate implementation of all the DA recommendations. They regretted that the last session of the CDIP, and, consequently, the whole process of implementation, had been suspended due to a lack of consensus regarding a single issue. The EU and its member states hoped that that problem could be solved in the next session, in a manner acceptable to all parties. Proceeding on the basis of consensus was essential to ensuring that all Member States were included in the process. The EU and its member states believed it would be feasible for all to agree on modalities of the coordination mechanism for the DA, and on which relevant WIPO bodies should report to the General Assembly annually on the mainstreaming and implementation of DA recommendations throughout the Organization. The EU and its member states welcomed the agreement reached by the SCCR on the protection of audiovisual performances, which would enable the Diplomatic Conference, suspended in 2000, to resume. They considered it possible to successfully

conclude a new WIPO instrument that would ensure the long-overdue protection of performers in audiovisual works at the international level. The EU and its member states looked forward to advancing the discussion on the protection of broadcasting organizations and hoped the ambitious SCCR work program would facilitate progress in that regard. They also acknowledged the need to provide persons with print disabilities access to copyright-protected works and considered that the SCCR's progress in developing an instrument needed to be bolstered by further constructive work. The EU and its member states recognized the importance of the IGC's work and expressed their satisfaction with progress made in the three areas under negotiation. Experts from the EU and its Member States had made concrete suggestions and comments on the proposed texts during IGC meetings. The EU and its member states remained committed to continuing discussions on TK, TCEs and GRs within a renewed IGC mandate. They firmly believed that any international instrument or instruments agreed upon should be flexible, sufficiently clear and non-binding. The EU and its member states welcomed the agreement reached in SCP/15 on an agenda for future discussions in the SCP. They remained committed to further international harmonization of patent law through the work of that Committee, and hoped that the next session would lead to agreement on an equally balanced future work program. The EU and its member states applauded the approval by the PCT Working Group of proposed amendments to the Regulations which had contributed to further streamlining procedures under the PCT system. They believed the Working Group's emphasis should be on enabling the PCT system to function more effectively, in order to deliver results that met the needs of applicants, offices and third parties in all Contracting States, within the existing legal framework of the treaty provisions and without limiting the freedom of Contracting States to prescribe, interpret and apply substantive conditions of patentability. The EU and its member States expressed strong support for the PCT Working Group's valuable efforts to improve the PCT system and were convinced that users would benefit from high quality of international work. The EU and its member States welcomed the progress made in the SCT on the draft provisions on industrial design law and practice, in particular with regard to harmonizing and simplifying design registration formalities and procedures. They believed that such progress would enable the convening of a diplomatic conference for the adoption of a design law treaty during the 2012/13 biennium. The EU and its member States placed great value on the work of the ACE and looked forward to the seventh session of that Committee and to continuing discussions on the basis of the work program adopted at the fifth session. Intensified efforts of the Committee to build a shared understanding of the effects and impact of IPR infringements would enable Member States to adopt effective prevention and enforcement strategies. The EU and its member States considered it possible for the Committee to have a rewarding exchange of information and views that would better enable all members to combat counterfeiting and piracy worldwide.

54. The Delegation of Tunisia stressed the importance of the DA as a priority area for Member States, particularly developing countries and LDCs, towards the streamlining of the development dimension in IP policies. Tunisia commended the compromise reached concerning the Proposed Program and Budget for 2012/13, as well as the consensus for improved development resources. The Delegation welcomed the SCCR proposal for convening a Diplomatic Conference on the Protection of Audiovisual Performances. In addition, Tunisia attached utmost importance to the protection of GRs, TK and folklore in relation to economic, cultural and social development. Therefore, the Delegation expressed support for the relevant proposal by the African Group, Arab Group and other Member States which shared a common view within the IGC, namely to reach a legally binding instrument for the protection of such national resources and products of the intellect. Tunisia recognized the importance of IP, as early as at the end of the 19th century, with the adoption of the Paris Convention in 1889, for which the country was one of the founding parties. Since then, Tunisia had acceded to various IP treaties, the most recent being the Geneva Act of the Hague Agreement and the Madrid Protocol in 2011. The Delegation praised the WIPO-Tunisia Cooperation Agreement with numerous achievements, particularly: (i) IP academic training activities and programs in 2011-2012 for university graduates to enhance their skills and entrepreneurial competencies;

(ii) establishment of a TICS which would provide technical and scientific information for various national institutions, such as technology parks, scientific research centers, universities and technical centers through the establishment of a network linking the National Institute for Standardization and Industrial Property (INNORPI) to those institutions; (iii) initial work for the creation of TTOs under the WIPO Development Program for the Promotion of Technological Innovation and Enhancement of Competitiveness of National Institutions in the Arab Region (Project launched in Tunisia in December 2010); (iv) development of the INNORPI IT infrastructure in line with the WIPO Industrial Property Automation System (IPAS), in the context of preparations for trademark and industrial design protection in Tunisia under the Madrid Protocol and Geneva Act of the Hague Agreement. In conclusion, the Delegation welcomed the positive cooperation between WIPO and Tunisia and reiterated support for, and commitment to the Director General's efforts and orientation.

55. The Delegation of Thailand aligned itself with the statements made by Singapore on behalf of ASEAN, and Pakistan on behalf of the Asian Group, and stated that while improving global IP services was vital, development was another important aspect of WIPO's work, as mandated by the DA. The Delegation noted that the Organization's development expenditure amounted to 21.3 per cent of its overall expenditure and in that respect supported the view that the Organization should focus on its strategic priorities, and that rather than imposing limits on expenditure increases, Member States needed to contemplate more on the overall strategic orientation of the Organization, as well as the transparency of its governance. The Delegation attached great importance to the role of IPRs in social and economic development and did not only view innovation as an engine to economic growth, but also viewed the promotion of creativity as a tool to improve economic growth particularly in the developing economies. Thailand had actively engaged in the work of the CDIP and had been promoting the concept of "creative economy" with WIPO. It had participated as a pilot country in the Product Branding Project which had progressed in a very constructive manner, and aimed to establish branding for three selected local products. It had also hosted the first Creative Economy Forum in Bangkok in 2010. The workshops on IP and distinctive signs for development had assisted the local communities involved in identifying possibilities to utilize IP for brand development. The Delegation said that Thailand was committed to making sure that the project would be successfully implemented and, apart from promoting better understanding on IP in product branding, it was hoped that the project would contribute to sustainable community development. It offered to share experience in promoting local products through branding development with other countries that were interested in taking part in the project in the future. The Delegation believed that IP protection would have international sustainability if it was well balanced and mutually beneficial to both developed and developing countries. WIPO had the important role of facilitating an enabling environment in which IP could be utilized more in developing countries in the context of sustainable development. The Delegation welcomed the agreement to renew the mandate of the IGC to expedite its work, with the objective of reaching agreement on a text or texts of an international legal instrument that would ensure effective protection of GRs, TK and TCEs. The IGC had made considerable progress during its last mandate. Although there were a number of substantive issues that remained to be tackled, all key issues had been put on the table. The most important consideration was for all Member States to move on the basis of greater consensus and build up areas of common ground, while narrowing divergences. There should be more active engagement by all Member States, more cross regional policy dialogues and the necessary political will. The Delegation appreciated the progress made on the SCCR work on limitations and exceptions for persons with print disabilities. Together with ASEAN, Thailand would work with WIPO in improving access to copyright-protected works for the visually impaired and persons with disabilities and hoped to explore the possibility of putting the WIPO Visually Impaired Persons Initiative into action on a regional and country basis.

56. The Delegation of Chile said that in its statement the previous year, it had experienced a contradictory feeling: on the one hand, it had seen major advances, whereas on the other hand, it had viewed with concern the difficulties in achieving consensus solutions. In 2011,

however, the tone was different: the positive climate in the Organization had fostered flexibility, trust and moderation, as a result of which major agreements had been reached in recent months. The Delegation wished to underscore that point for two reasons: (i) because that climate had been created despite the difficult international context and the financial difficulties that many governments were experiencing; and (ii) because a climate of mutual trust was fundamental if WIPO were to continue to play its role as the leading IP forum in the 21st century. In that respect, the Delegation commended the efforts made by the Director General who, thanks to his proactive attitude, had created opportunities for maintaining an informal, fluid and fruitful dialogue. The Delegation also wished to thank the delegates, who had displayed the necessary farsightedness to adopt agreements within WIPO, which went to show that in any institution, it was the personal factor which made the difference. That should be kept in mind when selecting delegates for WIPO: if the aim were a vibrant, operational institution, the delegates had to be receptive to such objectives, and there was no point in picking a “Mr No” or a “Ms Unacceptable”. In a different vein, the Delegation was interested in the future development of the IP system and the role that WIPO would play in coming years. The development of new technologies and the growing integration between countries had heightened the challenges with regard to IP, which would continue to play an ever greater role in the world economy. Consequently, the questions that should be asked were: (i) what role should WIPO play in that new context, and in particular how should WIPO take up the challenge of promoting innovation and creativity in the interests of balanced economic, social and cultural development?; and (ii) how could WIPO tackle the new global needs and problems which required multilateral solutions? Thanks to WIPO’s Medium-Term Strategic Plan, progress was being made in that respect, but it was not sufficient. There was a need to analyze the way in which WIPO would contribute to the development of IP systems and harmonized, balanced standards, when the time came to promote and support the growing intraregional coordination that was developing, as was only natural. The emphasis should be placed on discussing the establishment of regional offices for coordinated technological harmonization between national offices and recognizing the importance of the WIPO Geneva-based offices which dealt with regional coordination. With regard to the status of WIPO committees in 2011, although the Delegation intended to go into greater detail when dealing with specific agenda items, it underscored the agreements reached in the PBC, SCCR, IGC, SCP and SCT, while expressing its deep concern at the events during the work of the CDIP, where the unyielding attitude of some delegates had blocked progress. As the CDIP was one of the most important committees for Chile, there was a need to work to avoid a recurrence of such situations. In 2011, Chile had acceded to three new WIPO treaties: the Budapest Treaty, the TLT, and the Brussels Convention, thus becoming a party to most of the key treaties administered by the Organization. In respect of joint cooperation activities with WIPO, the Delegation drew attention to the active participation of Chilean representatives in various WIPO meetings in the region and in the Symposium on Industrial Designs scheduled to take place in Santiago de Chile in November 2011. It expressed appreciation for the Academy Director’s support with online courses and various training projects for 2012. It also appreciated the support of WIPO’s Global Infrastructure Sector for the Prosur project, and reported on a meeting in Santiago de Chile of patent examiners from nine offices in the region, a local activity which had enabled the nine participating countries to move ahead efficiently and rapidly. However, it was necessary to step up the transfer of knowledge to national offices, thereby boosting efforts already underway. Finally, the Delegation was keenly interested in the procedure for electing chairpersons to WIPO committees, and wished to thank Ambassador Dumont for his efforts and progress in that respect. It hoped that a consensus document would be prepared shortly that would resolve the issue.

57. The Delegation of Oman supported the statements made on behalf of the Arab Group and Asian Group, as both addressed important issues under the Assemblies agenda. Oman attached great importance to the promotion, protection and use of IPRs as a tool for economic and social development for the benefit of society at large. In that regard, the Delegation commended WIPO’s continued technical support for a better understanding and increased

public awareness of IP. Such support covered various activities, including the National Seminar on the Implementation of the WIPO DA (Muscat, March 22-23, 2011), which made a number of recommendations, such as (i) elaboration of National IP Strategies in all areas of work; and (ii) use of the Arabic language in all DA-related activities, especially any questionnaires or surveys on the impact of WIPO's technical assistance programs on Arab countries. The Delegation stressed the need to speed up the development of a National IP Strategy for Oman and to strengthen Oman-WIPO cooperation for the modernization of the country's IP infrastructure. In addition, WIPO's assistance was needed in the field of national patent examination. The Delegation further highlighted the catalytic role of creativity and cultural industries in boosting economic growth for countries with widely available natural resources and strongly rooted cultural identities. WIPO was commended on its role in supporting the organization of the International Technical Workshop on Documentation and Registration of Traditional Knowledge and Traditional Cultural Expressions (Muscat, June 26-28, 2011), which demonstrated the significance of TK registration and documentation as part of norm-setting activities in the field of TK, TCEs and GR. Among the Workshop outcomes, the Delegation wished to highlight the participants' support for a proposal by Oman to establish an International Register for Traditional Knowledge and Traditional Cultural Expressions as a technical background for international, regional and domestic enactments. The Delegation looked forward to WIPO's continued assistance in drafting the said proposal in treaty language for its integration into an appropriate international legal instrument. Oman praised efforts by the Secretariat in facilitating current text-based IGC negotiations with a view to agree, in a diplomatic conference to be convened in 2012, on an international legal instrument or instruments which would secure effective protection for GR, TK and TCEs. In addition, the Delegation looked forward to the adoption of the IGC recommendation on the renewal of its mandate. The Delegation wished to welcome the participation of H. E. the Palestinian Minister of Economy in the current General Assembly and called for WIPO to provide more support and assistance to the Palestinian National Authority (PNA) in national IP institution and capacity-building for sustainable development. Such achievements would contribute to a strengthened national economy, transfer of technology and safeguard of material and human resources. In conclusion, the Delegation pledged support for WIPO's efforts in promoting IP for strengthening development nationally and internationally.

58. The Delegation of Malaysia associated itself fully with the statements delivered by Singapore on behalf of the ASEAN. It expressed Malaysia's appreciation of the efficiency with which the Secretariat had performed its work within the budgetary constraints imposed, without compromising the Organization's overall ability to achieve its expected biennial result. The Delegation acknowledged the progress made in 2010 with regard to WIPO's various programs and services. It noted with satisfaction WIPO's continued assistance to Member States in making advantageous use of the IP system, enabling them not only to meet their obligations under multilateral IP instruments but also providing them with the necessary tools for developing, protecting, enforcing and exploiting IPRs with a view to economic, social and cultural development. The Delegation looked forward to WIPO's continued assistance as one of the priorities for the next biennium. It expressed Malaysia's gratitude to WIPO and the KIPO for jointly organizing the patent competition Innovative Solutions for Everyday Life in Malaysia earlier in the year. The objective of that competition had been achieved in particular by encouraging innovative solutions to be found through utilizing technologies appropriate to local conditions. The competition had been well-attended by Malaysian inventors, especially researchers and students. The Delegation also expressed Malaysia's appreciation of the significant contribution made by WIPO to the celebration of National IP Day in Malaysia, held in April 2011. For the first time, the winners of the IP Awards received medals from WIPO for their inventions, in addition to awards given by the Government of Malaysia. The Delegation noted with satisfaction the official visit paid by the Assistant Director General from the Global Infrastructure Sector of WIPO. Malaysian IP stakeholders had had an opportunity to enhance their knowledge of WIPO strategy and programs on IP infrastructure and IP information Services. Malaysia would continue to strengthen its cooperation with WIPO in many areas,

especially in the field of patents and trademarks, as well as enhancing public awareness of IP. The Delegation congratulated WIPO on the establishment of an official WIPO channel on YouTube, which had enabled WIPO to reach new and larger audiences at the global level. Malaysia was also intensifying its awareness programs with new initiatives in reaching out to social network users via Facebook, Twitter and YouTube as alternative media for disseminating information on IP. IP-awareness should also start at grassroots level, and Malaysia was strengthening its strategic partnership with IP-related associations in Malaysia. The Delegation noted that, in order to improve delivery to stakeholders, in February 2011 Malaysia had amended its Patent and Trademark Regulations to shorten the patent- and trademark-registration pendency period. It also pointed out that new provisions on expedited examination were being introduced. They would enable qualified applicants to request expedited examination of their applications, subject to all requirements being fulfilled at the time of filing. The aim was to enhance the efficiency of the IP-registration system in Malaysia and promote foreign investment. That objective was in line with the Government of Malaysia's vision for 2020 to become a high-income nation with IP as one of the economic enablers. The Delegation commented that Malaysia recognized the work of the CDIP, and acknowledged the progress made in the implementation of the DA recommendations. It considered that the suspended CDIP seventh session should be resumed and continue as a platform for in-depth discussions in order to achieve its common objective of expediting the implementation of DA recommendations in order to ensure continuity, sustainability and cost-effectiveness. The Delegation stressed that Malaysia welcomed the recommendation of the SCCR, made at its 22nd Session, in favor of the resumption of the suspended Diplomatic Conference for the Protection of Audiovisual Performances. A balance should be maintained between producers' and performers' rights. Malaysia thus looked forward to holding fruitful discussions in order to achieve consensus among the Member States on certain outstanding issues. With regard to the limitations and exceptions for the benefit of the visually impaired and persons with print disabilities, the Delegation stressed that Malaysia supported the recommendation of the SCCR to continue discussions regarding the Chair's document with the aim of agreeing and finalizing a proposal for an international instrument on limitations and exceptions for persons with print disabilities in the 23rd session of the SCCR. The Delegation expressed Malaysia's support for the work of the IGC for the prevention of the misuse or misappropriation of GRs and for providing an equitable protection system for TK and TCEs. Malaysia supported the renewal of the IGC's mandate along the terms agreed at its 19th Session. It considered that the continued work of the IGC would expedite the establishment of an international instrument for the protection of TK, GRs and TCEs.

59. The Delegation of Hungary stated that it associated itself fully with the statements made by Slovenia on behalf of the Group of Central European and Baltic States (CEBS), and by Poland on behalf of the European Union and its member states. The Delegation welcomed the promising progress made regarding the work of the various WIPO bodies. In the first half of 2011, Hungary, as the country holding the rotating Presidency of the Council of the European Union at the time, had had an excellent opportunity to play an active role in the substantive work of WIPO, and had striven to contribute to the successful efforts of its committees and working groups. The balanced work program of the SCP, adopted at the Fifteenth Session of the Committee, would provide a good foundation for constructive discussions. The Delegation further welcomed the results of the Fourth Session of the PCT Working Group. The proposed amendments to the PCT Regulations would facilitate the more effective functioning of the system, for the benefit of all its users. The Delegation underlined that enhanced cooperation among IP offices throughout the world and the various work-sharing initiatives undertaken had become key elements of high-quality work on an international scale. The Delegation remained convinced that the PCT should be the main international instrument for work-sharing, but also felt that work-sharing could only become truly efficient if patent law were harmonized. Therefore, it looked forward to continuing work in the SCP in that respect. The Delegation noted with satisfaction the successful conclusion of the Twenty-Second Session of the SCCR, at which the Member States had agreed to recommend the resumption of the suspended 2000

Diplomatic Conference on the Protection of Audiovisual Performances. It was hoped that the work program established for continuing discussions on the protection of broadcasting organizations would facilitate future progress. The Delegation was ready to continue constructive discussions on improving access for persons with print disabilities to works protected by copyright. It acknowledged the important work carried out by the IGC. It remained committed to continuing discussions, in the firm belief that the envisaged international instrument or instruments should be flexible, sufficiently clear and non-binding. With regard to trademark and industrial design law, the Delegation was pleased to note the decision of the SCT which, after many years' preparatory work, offered the possibility of convening a diplomatic conference for the adoption of a design law treaty in the next biennium. In that context, the Delegation pointed out that a balanced international normative IP framework was essential if a global system in which economic, social and cultural development was ensured were to be upheld. It stressed that traditional and high-quality products played a very important role in the Hungarian economy, especially in the agricultural sector. Hungary was therefore a determined promoter of the global protection of geographical indications. For that reason, it welcomed the results of the Working Group on the Development of the Lisbon System, which would make the system more user-friendly and more attractive to non-contracting parties. The Delegation further noted with satisfaction that the Delegations had been able to bring their work in the PBC to a positive conclusion. It supported the revised budget proposal and the proposed expenditure cuts. A balanced program and budget was essential to the proper functioning of the Organization. The Delegation highlighted Hungary's hosting of the International Conference on Global and European Initiatives for Sharing Work between Intellectual Property Authorities, held in Budapest on May 17 and 18, 2011. The Conference, which had proved to be highly successful, had provided high-level representatives of IP with an opportunity to address the main challenges regarding the global IP system and share views on the possible ways forward. The Delegation also noted its satisfaction with the activities recently carried out by WIPO in Central European and the Baltic States. Great importance was attached to WIPO's practice of encouraging IP offices and governments to develop national IP strategies. The Hungarian Intellectual Property Office was in the process of drawing up a national IP strategy. Cooperation between WIPO and Hungary on the development and implementation of Hungary's national IP strategy was expected to be developed further. The Delegation reiterated that it would contribute in a constructive and supportive manner to future discussions.

60. The Delegation of the Philippines noted that as the principal institution responsible for dealing with the complex and often misunderstood notion of intangible property rights, WIPO had transported the medium of IP much closer to the thoroughfare that intersected with themes underpinning the creation of the UN, such as economic development, social progress and human rights. WIPO had made IP much more relevant not only to Member States that had distinguished themselves with innovation and creativity, but also to Member States like the Philippines that had recognized the importance of IP but had yet to fully harness innovation and creativity for their own good. The Delegation expressed its appreciation for the progress that had taken place at WIPO during the past year. With respect to patents, that included the discussions on exceptions and limitations to patent rights, and creating a better framework for technology transfer and dissemination of patent information. It thanked WIPO for supporting the national project of establishing innovation and technology support offices, or the Philippines Patent Libraries, a gesture which had made it possible to provide local researchers and scientists, as well as their industry partners, with access to global patent information, break the knowledge divide and make the IP system more relevant to more sectors of society, including the general public. The Delegation expressed its hope that with the continuing support of WIPO, the number of Patent Libraries could be increased from 30 to 100 by the time of the next General Assembly. With respect to trademarks, the Delegation was optimistic that the Philippines would soon join the 85 countries in the Madrid system because it would accede to the Madrid Protocol as a culmination of its modernization efforts in the Trademark Bureau. The Delegation noted that the automation architecture used was WIPO's own Industrial Property Automation System, which the Philippines hoped to promote to other countries in the region as

a common IT platform with WIPO's assistance to ASEAN. With respect to copyright, the Delegation welcomed the evolution of the discussions on the protection of broadcasting organizations and audiovisual performances, as well as the informed debates and deepened understanding of the Member States on limitations and exceptions. It further welcomed the progress made in the area of TK and GRs, as shown by the text on TK and the draft text on GRs. Having noted the developments and progress in the different WIPO Committees, the Delegation expressed its support for WIPO's goals and mandates, particularly those that facilitated the use of IP for development, and insofar as they related to maintaining the equilibrium of interests between innovators, creators and users. The Delegation associated itself with the statements of the ASEAN countries, and supported WIPO's continuing efforts to convene regular meetings to discuss IP-related issues central to the national development of each particular country.

61. The Delegation of Trinidad and Tobago stated that, in the current world economy, IP was a feature of human endeavor and excellence. That was true in relation to business, scientific achievements and sport, where premier world athletes had become more aware of the need to protect their IPRs in order to translate athletic success into sustainable financial rewards. At the 2010 Assemblies, the Delegation had reported on enhancements to the IP system in Trinidad and Tobago, in line with the WIPO DA. In order to integrate IP into the sports sector, a committee had been established to make recommendations on the development and implementation of an IP management capacity. Those recommendations would empower the industry to leverage its intangible IP assets, as well as image assets, for the benefit of the athletes, and to develop an IP dimension in that sector. The Government had ensured that its IP policy covered both knowledge and emerging sources of competitiveness. Business and research had not been overlooked. The Delegation thanked WIPO for having convened a workshop on technology licensing in 2011. The workshop had been carefully adapted to the country's IP system in its current form, which included the use and management of the IP system to encourage investment for sustainable national development. The Delegation thanked WIPO for its assistance with the IP Academy project, which had involved a needs-assessment mission in June. The IP Academy would be critical to knowledge-production and sharing in long-term IP education in Trinidad and Tobago. In the interim, the Intellectual Property Office (IPO) of Trinidad and Tobago, in collaboration with law schools, organized special training and ran an outreach program at the secondary school level. Discussions had begun with the Ministry of Education regarding the formal introduction of IP into the school curriculum at various levels. The aim of that approach was to build national awareness and create new means for securing the country's future. Given the range of national IP initiatives in the Caribbean, pronounced growth in demand was expected, both quantitatively and qualitatively, in terms of servicing the region's needs and optimizing its IP potential and structure. Trinidad and Tobago greatly valued WIPO's support and cooperation in addressing the particular needs and challenges of the Caribbean, and highlighted the importance of a sense of mission in bringing development initiatives to fruition. The Delegation pointed to the tremendous progress that had been made by the IGC, and expressed its gratitude to all those who had contributed to that process and, in particular, to those who had supported its various proposals. It urged the General Assembly to renew the IGC's mandate and to allocate the necessary resources for its future work. Any institution undergoing transformation had to take stock of where it was in terms of reaching its ultimate goals. With that in mind, the Government had established a committee to review the country's legislative framework for the management of IPRs. All government initiatives would be reviewed and the committee would issue recommendations to enable Trinidad and Tobago to become more knowledge-based and IP-centric. The Delegation thanked WIPO for its support and engagement concerning Trinidad and Tobago's numerous initiatives. The Government was actively pursuing accession to the Hague Agreement and the Madrid Protocol. The Delegation expressed its full support for the Director General and trusted that, under his leadership, the Organization's response to the Member States' growing interest in the strategic and productive use of IP information and the IP system would be heightened.

62. The Delegation of Sri Lanka endorsed the statements made by Pakistan on behalf of the Asian Group and by India on behalf of the DAG. The Delegation believed that those present had a clear and reasonable understanding of the role that the IP system could play in shaping and improving the overall socio-economic development in their countries. The Delegation stressed that the process of achieving the desired destination and objectives was a challenge and a struggle for many. A major component for the progress of this process for many countries, in particular the developing countries, is that the international and national IP systems must be truly development oriented. In that context, the DA constituted a significant milestone for all countries. The Delegation believed that, in order to effectively implement the DA, developing countries had to take the lead by introducing relevant projects into WIPO's work program. DA-related activities should be demand-driven, based on, and customized according to, the needs of Member States, as well as being strongly results-oriented and truly development-focused. The Delegation commended the work of the CDIP and looked forward to the Committee resuming its work. The increase in development expenditure for the 2012/13 biennium was most welcome. The Delegation was pleased that WIPO bodies would be reporting to the General Assembly on their contributions to the implementation of the DA recommendations. The IP system played a special role in Sri Lanka's development efforts, particularly in fostering an environment that encouraged innovation and creativity, as well as investment and entrepreneurship, and that would contribute to making Sri Lanka a knowledge hub in Asia (one of the country's development goals). Sri Lanka has now entered a new era of peace, hope and development and the environment is conducive and stable for attracting investment and business opportunities in the country. Under the leadership of His Excellency President Mahinda Rajapaksa, the Government has taken many steps to improve the socio-economic situation in all regions of the country, particularly in the former conflict areas, with a view to steering the country towards peace, prosperity and economic and social progress. Sri Lanka was implementing various IP-related activities, including: the promotion of innovation and invention, in line with the recent science and technology policy; strengthening the relationship between IP and business, including among young entrepreneurs; enhancing IT literacy; capacity-building and reaching the stakeholders as well as the public with the message of IP including the establishment of one IP facilitation centre in each district of the country, altogether 24, within the next three years, modernizing the IP administration particularly with better use of IT and promoting respect of IP. Work was also underway on national legislation, in particular with regard to new laws on the protection of new plant varieties and utility models. Progress had been made on a project to enhance the competitiveness of Sri Lankan products on the international market by using geographical indications, in particular "Ceylon cinnamon" and "Ceylon Tea". The assistance and cooperation that Sri Lanka has received from WIPO in some of these activities is much appreciated and the Delegation believes that they would be able to continue and enhance this cooperation in the future as well. Sri Lanka was concerned about safeguarding its TK, TCEs and GRs, and it therefore appreciated the work of the IGC and believed that its mandate should be extended. Collective measures are necessary to protect TK, TCEs and GRs. The international IP system had a role to play in addressing global challenges, such as climate change, public health, food security and the protection of GRs. The Delegation welcomed the establishment of a Global Challenges Division in that regard and looked forward to periodical briefings from the Division. The Delegation noted the outcomes of the SCCR, including its work relating to the rights of visually-impaired persons and other persons with print disabilities. The Delegation appreciated the achievements made in relation to the SCT, the ACE and global registration systems. Sri Lanka believes that WIPO as a specialized agency of the UN system, needs to work in line with the goals of the UN. The Delegation believed that common goals can be reached only through hard work, transparent negotiations, consensus building and collective and coordinated efforts. Sri Lanka was committed to further developing and strengthening its IP system, as well as to promoting and enhancing regional and international cooperation for mutual benefit.

63. The Delegation of the Democratic People's Republic of Korea began by stating that WIPO had, during the past 12 months, taken several measures, such as its SRP, in order to adapt to

the current international situation caused by global challenges such as the recent financial and economic crisis. On that basis, the Delegation was optimistic with regard to progress in the coming biennium. The Delegation took particular note of the observation that the finances of the Organization remained healthy and expected that situation to continue. The Delegation further took the view that, despite the progress made generally, further measures should be taken to protect IP. Firstly, there was a need for a legally-binding international mechanism to eradicate infringement of copyright and related rights. The modality for dispute settlement under the existing copyright protection system only allowed for bilateral settlements, mainly through national legislation. The system was therefore limited, in that it rendered international mediation, cooperation and arbitration impossible. Secondly, WIPO must further engage in the process of assisting developing countries to strengthen their IP infrastructure in line with their actual level of development. Particular attention should be paid by WIPO to helping developing countries in their efforts to set up national IP systems, strengthen IP infrastructure and improve the effectiveness of IP-related governance. In that regard, the developed countries would be required to increase their financial contribution to activities designed to strengthen IP protection and research and development institutions, and to provide relevant technology for the sustainable development of IP in the developing countries. The Delegation stressed that the Democratic People's Republic of Korea attached great importance to the development of IP and continued to work to consolidate and improve its national IP system, as well as to develop international cooperation with other Member States of WIPO. The Government of the Democratic People's Republic of Korea would continue to fulfill its responsibility as a Member State of the WIPO further to develop national IP protection activities and strengthen international cooperation in the field of IP.

64. The Delegation of El Salvador endorsed the statement made by the Delegation of Panama on behalf of GRULAC, and went on to recognize the efforts made by Ambassador Dumont and pledged its support to the Elected Chair. With regard to substantive matters, the Delegation stated that it would speak about each of the items of the agenda. Despite that, the Delegation said it was pleased with the work undertaken in the framework of the PBC. The world financial crisis notwithstanding, the Delegation congratulated the Director General for the positive report on the Organization's financial situation, and the recommendation obtained to approve the budget by program for the following biennium as well as the recommendation to continue the process of consultation among Members on the governance of WIPO. In terms of the work of the SCCR, the Delegation highlighted the discussions on the exceptions and limitations to copyright, which was of great interest to all Member States. The Delegation referred to the agreement reached within the SCCR on exceptions and limitations for persons who had difficulty accessing the written word and other reading disabilities, and called on Member States to continue working on the proposed objectives. As for the protection of audiovisual performances, the Delegation was in favor of the item being retained on the agenda of the Standing Committee, and stated that a diplomatic conference should be organized once a consensus had been reached, adding that inclusiveness and the sense of commitment from all Members in such negotiations would guarantee the success of discussions. The Delegation declared that a very important topic for all Members was the work of the IGC, which had been set up by a group of developing countries, and which had carried out considerable work aimed at providing effective international protection for that type of intangible assets. El Salvador would continue to support the work done by the IGC, and thus supported the renewal of the Committee's mandate for the following biennium. As for the CDIP, the Delegation reiterated its satisfaction with the progress made, and called on all regional groups to continue working together as they had done since the process of negotiating and adopting the WIPO DA. The Delegation affirmed that, in terms of cooperation and assistance to Member States, it supported the Director General's vision of new ways of providing technical assistance by optimizing human and financial resources, and welcomed the signs of guarantees given by the Director that assistance programs and capacity building for developing countries such as El Salvador would be in keeping with the IP policies and related implementation strategies defined by the country. As for the country's national IP office, which was the National Registration Center (CNR), the

Delegation pointed out that it had a quality certified office that was constantly striving for improvement. As a sign of its institutional commitment to strengthen IP, the CNR had continued to organize specific dissemination and capacity-building activities, including a workshop on IPRs enforcement for public prosecutors and officials of the National Civil Police, copyright training days, book fairs and so on. The Delegation also reported that the second stage of the permanent program for IP and enforcement for judges and magistrates had been completed, as part of an activity that had been implemented for more than two consecutive years with the cooperation of WIPO, through the Cooperation for Development Bureau for Latin America and the Caribbean. A third stage was being designed, and was scheduled for 2012. Lastly, the Delegation thanked the Director General, the WIPO Secretariat and the relevant Divisions for their commitment in supporting and coordinating activities and projects of interest, many of which had been backed by the Government of El Salvador.

65. The Delegation of Liberia said that Liberia's aim was to ensure that IP contributed to the efforts to rebuild Liberia after a protracted Civil War and thanked WIPO for the establishment of an IP Development Plan for Liberia following a WIPO fact-finding mission to Liberia under the supervision of the Africa Bureau. The Development Plan aimed to boost Liberia's creative industries and included training in the form of workshops, seminars, symposiums, summit meetings and the like; capacity building; identification of GIs; and amendments to copyright and industrial property laws. Liberia had also deposited its instrument of accession to the Madrid Protocol. Since then, much had been achieved. Liberia had acceded to the African Regional Industrial Property Organization (ARIPO) Protocol in December 2009 and both the Harare and Banjul Protocols entered into force in Liberia in March 2010 along with the Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore. WIPO had sponsored the participation of 16 Liberians in IP training courses abroad, and several workshops and training programs had been organized locally. Liberia currently could boast two IP lawyers who had recently graduated. Other Liberians had been trained in the areas of patent drafting, knowledge of the local and international registration of marks, and the knowledge economy. Liberian coffee with its unique aroma, durable "Lofa County Cloth," and torborgee with its unique texture, flavor and beneficial effects on health had been identified as potential future geographical indications for Liberia. Copyright and industrial property laws as well as anti-piracy regulations were being finalized. WIPO had supplied a number of computers and accessories for use in the Industrial Property Office. Liberia still faced enormous obstacles that would have to be overcome before IP could become an instrument of wealth creation. A Collective Management Organization had been established to support writers and artists, counterfeit products had been banned from the Liberian market, and the Copyright and Industrial Property Offices had been amalgamated. Finally, there was a plan to hold a national IP education and sensitization workshop targeting members of the national legislature, the judiciary and civil society.

66. The Delegation of Panama recognized the importance and potential of IP from a cultural and socio-economic standpoint and was convinced that the IP system offered many opportunities as a tool for development. Clearly, WIPO had made real progress thanks to the vision of its Director General and his commitment to a culture based on the strategic use of IP. In Panama, IP had many strong points, and was a priority issue that always came up in any international free trade agreements negotiated by the country. Technical and administrative capacity had been strengthened via the establishment of a service infrastructure with robust IP institutions. Panama's legal framework was being modernized in response to new trends and business environments. WIPO was providing valuable assistance with regard to geographical indications and advice on aligning domestic regulations with the PCT, and the relevant accession process had been initiated. Other strengths were the bodies which had been established: competition courts, specialized prosecutors, the IP customs offices and the Colón Free Zone, the Environmental Authority and the National Police, as well as the establishment of the Inter-Agency Intellectual Property Commission. Tangible achievements had been made in unconventional sectors such as indigenous communities and the protection of their TK and

expressions of folklore, which was why Panama strongly supported the renewal of the IGC's mandate. With the incorporation of the General Copyright Directorate, the Ministry of Trade and Industry was now solely responsible for administering IP. The Delegation further reported on the implementation status of a major endeavor to modernize the public administration by strengthening existing infrastructures, which boasted an advanced technological platform as part of the "Paperless Country" initiative. The portal for users offered online search and information consultation services, and the E-Power database had come on stream with digitized trademark and patent files. The Delegation hoped that by the end of the year, it would be in a position to introduce electronic filing of applications and improve the management of trademark applications through teleworking by examiners, thereby reducing delays. A copyright study carried out with WIPO's help to determine the contribution of the cultural industries to GDP was to be updated shortly. With regard to the DA, the Delegation said that much progress had been made and intended to comment further when the corresponding topic was taken up. The Delegation assured the Director General yet again that Panama was committed to backing WIPO strategic initiatives to identify comprehensive solutions with active participation. It further supported the establishment of external offices, which added value to WIPO efforts with a truly regional character. Finally, the Delegation reported that at the beginning of October 2011, the UN would hold in Panama the seventeenth session of the United Nations Framework Convention on Climate Change (COP-17), with representatives of some 200 countries and WIPO in attendance.

67. The Delegation of Turkey stated that WIPO's work had always been indispensable in promoting the use of the IP system for the benefit of all member countries, mainly through its core programs and services. In that regard, the Delegation welcomed the proposed amendments of the PCT Working Group to the PCT Regulations and believed that the Working Group would continue to focus on the PCT's performance. The Delegation hoped that sufficient progress would be achieved in international harmonization of patent law through the work of the SCP. The Delegation also appreciated the work carried out by the SCT and encouraged further progress in the field of designs. With regard to the work performed by the SCCR, the Delegation noted with satisfaction the significant progress made during the 22nd Session. As regards the work carried out by the CDIP, the Delegation supported the development of a balanced and effective international IP system and encouraged more constructive work and establishment of common ground of understanding in implementing the recommendations of the DA. The Delegation highlighted recent developments on IPRs in its country and pointed out that, given the importance of innovation and investment for economic development, promotion and protection of IPRs was one of the main issues of its country's Government Action Plan. The IP Coordination Board, which is the highest policy making platform for IP issues, composed of representatives from both relevant government institutions and NGOs, has coherently continued its works in order to craft the IP policies of the country. The Turkish Design Advisory Council which was established by the decision of the Council of Ministers prepared a National Strategy Document, in order to elaborate national strategies on industrial designs for using designs as a key tool for economic development and gaining advantage in competition. Moreover, the Turkish Patent Institute (TPI) has recently finalized its Institutional Strategic Plan for 2012-2016. Raising public awareness on IP among the public at large and specifically SMEs, universities, R&D institutions was specified as one of the priority actions in the Strategic Plan with the aim of creating sustainable and balanced national IP system. To that end, TPI has undertaken many target-oriented and customized endeavors and further developed its existing strong relations with industry, academia and relevant government institutions and NGOs. Thanks to continued fast economic growth in Turkey and awareness activities in the field of IPRs, a remarkable increase in the number of IP applications had been noted and the number of patent applications had continued to increase in Turkey. In the first half of 2011, the number of domestic patent applications had increased by 30 per cent compared to the numbers of the same period in 2010. Turkey also experienced significant growth in the number of international applications via the PCT system. In 2010, PCT applications filed by Turkish applicants represented a 32 per cent increase compared to the previous year. Likewise, the number of

trademark applications had increased, and thus more than 100,000 trademark applications were expected by the end of 2011. The number of industrial designs had also increased significantly in 2010. In addition, Turkey had become one of the leading beneficiaries of the iMadrid system and the Hague system. Being one of the fast growing economies in the world, Turkey attached great importance to R&D activities. The Government's Industrial Strategy Paper was published for the term 2011-2012, and as a result of this paper R&D and innovation activities had become the leading component of this strategy. The targeted 2 per cent R&D share in public budget by 2013 was a significant indicator of this positive change in innovation policies. The Delegation expressed its satisfaction for the strong cooperation between Turkey and WIPO, and extended its gratitude to the Director General and the International Bureau for their support. In that context, the Delegation mentioned the High Level Forum organized by WIPO in cooperation with the TPI within the context of the Fourth United Nations Conference on Least Developed Countries (UNLDC4). The UNLDC4 adopted the IPoA for the LDCs for the Decade 2011–2020, which foresees, *inter alia*, the promotion of innovative capacity of LDCs. At the same time, the High Level Forum had addressed the needs of the LDCs as concerns innovation and creativity. Having in mind that education is a crucial investment for successful implementation of IP policies, the TPI together with the Ministry of Culture and Tourism have intensified their cooperation with WIPO in establishing an IP Academy in Turkey. In addition, the initiative for launching a master program in Turkey, with a main focus on IP, in cooperation with WIPO, had already started. As an example of another focal cooperation activity, the Delegation commended the excellent teamwork achieved with Turkey's counterparts under the EU Twinning Project. During the course of the project, Turkey had organized more than 100 events including conferences, seminars, and workshops in one year and had achieved estimable improvements in capacity building. That was the most active event period in the IP history of Turkey. The Delegation also mentioned the full support of OHIM and the German Federal Patent Court in realizing the project objectives. In conclusion, the Delegation stressed that IP had become a major factor in the economic lives of the people in developed countries as well as developing countries. As a UN specialized agency WIPO's work should emphasize the role of IP as an instrument for economic development and creativity. In order to confront new challenges of the era, the Delegation believed that the works in WIPO's committees was crucial and should be enhanced, with new approaches initiated both by Member States as well as by the International Bureau. Finally, the Delegation expressed appreciation to all Member States for their cooperation, reiterated its highest considerations to the Director General, and wished all Member States fruitful deliberations.

68. The Delegation of Paraguay said that a great many topics had been discussed in the series of meetings that were of great importance to Member States, and wished to single out two issues. Within the framework of the SCCR, given that Paraguay was one of the States which had proposed a draft international instrument on limitations and exceptions for the visually impaired and persons with reading difficulties, the Delegation urged Member States to move ahead with points on which there was consensus between various other proposers. It firmly hoped that at upcoming sessions, it would prove possible to consolidate an instrument ensuring better access for that vulnerable group. As for the IGC, the Delegation welcomed the agreement to recommend an extension of that body's mandate. However, much remained to be done before a legally binding document in that field could be produced. The Delegation called on Member States to redouble their efforts to achieve tangible results. Paraguay was pleased with the activities carried out jointly by WIPO and its IP authorities in 2011, and expressed appreciation at the proactive attitude displayed by the Bureau for Latin America and the Caribbean. The Delegation further reported that Paraguay cooperated extensively with the sector for Global Infrastructure, Culture and the Creative Industries, adding that there were many projects underway which it trusted would be finalized progressively. Finally, the Delegation hoped that the dialogue between Member States, WIPO and other players would be further strengthened.

69. The Delegation of South Africa expressed its agreement with the statements made by the African Group and the DAG. The Assemblies Meetings provided an opportunity for Member States to exchange information, take stock of the Organization's activities and give guidance for its future work. South Africa had high regard for WIPO as the UN organization responsible for IP issues. In recent years, IP had proved to be a popular yet increasingly complex subject perceived as an important element in economic and social development. The Delegation believed that, if properly applied, the IP system could serve as a catalyst for economic and social development in developing countries. South Africa attached great importance to ensuring a balance between protecting IPRs holders and the public interest. In that context, South Africa considered that WIPO should focus equally on providing its normal services and on development issues. The adoption of the DA marked a watershed moment in WIPO, and it guided WIPO's development work ensuring that countries at different levels of development, in particular developing countries and LDCs, benefited from the IP system. WIPO's central mandate to advance the work of the DA could not be over-emphasized, in particular its response to the challenges of climate change, energy security, food security and public health. South Africa commended the work done to mainstream the DA into WIPO's activities and encouraged that further such work be done. South Africa was particularly pleased that DA activities would be funded from the regular WIPO budget. The draft Program and Budget for 2012/13 showed that WIPO had made every effort to ensure that the needs of developing countries received serious consideration through the provision of effective and efficient services. South Africa welcomed the three per cent increase in the proposed Program and Budget, with 21.3 per cent allocated for development activities. It stressed that the budget for development activities should be used with in meaningful activities aimed at assisting developing countries to utilize the IP system for their benefit. The Delegation emphasized the importance of effective technical assistance and capacity-building for developing countries. In that regard, WIPO should take into account Member States' individual needs and national policies in order to improve the overall quality of its technical assistance and capacity-building activities. The Delegation recognized the need for a dialogue among Member States to address the interface between IP and development. The Delegation hoped the CDIP would implement its mandate to facilitate such a debate which, due to divergences among Member States, it had yet to fulfill. South Africa regretted that some Member States continued to question the mainstreaming of development activities throughout WIPO. It urged Member States to embrace that important pillar of WIPO's work which was ultimately for the mutual benefit of all countries. The Delegation welcomed the successful conclusion of the 22nd session of the SCCR which resulted in the resolution of Article 12 on the transfer of rights in the draft treaty on the protection of audiovisual performances. It looked forward to the convening of a diplomatic conference to adopt the treaty, and welcomed the work program on broadcasting organizations with a view to negotiating a text for a treaty on the protection of broadcasting organizations. South Africa reiterated its support for the use, to the fullest extent possible, of flexibilities in the IP system, in particular exceptions and limitations. It appreciated the progress made on the text-based work on exceptions and limitations for persons with reading and other print disabilities and was fully committed to addressing the norm-setting issues currently before the SCCR. South Africa placed great importance on the work of the IGC, which had made great but gradual progress on the negotiations on texts for the protection of TK and TCEs. It remained concerned that negotiations on GRs were lagging behind due to the lack of political will by some Member States. The Delegation urged Member States to demonstrate political will and to recognize the urgency of that issue by committing to negotiate mandatory disclosure requirement, thus taking into account the role WIPO had to play to complement the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. South Africa anticipated focused negotiations in the IGC in the coming two years, with a view to concluding text-based negotiations on the three issues. It encouraged Member States to work together to convene a diplomatic conference in 2013 for the adoption of a legally binding instrument or instruments for the effective protection of TK, TCEs and GRs. South Africa looked

forward to adopting a well-balanced Program and Budget for the 2012/13 biennium and to renewing the IGC's mandate.

70. The Delegation of Zimbabwe aligned itself with the statements made by the Delegation of South Africa on behalf of the African Group and the Delegation of India on behalf of the DAG. Recovery from the global economic and financial crisis seemed to be in limbo, as confirmed by the World Bank and the International Monetary Fund forecast that the crisis would worsen. WIPO nevertheless remained financially sound owing to the measures taken by WIPO and the Member States. The Delegation welcomed the mainstreaming of the DA into all WIPO activities, this not being an end in itself, but a means of introducing balance into the IP system. Far from hampering innovation and killing IP systems, mainstreaming development not only advanced the interests of developing countries but also benefited the entire IP system. Prosperity for developing countries meant prosperity for the whole world and the IP system should not be an exception. The past year had seen progress being made in the integration of the development dimension into WIPO's activities, through the normative organization-wide mainstreaming of development in the Program and Budget. The Delegation noted that progress had been made in the IGC, where it was hoped that the three outstanding issues would be resolved within the agreed time frame, and also in the SCCR. The issue of copyright exceptions and limitations needed to be resolved to ensure that visually impaired persons, libraries and archives, educational institutions and persons with other disabilities were not deprived of access to knowledge because of their physical, economic or social conditions. The ongoing discussions on industrial designs should build development issues into the final outcome. The Delegation also noted the progress made on the long-pending treaties for the protection of audio-visual performances and broadcasting organizations, and looked forward to prompt finalization of both instruments. The adoption of the coordination mechanism, and assessing and reporting modalities, had been a significant step forward in mainstreaming the DA in all WIPO activities. It would not be complete without the corresponding resources. The integration of the development perspective into WIPO's programs, performance reports and budget was encouraging. The Delegation welcomed the increase from 19.4 per cent to 21.3 per cent of the share of the budget allocated to development expenditure. IP should not be perceived as an abstract naturally occurring phenomenon. Accordingly, WIPO had rightly set up TISCs. Zimbabwe had already made a submission to the relevant WIPO division and hoped that it could become one of the beneficiaries of that initiative. Such a center would assist Zimbabwe with the tangible promotion of innovation, growth and development. Finally, the WIPO Academy continued to play a pivotal role in meeting the demand for knowledge and skills in the area of IP. The Delegation hoped that WIPO's success in that area would encourage increased funding for the Academy's program.

71. The Delegation of Mexico thanked WIPO for its valuable support in providing the course for judges and magistrates in Mexico on July 13 and 14, 2011, as that had definitely helped to enrich knowledge in terms of enforcement of IPRs, and would therefore enable the country's system to settle cases in a more satisfactory way. The Delegation explained that, in order to provide Mexican users of the copyright system with an innovative technological mechanism that was adaptable to its new needs, the National Institute of Copyright (INDAUTOR) had introduced online procedures for acquiring an International Standard Book Number (ISBN). That had proved extremely successful, as it made it possible for users to complete such formalities from anywhere, in real time and 365 days a year. Another online tool had been set up for the International Standard Serial Number (ISSN) of journals and magazines. The system had enabled INDAUTOR to collaborate with the publishing industry, public and private universities, research centers, libraries and bookshops in accordance with national and international technical standards, as well as providing a service in real time. INDAUTOR was currently creating a technological platform to handle and control the entire copyright system in Mexico, as well as a virtual online museum containing Mexico's vast cultural heritage. Furthermore, in accordance with the State education policy, INDAUTOR had signed new cooperation agreements with various universities, associations and organizations, with a view to creating a

culture of respect for copyright and related rights. The Institute had also concluded agreements with national offices of other countries, in order to promote international cooperation in matters of copyright and related rights, thereby bringing the offices together and strengthening the region's work in that regard. In addition, the Delegation sincerely congratulated the WIPO Academy on its activities, underlining the fact that its programs had benefited many people from all WIPO member countries. The Delegation stated it was sure that training for the teaching of copyright and related rights would be strengthened thanks to the Academy. The Delegation also commended the progress made at the twenty-second session of the SCCR, particularly in terms of the steps forward in the negotiation of a treaty to protect audiovisual performances, and the international instrument on limitations and exceptions for persons who had difficulty accessing the written word, as well as the impetus behind the draft treaty on the protection of broadcasting organizations. Mexico's participation within WIPO had contributed to the growth of the Mexican Institute of Industrial Property (IMPI), not only in terms of infrastructure but also in terms of achieving more mature knowledge, development, management and protection of IP, as well as for discussions of new issues that were highly relevant to Mexico, such as development, GRs, TK, folklore and climate change. In that context, the Delegation declared that it was important for progress to be made in the work of the IGC, and that it considered it was essential to continue taking part in the SCP and the SCT, as they helped to strengthen the international legal framework for inventions and distinctive signs. In that sense, and in terms of industrial property, the Delegation highlighted South-South cooperation projects such as the Support System for the Management of Patent Applications for the Central American Countries and Dominican Republic (CADOPAT), which by July 2011 had handled 560 requests from participating offices, namely those from Central America, the Caribbean, South America and Member States of ARIPO. Other initiatives included the Patent Prosecution Highway Pilot (PCT-PPH), with the USPTO, the JPO and the Spanish Patent and Trademark Office (OEPM). Along those lines, it was vital for Mexico to recognize and reiterate the importance of the WIPO Academy in training government officials from IP offices and other interested parties, as a means of acquiring greater knowledge on such matters and providing a greater boost to IP in favor of development. One such example was the fact that over 34,000 students had completed the Spanish version of course DL-101, organized by IMPI in conjunction with the WIPO Academy. Lastly, the Delegation declared that it would make further comments as the meeting continued to deal with the various items on the agenda.

72. The Delegation of Ethiopia associated itself with the statements made by the Delegation of South Africa on behalf of the African Group, and the Delegation of Nepal on behalf of the LDCs. The Delegation congratulated the Director General on his participation as a high-level panelist at the Fourth United Nations Conference on the LDCs held in Istanbul, Turkey, and thanked him for the continued support extended to LDCs in important areas of technological capacity building such as support for technology and innovation and access to specialized patent information, and for highlighting the importance of mainstreaming capacity building for LDCs into the work of the Organization. IP contributed to transfers of technology, improvements in managerial know-how, marketing skills, product branding and the development of services and technical skills. The Delegation called upon the Director General to submit an annual report on the follow-up to the Istanbul Ministerial Declaration and the UN Program of Action for LDCs, and measures the Organization had taken to further strengthen WIPO's Division for LDCs. WIPO's assistance to LDCs needed to be intensified at a time when those countries were determined to translate knowledge, innovation and creativity into economic growth and development. The Government of Ethiopia had launched an ambitious Five-Year Growth and Transformation Plan to maintain the current double-digit GDP growth and achieve all MDGs by 2015. During the implementation of that Plan, the main objectives of Science and Technology Development were to establish bodies that would help improve productivity and the quality of local products. The six strategic directions of the Plan focused on building innovation systems, technology transfers and development, human resource development, quality and standardization, the development of science, technology and innovation information, and IPRs. The Government of Ethiopia had taken measures to strengthen the capacity of the national IP

Office, establish an efficient legal and administrative IP framework, and develop a new national IP policy. Accession to various WIPO-administered conventions was currently under active consideration. The Government of Ethiopia appreciated WIPO's assistance with the establishment of a Technology and Innovation Support Centre, the National IP Academy, the Networked Automation System, and IP outreach programs. WIPO's mandate and activities in respect of the protection of TK, folklore and GRs were very important and the progress that had been made in discussions within the IGC needed to be complemented by national activities relating to the identification, recording and analysis of economic benefits and the digitization of the TK products of LDCs. The Committee's work should lead to agreement on a binding international legal instrument.

73. The Delegation of Colombia supported the statement made by the Delegation of Panama on behalf of the GRULAC. It was vital for Colombia that WIPO should continue its work on international IP matters. The Organization must strive to adapt to the rapid changes affecting the world, as well as to new creations and the information society. The Delegation welcomed attempts to develop projects aimed at improving the administration and organization of WIPO and thanked the Secretariat for the work it did to improve the technological means by which access to information and communication between the Organization and its Member States were facilitated. The Delegation stated that, in accordance with national policies on progress and prosperity, its main interest lay in the continuation of work on the inclusion of IP as an essential element of social and development policies. It was particularly important to coordinate that issue with an equitable strategy for growth and development. The Delegation urged the Organization to focus on projects that encouraged competitiveness and productivity, key factors with regard to productive transformation. Colombia strongly believed that incentives must be provided regarding technology transfer and that the Organization should therefore increase cooperation with scientific institutions and enterprises, both in developing and the LDCs, with regard to the development of programs and projects designed to foster social and economic progress. For a megadiverse and multicultural country such as Colombia, it was vital that work to address all issues relating to the protection of GRs, TK and TCEs as assets of immense value to States and indigenous and local communities should continue to be driven by the political will to advance in a balanced fashion. Such assets should generate benefits within a legal framework that sought to ensure their preservation, in order to satisfy increasing demand on the part of the population, both currently and in the future. The Delegation appreciated the fact that negotiations to finalize binding legal texts were carried out within the framework of a participatory process and that the interests and priorities of all Member States had to be taken into account, along with the points of view of other interested parties. The Delegation emphasized, however, that dialogue should be pursued in order to produce a text that recognized the sovereignty of each State over its own GRs, unequivocally guaranteeing the respect for and mandatory nature of special regimes for access to and distribution of benefits at the national level. The rapid advance of new technologies throughout the world brought with it new challenges for the Member States. In that regard, the Delegation highlighted the work done under the WIPO Digital Agenda, approved by the General Assembly in September 1999, and urged the Secretariat to reassume one of its duties in line with its mandate and to "develop appropriate principles with the aim of establishing rules for determining the circumstances of IP liability of Online Service Providers". The Delegation was aware of the enormous effort required in order to reach a consensus on the drafting of a treaty and it proposed that WIPO's groups of experts in that field should continue to examine the main issues at the global, regional and local level, with a view to presenting the Member States with alternatives in order to allow them to make progress regarding national legislation. It was important for Colombia that the SCP, a forum for the promotion of the gradual development of patent law at the international level, should study new scientific and technological advances, which required more detailed analysis of what was considered non-patentable subject matter. In the case of inventions implemented by computer, for example, there was clearly a need to establish limits that would make it possible to determine whether a subject supported by a computer program was patentable or not. In other words, the requirements which must be met by an invention implemented by

computer in order for it to be considered patentable must be defined. That should not, however, preclude the possibility of the existence of dual legal protection, through both a patent and copyright, depending on the case. The Delegation added that it would be extremely useful to look at the case of new pharmaceutical inventions, for example, polymorphs, selection patents, methods of treatment and Markush formulas, establishing parameters for evaluation of the patentability of those inventions and analyzing in detail the points that must be taken into consideration with regard to the requirements of novelty and inventive step. As for trademark law, Colombia was delighted at the prospect of becoming a State party to the Madrid Protocol in the near future, and had thus been preparing for its implementation at the national level. The competent body had begun to examine the national system and carry out adjustments in order to ensure that the necessary elements would be in place to allow for the smooth functioning of the Protocol in Colombia. Said adjustments had been carried out in accordance with the recommendations of WIPO consultants who had visited the technical bodies with that aim. Work to analyze and study non-traditional marks should go ahead and there had been a huge increase in the number of applications for registration of marks of that type filed in Colombia over the past few years. The Delegation therefore urged the SCT to move forward regarding the study of non-traditional marks, in order that countries and users of the IP system might have access to reliable tools that would allow them to apply unified protection criteria, while bearing in mind the national legislation of each country. The Delegation called for that issue to be studied and analyzed and for manuals, guides and guidelines to be drawn up that would allow the users of the IP system to integrate the international protection criteria for collective, sound, smell, color and certification marks. The Delegation concluded by thanking the Director General for his leadership of the Organization, and, in particular, the Bureau for Latin America and the Caribbean, for the coordination work it had carried out to enable the various offices of WIPO to cooperate so fully with Colombia, thereby helping the country to improve its national IP system.

74. The Delegation of Belarus expressed its support for the efforts of the Director General and employees of the WIPO Secretariat aimed at creating an effective IP system, and establishing a favorable environment for investment in innovation and creativity. The structural modernization of the Belarusian economy, development of high-technology manufacturing, enhancement of export potential and the other priorities of Belarus' innovation development pre-determined the growth in IP's role as a tool of market regulation, shaping of trade policy, and conversion of knowledge into creativity, innovation, additional income, and competitive advantage. The Government had recently been showing interest, and comprehensive, systemic work on further developing a national IP system for the country was being carried out, both in terms of legislation, and also infrastructure development. The results of recent years were being seen in a sustainable, upward trend in the protection of inventions, trademarks, and other IP subject matter, both within the country and overseas, and likewise in the development of a market for that subject matter. The number of invention applications and trademark registrations filed by domestic applicants had therefore grown by more than 50 per cent in the previous year compared to 2005. The number of applications from Belarusian applicants for Eurasian patents had doubled, while the number of international applications for trademark and service-mark registrations had quadrupled. In May, 2011, the Law of the Republic of Belarus on Copyright and Related Rights, developed jointly with WIPO, had been adopted. Pursuant to the provisions of the WCT and WPPT, a new law would comprise norms regulating relations in the use of software, databases, and also scientific, literary and artistic works in the digital environment. Work was being carried out on the Law of the Republic of Belarus on Trade Secrets. In 2010, three WIPO handbooks had been adapted for developing information methodological provision, namely 'Creating a Mark', 'Striving for Perfection', and 'Inventing the Future'. A national IP strategy for the period through to 2020 had been developed with WIPO's assistance. Its implementation would help to set up an effective mechanism for obtaining economic benefits from innovation activities, and enhancing the competitiveness of local goods manufacturers on domestic and overseas markets as a result of mastering contemporary methods of conducting business and competition, based to a significant extent on effective IP management. Within the framework of that strategy, the creation of appropriate conditions for integrating and managing

IP protection, combining interrelated areas, had been envisaged using modern IT- IP protection and assessment, IPRs management, supervising IP use and observing legislation, maintaining patent archives, and providing patent information services. The Delegation expressed support for WIPO projects and initiatives relating to collaboration in the area of technical infrastructure. An agreement on collaboration with WIPO in developing technical infrastructure had been signed. Work carried out within the framework of that agreement would facilitate both improvement in the efficiency of the Patent Office's work, and the quality of services provided. The Delegation thanked the Director General and the WIPO Secretariat for its fruitful work, and expressed confidence that examination of the agenda issues as part of the current series of Assembly meetings would facilitate the resolution of the issues currently facing both national IP offices, and also the Organization.

75. The Delegation of Barbados welcomed the extensive dialogue and the progress that had been made in widening WIPO's outreach and in improving processing times of PCT applications. The Delegation also welcomed the increased emphasis on development in the Program and Budget for the 2012/13 biennium and called for continued assistance in helping countries to implement their national IP strategies. In that regard, the Delegation wished to associate itself with the comments made by its colleagues in the GRULAC and expressed pleasure at the undertaking given with respect to the requisite funds being made available to carry out work in GRULAC countries. The Delegation also welcomed the progress made by the SCCR, particularly with regard to the protection of audiovisual performances and it supported the recommendation to the effect that the suspended 2000 Diplomatic Conference should be resumed. The Delegation added its support to the call for a treaty on limitations and exceptions for persons with print disabilities, so as to improve access for those persons to copyright protected works. With respect to the SCT, the Delegation reiterated the critical importance to Barbados, as a small and vulnerable developing economy, of the protection of names of states against registration and use as trademarks. The protection of country names was of relevance, not only to the SCT, but also to the CDIP. The Delegation also reiterated the importance of strengthening the Caribbean Unit at WIPO in order to enable it adequately to service the needs of Barbados and other Caribbean countries. It also supported the ongoing work of the PCT Working Group, which would improve the functioning of the PCT system, and thanked the International Bureau for the hard work it had carried out in seeking to determine acceptable criteria for the granting of fee reductions. Nevertheless, Barbados would continue to stress the need for that matter to be determined in a fair and equitable manner, taking into account the peculiarities of small developing states such as itself. Barbados supported the renewal of the mandate of the IGC and hoped that the Committee would reach an agreement that allowed for the effective protection of GRs, TK and folklore. The Delegation also urged not only the resumption of discussions in those areas where agreement had not yet been reached, but also collaboration in achieving meaningful outcomes. It noted the progress made in the area of governance and looked forward to a successful outcome to those deliberations. Throughout 2011, Barbados had continued to benefit from technical assistance from WIPO, aimed at further strengthening its IP Office, but more assistance was required if it were to use IP effectively as a tool for social and economic development.

76. The Delegation of Botswana aligned itself with the statement made by South Africa on behalf of the African Group. One of the goals of the IP system was to achieve economic and social progress at the individual and national level. Strong IP protection stimulated innovation and promoted the creation of new products, processes and services by adapting and harnessing technologies. The IP system also created employment in primary and supporting industries. In cultural industries, it provided an infrastructure for rewarding creative talent. WIPO needed to build an international consensus on the IP system in order to strike a balance between the needs of developed and developing countries. That approach could, in turn, promote the economic development of countries such as Botswana. There was also a need to mainstream the DA into the work of WIPO bodies. The various WIPO committees shaped the consensus on IP issues but most developing countries were not represented at their meetings.

WIPO should therefore facilitate greater participation on the part of developing countries. The Delegation reiterated the African Group position that capacity-building initiatives for developing countries were key to boosting their effectiveness in trade negotiations. It welcomed the achievements of the IGC in the area of TCEs and TK. The Delegation also called upon Member States to make progress on the protection of GRs, otherwise developing countries would continue to suffer losses. Regarding the SCCR, the Delegation supported the development of an international treaty on broadcasting rights. Developing countries currently had difficulty accessing such rights. In 2010, Botswana had promulgated a new Industrial Property Act which had extended the scope of IP protection to cover key areas such as TK and handicrafts. Botswana had also established a Copyright Arbitration Panel to expedite the settlement of copyright disputes, given that Botswana's creative industries did not have the means to use the regular courts. The Delegation acknowledged the assistance provided by WIPO for the development of Botswana's IP system. WIPO had provided training for the Copyright Society of Botswana. Other training courses had related to the PCT and patent drafting. WIPO had recently completed an IP audit to assist the development of the Intellectual Property Development Plan. Furthermore, the upcoming WIPO mission to Botswana would mark the start of a project to digitize IP Office documents. At the regional level, Botswana was grateful for the upgraded information and communication technology (ICT) infrastructure at ARIPO. Botswana had participated in the feasibility study for that project. The Delegation reiterated that progress on IP issues could come about only through greater international consensus-building. Much depended on the adoption of international instruments in areas such as TK and TCEs. In the absence of such instruments, the valuable knowledge of many communities was being unfairly exploited.

77. The Delegation of Bhutan stated that it associated itself with the statements made by the Delegation of Pakistan on behalf of the Asian Group and the Delegation of Nepal on behalf of the LDCs. Bhutan had enjoyed a very fruitful association with WIPO in terms of technical inputs and capacity-building programs conducted under the bilateral framework. The invaluable contributions made by the Secretariat to the design and implementation of programs that addressed the development needs of developing countries, particularly the LDCs, were much appreciated. Although the importance of IP as a powerful tool for economic development and wealth creation was widely recognized, many developing countries, particularly LDCs like Bhutan, had not yet been able to take full advantage of the benefits of IP as a part of their economic development. The Delegation therefore urged that WIPO's activities should continue to be guided by the recommendations of the WIPO DA. In order to facilitate the effective use of IP for development purposes by developing countries, particularly LDCs, the Delegation encouraged WIPO to continue focusing on important development-oriented activities, particularly the enhancement of human resource capacity, the strengthening of legislative and institutional frameworks and technical infrastructure, increased accessibility to the knowledge created by the global IP system and the facilitation of the participation of LDCs in norm-setting activities at the international level. The Delegation also requested WIPO to continue to provide assistance in the formulation of IP policies, strategies and plans consistent with national development goals and objectives. As the only multilateral agency of the UN system dealing with IP matters, WIPO should continue to play a leading role, not only in the debates on the evolution of the international IP system and the best way to tackle the challenges facing that system, but also in promoting the use of IP for development purposes and ensuring that the benefits of IP were shared by all. The agenda of the Assemblies contained many important issues of a complex and technical nature, which had been under deliberation in different bodies and standing committees of WIPO during the past year. The Delegation commended the CDIP for its work and encouraged it to continue to ensure that the WIPO DA was effectively implemented. The Delegation also welcomed the progress made by the IGC in its efforts to bring about an international instrument to provide protection of TK and folklore against abusive use and misappropriation and welcomed the recommendation relating to the renewal of the IGC's mandate. Countries like Bhutan were vulnerable to outside forces which could take

advantage of their TK. The rightful owners and creators should enjoy the full benefit of their creativity.

78. The Delegation of Madagascar said that the strategic and operational guidelines would serve as a framework of reference for the future activities of the various WIPO bodies, making it easier to ensure that the services provided by the Organization met the needs of Member States. The Fourth United Nations Conference on Least Developed Countries, held in Istanbul, had confirmed that the IP system should play a key role in the achievement of the MDGs. There was no gainsaying the importance of innovation and creativity for social, economic, environmental, cultural and technological change in the LDCs. Among the possible avenues for action mapped out at the Conference, the formulation of national policies and strategies for IP and innovation would be facilitated by the creation of a knowledge database for development purposes. Boosting capacity in the LDCs would help promote the conditions for national development. The establishment of TISCs would facilitate access to international patent information databases. The IP system was crucial for the achievement of the MDGs, given its capacity to eliminate certain bottlenecks which had been identified. Moreover, the latent impact of climate change on ecosystems posed several challenges. IP could take up those challenges via the promotion of new technologies and innovation, while contributing to food security, the preservation of biodiversity, the protection of GRs, and the promotion of TK. Member States had to reach an international agreement on the legal protection of GRs and TCEs. Madagascar attached great importance to the implementation of the DA, and was making special efforts to enhance the influence of IP in the Indian Ocean region. During the current year, it had benefited from a WIPO training program to strengthen the promotion of innovation and technology transfer. The establishment of a TISC was moving ahead well. Having such a tool would henceforth place the country on an equal footing with others in terms of knowledge and ease of access to patent databases worldwide. Plans for mainstreaming an IP strategy into national development policy were gradually shaping up. Various awareness-building and advocacy workshops had been held. Moreover, efforts to introduce automated IP systems in the Madagascar Intellectual Property Office had been facilitated by a visit by WIPO experts to install the new version and train technicians in its use. It was necessary to envisage capacity-building for all IP users with WIPO assistance. The same held true for political decision-makers, who were not knowledgeable about IP issues. With regard to counterfeiting and piracy, which were becoming a real problem in the country, holograms were being introduced despite differences of opinion among stakeholders. The Madagascar Copyright Office had seen a rise in the number of affiliated authors. Consequently, that entity had scheduled an awareness-building seminar on copyright and collective rights management, primarily geared to music and audiovisual professionals and due to be held in Madagascar in 2012. Real progress had been made, but the exceptional development of the Intellectual Property Office and the Copyright Office, along with the amendment of current legislation, still required the support of WIPO. In conclusion, the Delegation endorsed the statements delivered respectively by South Africa, on behalf of the African Group, and by Nepal, on behalf of the LDCs. It further expressed Madagascar's appreciation for the technical assistance which the Organization had always provided, and was convinced that such beneficial cooperation would be further strengthened in different ways.

79. The Delegation of Angola endorsed the statement made by the Delegation of South Africa on behalf of the African Group, and declared that considerable progress and advances had been made in terms of the legislative agenda and the bodies responsible for monitoring, overseeing and managing the Organization, technical assistance programs and capacity-building in the framework of WIPO activities to promote the development of IP. The current session would provide an opportunity to assess all the work carried out, and to define actions to be implemented over the months to come. The strategic measures proposed by the Secretariat to make efficiency gains and savings in the Organization's budget in response to the world economic crisis were indeed commendable. The measures ranged from a review of the policy guidelines for personnel in charge of entertainment expenses to the funding of delegate

participation in meetings and restrictions in terms of the travel policy. The adoption of such measures should be carefully analyzed and discussed in advance by WIPO Member States, the Secretariat and the Staff Council, so as to avoid any misunderstandings that often had an adverse effect on the Organization's functioning. The Delegation affirmed that it shared the vision of most delegations, in the sense that the development dimension should remain at the heart of WIPO priorities for the 2012-2013 biennium. In that regard, the Delegation welcomed the overall increase in expenditure on development, which had risen from 19.4 per cent in the current biennium to 21.3 per cent in the forthcoming biennium. Despite the inclusion of development activities in the Organization's specialized departments and programs, in the Program and Budget put forward for the forthcoming biennium, the regional bureaus should nonetheless remain at the centre of the implementation of master plans and national strategies to promote innovation and IP, as well as capacity-building plans. As for the expected outcomes for the upcoming biennium, some WIPO activities, particularly those related to the legislative agenda, had achieved a degree of technical maturity, and needed genuine political will to be followed through. Particular progress had been made in relation to the preparation of new international legal instruments and standards in areas such as audiovisual performances, access to copyright-protected works for non-sighted and partially sighted persons, and the protection of TK, TCEs and GRs. The same applied to the simplification of procedures for industrial designs, as well as the reform of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration. It was advisable for WIPO to improve the operational effectiveness of registration systems, by using new technologies and enhancing the electronic environment. Strengthening cooperation and trust among Member States was essential for reaching a consensus on developing a well-balanced international legislative framework for IP. Over the coming months, the Organization was expected to make progress in devising a balanced international legal framework for marks, and to finalize discussions on Article 12, as part of the transfer of rights to performers, at the forthcoming diplomatic conference on the protection of performers and their performances on audiovisual media. The Organization should also bring to a conclusion the discussions planned as part of the work plan drawn up for the protection of broadcasting organizations and limitations and exceptions to copyright and related rights. In addition, WIPO could usefully renew the mandate of the IGC, so that it could make sufficient progress to organize a conference possibly during the forthcoming biennium. Furthermore, the Delegation reiterated the commitment of the Government of Angola, which considered the promotion and development of IP to be a prerequisite for the promotion of innovation, to scientific and technological development and the economic and social development of peoples and nations. The Government of Angola paid particular attention to IP issues, and the country's Constitution contained provisions relating thereto. The Government had also signed certain instruments managed by WIPO and was studying the possibility of acceding to others. In conclusion, the Delegation expressed the gratitude of the Angolan authorities for the support and assistance provided by WIPO as part of the organization of the National Forum for Policymakers, held from September 14 to 17 in Luanda, as well as for the impressive participation of WIPO in the fifteenth technical-scientific event organized by the FESA Foundation from September 20 to 23, 2011, in Luanda. Such activities helped to strengthen the IP system in Angola, and the Delegation said it was confident of receiving support and assistance from WIPO in achieving its future objectives.

80. The Delegation of Nigeria supported the statement made by the Delegation of South Africa on behalf of the African Group, as well as the statement made by the Representative of the African Union. It noted that the capacity-building programs of WIPO, particularly the WIPO Academy Distance Learning and Outreach programs, had benefited Nigeria. The global IP system made increasing demands on developing countries. WIPO therefore needed to build a balanced and sustainable IP system that was accessible to countries with different levels of economic and technological development. The Delegation noted with satisfaction the Organization's programs for strengthening national capacities and the significant progress made within the framework of the DA. The Delegation commended the Deputy Director General, who was in charge of cooperation and development, for that renewed

commitment. Nigeria was about to adopt the WIPO IP Development Plan and conclude a TISCs service level agreement. The Delegation expressed satisfaction with the progress made in several committees in the area of norm-setting and was particularly pleased with the situation regarding the SCCR. It looked forward to the Diplomatic Conference on the Protection of Audiovisual Performances. The progress made in discussions on the proposed broadcast treaty and the formulation of exceptions and limitations was encouraging. Nigeria welcomed the positive outcome of the work of the IGC. The emergence of texts on the protection of TK and TCEs was an indication of the renewed commitment of the Members, and the Delegation supported the recommended extension of the IGC's mandate. Finally, the Delegation pointed out that Nigeria was launching a number of programs and initiatives designed, not only to enhance the enforcement and regulation of the IP system, but also to support creativity and innovation in an effort to use the IP system to promote growth and competitiveness. The current digital environment and increasingly borderless economies posed daunting challenges for developing countries. WIPO therefore needed to continue to support Member countries, in particular developing countries and the LDCs.

81. The Delegation of Greece stated that it remained committed to successfully confronting every financial and fiscal obstacle. The Government was working on a plan of restructuring and, with the support of the European countries, the country was regaining credibility. Within that context, it was currently reshaping its trademark protection model. Although the Government had already established a system for registering and protecting trademarks, it had increased efforts to improve that system and to address any barriers to change in the existing national legal framework. It was constructing a world-class infrastructure (including technology, methodology and knowledge) and would soon systematize its information service processes, benefiting from automation, productivity improvements and workload balancing. That would lead to specific, measurable improvements such as in relation to timeliness and legal quality. It would also provide increased transparency and enhanced service and system accessibility for users, with a view to increasing use of the national system by potential rights holders. That was intended to lead to a reduced backlog, an increase in volume and, ultimately, to better promotion and safeguarding of IP protection in Greece. The Government was simplifying trademark registration by assigning examiners about 10,000 trademark applications per year and abandoning old-fashioned administrative committees. Those changes were expected to decrease the time taken to register a trademark to one-third of the current time, thus enhancing protection and diminishing administrative costs. However, an efficient trademark registration system did not guarantee trademark protection, especially where piracy and counterfeiting were thriving. The Delegation considered that the best way to protect its national IP was to protect other countries' IP with the same determination. The Government had therefore introduced a faster, less bureaucratic confiscation procedure for illegal and counterfeit products, enabling the competent authorities to destroy those products on site. The Delegation reiterated its country's commitment to WIPO's principles and goals and to continuing efforts in that regard that would benefit both the IP system and the community. The Delegation welcomed the convergence among WIPO Member States regarding exceptions and limitations of IPRs for the benefit of visually impaired persons and looked forward to continuing that work in relation to libraries and archives.

82. The Delegation of Saudi Arabia asserted that in a time of knowledge-based economies, geared to boost solid economic activity with scientific know-how and advanced inventions and technologies, IP played an important role in changing innovative ideas into tangible assets to be protected under IPR and exploited for revenue generation and improved social and individual well-being. Saudi Arabia, the Delegation said, thanks to its leadership, undertook to develop work in that field through fast-paced achievements, high-quality deliverables and modernized and streamlined procedures. Priority was given to increasing public awareness of IP through an action plan targeted at universities, academia, researchers, students, as well as educators and skilled individuals. The private sector, particularly SMEs, would also be covered by such an action plan. Aware of the importance of IP, Saudi Arabia joined WIPO and Member States in

celebrating the World IP Day, through the organization of activities, events and information campaigns aimed at enhancing public understanding of IP and illustrating the role of the IP system in the promotion of both literary heritage and technological innovations which were considered among the essential factors of progress and development of nations. The Delegation also highlighted some of the deliverables of the fruitful cooperation with WIPO in the current year: a trainer-training program on IP asset management for SMEs, contributions to the World IP Day celebrations, the conclusion of an MoU to improve the quality of services, as well as activities on creativity and enforcement. Cooperation with other Member States was also instrumental in the modernization of work. The Delegation said that the above-mentioned achievements illustrated the country's vision of IP and ambitious objective to be among advanced countries in that field. In conclusion, the Delegation expressed support for the statements made on behalf of the Arab Group and the Asian Group.

83. The Delegation of Jamaica stressed that its country considered IP and its effective protection to be important pillars of development, as reflected in the long-term development plan of the Government of Jamaica. Innovation and the creative industries had made an unquestioned contribution to Jamaica's development hitherto and would continue to do so in the future. Focussing on the IGC, the Delegation stated that Jamaica noted with satisfaction that the IGC had made substantial progress in the last biennium, and that a draft text on TCEs and TK had been prepared. Jamaica supported the recommendation that the General Assembly should renew the mandate of the IGC for the 2012/2013 biennium in order to facilitate four more sessions of the IGC in order to build on the progress made. The ongoing work of the Organization in supporting capacity-building efforts in the area of GRs, TK and TCEs was of great importance and the Delegation wished to place on record its appreciation for the support given by the Secretariat. It singled out for special mention the Creative Heritage Project training session to be conducted in Jamaica in October 2011 for the benefit of the Indigenous Groups, including the Maroon and Ras Tafari communities. Jamaica looked forward to continued cooperation with the International Bureau and WIPO Member States in the year ahead with a view to strengthening national, regional and international recognition and protection of GRs, TK, and TCEs. The Delegation noted the progress made in the SCCR in the discussion on audiovisual performances, and looked forward to participating in future discussions, especially in view of the fast pace at which Jamaica's film industry continued to grow. At the national level Jamaica would be implementing a purely digital voluntary registration system for copyright works. The English-version database had been developed by WIPO at Jamaica's request and was an adaptation of the GDA database system which was being used in several Latin American countries. The use of that GDA-plus system and digital-only storage would be a first for the Caribbean and for WIPO. The establishment of that system had been in direct response to requests by members of the public for a record-keeping service providing prima facie proof of authorship or copyright ownership of works qualifying for copyright protection under Jamaican laws. The database had been installed at the JIPO in July and legislative and technical matters were being finalized for full deployment of the system in the first quarter of 2012. In light of the tremendous success enjoyed by Jamaican athletes on the world stage, the Delegation stated that the JIPO had taken the initiative to address the significant link between sports and IP. It had noted with pleasure WIPO's agreement to host, in Jamaica in April 2011, a first-of-its-kind seminar focusing on IP and sports. The event had proven a great success and had generated vigorous and constructive discussions on the function of IPRs within the sports industry and the ways in which sport practitioners, administrators and business interests could best manage and benefit from proper commercial exploitation of those rights. The target audience had included sports administrators, attorneys, the media, entrepreneurs and sportsmen and -women. The seminar had also attracted regional participants from Barbados, Trinidad and Tobago, and Costa Rica. The Delegation noted that Jamaica recognized the important role that the body of law and practice pertaining to trademarks and geographical indications played in promoting trade and economic development. Recognition of protective rights underpinned Jamaica's efforts to advance discussions on the protection of country names by the proposed amendment of Article 6*ter*. The Delegation hoped that Member States would seek to widen the scope of

protection for goods that were defined by their place of origin from the standpoint of reputation and economic value. Jamaica welcomed the decision of the last session of the SCT to extend time-limits and provide for electronic submission of comments and responses to the questionnaire seeking Member States' reactions to the protection of country names and the desirability of an amendment to Article 6*ter*. Jamaica looked forward to the presentation of the revised document at the 26th session, when it would engage in a realistic and constructive discussion of future steps. Concerning the work of the CDIP, the Delegation welcomed the Committee's report and recognized the many challenges faced by developing countries in achieving the development potential of IP. It therefore noted with satisfaction the initiative to incorporate development-related projects and programs into each of WIPO's core areas and activities. Regarding the Madrid system, the Delegation acknowledged the importance that trademarks had played traditionally in Jamaica's IP system, both as a source of revenue, and as a driver of economic activity. In that regard, the Delegation informed the Assembly of the decision of the Government of Jamaica to become a signatory to the Madrid Protocol in 2012.

84. The Delegation of Sierra Leone aligned itself with the statement made by the Delegation of South Africa on behalf of the African Group and welcomed the initiatives intended to strengthen and streamline technical assistance to LDCs, a category to which Sierra Leone belonged, by increasing the budgets of both the Least Developed Countries Division and the Africa Bureau. As a result, Sierra Leone had been able to participate in and benefited from seminars, workshops and training programs organized by WIPO or with WIPO's support. Sierra Leone had also benefited from the Intellectual Property Automation Service project, also funded by WIPO. In the context of the implementation of the seven WIPO deliverables agreed upon at the High Level Forum in Istanbul, Turkey, on the advancement of the IP system in the LDCs, and as part of the formulation of a National Strategic Intellectual Property Development Plan for Sierra Leone, WIPO had successfully funded and organized a high-level Workshop on the Use of Intellectual Property as a Tool for Economic Growth in Sierra Leone, and conducted a needs assessment for the re-establishment of a Copyright Office after over 15 years of war. A strengthening of Sierra Leone's IP system was at the forefront of the Government's concerns and a priority in its Agenda for Change. Three Intellectual Property Rights Bills with provisions that met international standards and were in line with the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement had been tabled before Parliament. The Copyright Act had already been passed and the Trademark and Patent Bills were due to be passed when Parliament reconvened. Sierra Leone's current Patent Law had been inherited from the United Kingdom in the 1940s and it provided only for re-registration of patents already registered in the UK. The Draft Patent Bill would, when enacted, enable Sierra Leone to register original patents for the first time. Sierra Leone was under pressure from copyright holders and holders of related rights to provide adequate protection against piracy, plagiarism, counterfeiting, passing off and other economic torts and crimes. One of the greatest challenges faced by Sierra Leone was the creation of an IP culture that encouraged creativity and innovation in an environment subject to constraints such as limited funding, experience and technical know-how, and a weak infrastructure. Sierra Leone had been ranked highly by the World Bank among West African countries for the ease of doing business, and for successfully establishing a public and private partnership to increase foreign and local investment, especially in the mining and agricultural sectors. With the additional discovery of commercial quantities of high-quality petroleum, it had been recognized that there could be no economic growth or sustainable development in Sierra Leone in the absence of an effective IP system. The world economy had become knowledge-driven. Therefore, building solid foundations and a sound IP system to promote innovation and creativity, and boost the confidence of innovators, businesses and other stakeholders would lead to economic growth and sustainable development. The Delegation called on WIPO to step up its efforts especially by providing technical assistance for the establishment of a copyright office, the registration and examination of patents, capacity building in the Research and Development Institute of the University of Sierra Leone, the development of a strategic plan for an outreach campaign, and generally the promotion of Sierra Leone's IP system. Without such support, Sierra Leone would continue to lag behind the IP system in the rest of the world.

85. The Delegation of Zambia aligned itself with the statement made by the Delegation of South Africa on behalf of the African Group. Zambia was one of the few African states to have benefited from WIPO's Global Information Service through the establishment of TISCs. The process of setting up TISCs had commenced in Zambia following a visit by a WIPO mission in January 2011. It was hoped that the TISC would provide users with search services on patent databases and connect them with experts in various technological fields. Zambia also hoped to participate in the promotion and dissemination of research results and educate users about their rights in industrial property matters through the Center. That approach would allow Zambia to identify possibilities concerning technology transfer. The TISC would be housed at the National Technological Business Centre (NTBC), a scientific institution responsible for commercializing inventions. The Delegation was pleased to state that Zambia had been the first of the LDCs in Africa to be selected to participate in the appropriate technology transfer program and, under that initiative, Zambia had identified two priority areas in which intervention was required to address poverty. Two initiatives had been drawn up in the health and agricultural sectors, the "Solar Water Distillation" and "Run off Rain Harvesting" projects. The aim of the first project was to ensure a constant supply of clean water for rural dwellers; the second project was designed to help inhabitants of drought-prone areas to harvest rainwater to use for irrigation during the dry season. Once implemented, those two projects would have a positive impact on the reduction of poverty in the rural areas of Zambia. Zambia had been selected as a recipient of assistance under the Intellectual Property, Information and Communication Technologies (ICTs), the Digital Divide and Access to Knowledge. WIPO was assisting the Patents and Companies Registration Agency (PACRA) in digitizing its patents documentation. That work was expected to be completed by December 2011. The WIPO IPAS in Zambia currently only had local trademarks on its database. It was, therefore, very difficult to process Madrid applications, in particular in the case of issues of opposition. Zambia had appealed to WIPO to expedite the automation of the Madrid system, in order to increase efficiency in terms of the processing of applications through electronic communication between the International Bureau and the national office. As regards copyright and related rights, the Delegation wished to highlight the importance of continued consultations within the SCCR on limitations and exceptions for persons with a print disability. The Delegation urged the General Assembly to endorse the recommendation to convene a Diplomatic Conference on the Protection of Audiovisual Performances and stressed the importance of helping developing countries to strengthen their IP-related infrastructure in the area of copyright and related issues. The Delegation was committed to ensuring that the national IP strategy for the provision of a framework for strategic directions for IP and IP-related initiatives in Zambia was implemented within the context of national development. To that end, the Delegation supported the work carried out by the CDIP and would continue to do so in the years to come.

86. The Delegation of Ukraine welcomed the great efforts of WIPO in developing a balanced and accessible international IP system, strengthening the global system of IP legal protection, and also assisting in its effective use throughout the world through the provision of stable, harmonized collaboration between different countries and regions. It was the Delegation's opinion that the introduction of webcasting services in meetings had been an important step on WIPO's part. Ukraine supported WIPO's efforts in ensuring greater transparency in its work by providing remote access for stakeholders. The Delegation expressed satisfaction with the work of WIPO's committees, and supported the proposal of the SCCR, and also further high-level meetings, possibly at ministerial level. It was the Delegation's opinion that such undertakings had a very positive impact on senior State officials' understanding of the essential nature of IP. Frequently, that led to State support for innovative projects, albeit not always, but those served to raise the profile of IP in society, and to an increase in the significance of intangible assets for the economy in general. In view of that, Ukraine was prepared to host a high-level forum in the coming years. The Delegation noted that it hoped for future productive work within the framework of the CDIP, and also regarded it as a platform for global discussions and taking practical steps towards balanced development of an IP system. The Delegation supported the Consultative Committee's work on rights protection, which was aimed at coordinating efforts in

the battle against counterfeiting and piracy, and also through technical and legal support for WIPO Member States aimed at implementing numerous projects to ensure respect for IPRs. In relation to aspects of IPRs protection, Ukraine was keeping close track on implementing a balanced policy in discharging the international obligations of WIPO Member States and members of the World Trade Organization (WTO) in accordance with the core conventions, the administrative functions of which were carried out by WIPO, and likewise the TRIPS Agreement. It was currently felt necessary to seek fair and transparent mechanisms for respecting the rights of trademark owners in the tobacco industry, in accordance with Article 6 of the TRIPS Agreement and Article 7 of the Paris Convention. The Delegation hoped that, in the future, WIPO would actively support the establishment of national IP academies in developing countries, and likewise in countries with economies in transition within the framework of Program 10, Cooperation with Certain Countries in Europe and Asia, so as to forge an equal partnership between all WIPO Member States. Ukraine had repeatedly raised the issue of equal representation within WIPO of Member States according to geographical criteria, and the Delegation noted with satisfaction the progress made on that issue, and the qualitative improvement in implementing an equitable personnel policy under the leadership of Director General, Francis Gurry. In addition, the Delegation hoped that the wishes of WIPO Member States in relation to recruiting new young prospective employees in the future, based on their professional level and IP work experience, would be fulfilled. Separately, the Delegation thanked WIPO for the joint conferences and seminars, and organizing the Summer School in Ukraine. The Delegation concluded by wishing everyone a productive and successful 49th series of meetings of the Assemblies of WIPO Member States.

87. The Delegation of Senegal endorsed the statement made by the Delegation of South Africa on behalf of the African Group. It said that 2011 had been very intense for the Organization and that all Member States had worked in unison to achieve the objectives set within the different mandates entrusted to the Organization's committees and bodies. The year had been marked by significant standard-setting activity within the committees, in particular the IGC and the SCCR. The Delegation welcomed the results achieved at the 22nd session of the SCCR, with the decision to propose the relaunch of the 2000 Diplomatic Conference. That was a major step towards effective protection for audiovisual performances after 11 years of negotiations concerning Article 12. The two other subject areas examined by the Committee, i.e. exceptions and limitations and broadcasting organizations, should enjoy similar treatment. The Delegation said that it was convinced that the issue of exceptions and limitations to copyright and related rights should be examined in overall terms, with due consideration being given to all the beneficiaries so far identified. Concerning the protection of broadcasting organizations, it was time to launch text-based negotiations with a view to the adoption of a binding international legal instrument. In the same vein, the negotiations aimed at achieving an agreement on one or more international legal instruments for the purposes of guaranteeing effective protection for GRs, TK and TCEs, in the manner recommended by the 2009 mandate, had been conducted in specific terms based on the pre-established program of work. However, the Delegation regretted that the negotiations had not produced a recommendation to the current session of the General Assembly for the convening of a Diplomatic Conference on those issues. Insofar as it considered that the interest in protecting GRs, TK and expressions of folklore for the African continent was unquestionable, since most of the wealth of African countries as regards IP lay in intangible assets, the Delegation called for the renewal of the IGC's mandate and hoped, for future work, that a conference would be convened by the following Assemblies. The Delegation stated that the 18th session of the PBC, held recently, had been an opportunity to conduct a comprehensive examination of the issues relating to the Organization's Program and Budget, in particular those concerning audit and oversight, the implementation of the Program and financial issues, political proposals, planning and budgetary matters, the progress made with the SRP and the reports on the progress made with accounts. In that regard, the Delegation said that it welcomed the transition to the International Public Sector Accounting Standards (IPSAS) and the progress observed in relation to the SRP. Furthermore, it considered that the increase in the budget allocated to development-related

expenses in the 2012-2013 Program and Budget bore witness to the level of priority gradually attached to development activities within the Organization. It expressed satisfaction with that and drew the Assembly's attention to the proposals made within the different committees in direct correlation with the implementation of the DA. The Delegation mentioned the proposal by the African Group relating to a project to strengthen South-South cooperation in relation to IP for development purposes among developing countries and the LDCs. That project was particularly important to the Delegation in view of the positive consequences that it might generate if it were adopted. Consequently, the Delegation considered that the relaunch of the work of the CDIP was necessary. On a different level, the Delegation was of the opinion that the implementation of coordination mechanisms and monitoring, evaluation and reporting modalities, as approved during the financial year, were quite acceptable. The Delegation was convinced of the obvious link between development and IP and it had invested considerable efforts in promoting that area in terms of all its aspects and at all levels. It stated that the consequence of the positive impact of IP on development and the taking into account of that area by the highest authorities had led the State to set up, in addition to the Senegalese Copyright Office, the Senegalese Technological Innovation Agency in March 2001. That Agency had become the Senegalese Intellectual Property and Technological Innovation Agency in 2009, and the Delegation specified that a literary and artistic property agency was also going to be set up in the country. It was pleased with the quality of the cooperation between WIPO and Senegal and emphasized that the assistance provided for the country by WIPO between 2010 and 2011 had been translated into specific acts such as the signing of the Agreement creating TISCs in September 2010, the notable participation of WIPO in the Third World Black Arts Festival in December 2010 in Dakar, and the assistance with the preparation of the national IP development plan, which had given rise to the signing of a framework agreement in Geneva on January 20, 2011.

88. The Delegation of Viet Nam associated itself with the statements made by the Asian Group and the ASEAN, and took note of the progress that had been made by WIPO concerning its re-aligned strategies and activities since the previous Assemblies. Viet Nam had promulgated a number of regulations governing the implementation of the 2009 amendment of the Intellectual Property Law. The significant improvement of the legal system and enhancement of State management of IP had helped the country better satisfy the needs of all stakeholders in Viet Nam's IP system, especially in the context of greater integration in the global economy and the implementation of Viet Nam's Socio-Economic Development Strategy (SEDS) for 2011 – 2020. The creation and exploitation of IP assets and the development of a knowledge-based economy would play a critical role in that process. In 2010, Viet Nam had completed the highly successful National Program on Intellectual Property Assets Development for the period 2005–2010 and the Program had been renewed by the Prime Minister for the period 2011–2015. One of the Program's main objectives was to continue to provide support to Vietnamese businesses, organizations and individuals in the fields of IP creation, management, protection and enforcement, as well as enhancing the competitiveness of enterprises. With the assistance of WIPO, a Center for Supporting IP Asset Development would be established providing IP education and training, as well as support concerning the use and exploitation of patent information and patent commercialization for individuals, enterprises, scientific and technological institutions and universities in the Hoa Lac Hi-Tech Park in Hanoi. That model would be reproduced on a national scale. Viet Nam had, with WIPO support, successfully implemented a number of projects and activities, such as a training course on patent examination. The National Office of Intellectual Property of Viet Nam (NOIP) and WIPO had signed an agreement concerning assistance regarding the Center for Supporting IP Asset Development. The above-mentioned cooperation activities had significantly contributed to the development of the national IP system in Viet Nam. The Delegation welcomed the positive results of the programs that had been implemented under the WIPO DA, as well as the work of the CDIP. The results of such programs should be widely publicized, at least on the WIPO website, for the benefit of all stakeholders. Viet Nam pledged to work closely with WIPO to ensure the successful implementation of such programs in Viet Nam. The Delegation supported

the statement made by ASEAN on the resumption of the suspended Diplomatic Conference on the Protection of Audiovisual Performance. The Delegation also noted the results of the work on limitations and exceptions for persons with print disabilities and urged Member States to resolve those issues as soon as possible. The Delegation supported an extension of the mandate of the IGC for the period 2011/13, and called for a diplomatic conference to be convened in order to adopt the relevant legal instruments.

89. The Delegation of Indonesia associated itself with the statements made by ASEAN, the Asian Group and the DAG. Indonesia had, for a long time, attached great importance to the promotion and protection of intellectual property (IP) rights, and was currently party to six treaties administered by WIPO. Furthermore, IP was fully covered by current national legislation. In addition, Indonesia had started the process of accession to the Madrid Protocol, the Geneva Act of the Hague Agreement, the STLT and the Nice Agreement. The Government of Indonesia had started work on the amendment of national IP laws and, following extensive consultations with various stakeholders, was currently in the process of finalizing an amendment that would take into account the accession to the new treaties, bring clarity to the IP regulations and improve both protection of existing IPRs, as well as the IP registration procedure. The amendment of the Copyrights Act would be discussed in Parliament during 2011, while talks on the Trademark, Patent and Industrial Design Laws were scheduled for 2011. The establishment of the Directorate of Investigation of the Directorate General of Intellectual Property Rights (DGIPR) had improved Indonesia's ability to tackle IPR infringements at the national level. Amendments to IP regulations and enforcement needed to be coupled with awareness of the importance of IP. During the 2011 commemoration of World IP Day, the President of the Republic of Indonesia, Dr. H. Susilo Bambang Yudhoyono, had highlighted the importance of the promotion and enforcement of IPRs in stimulating creativity and innovation. Indonesia continued to develop a creative economy in order to bring the contribution of creative industries to the economy up to 8% of the GDP by 2015. Priority had been given to 14 creative industry sub-sectors to be developed under the "Indonesian Creative Economy Development Plan 2009-2015". The Government of Indonesia had issued a Joint Ministerial Decree to promote the development of Indonesian products with geographical indications. A cooperation agreement was expected to be signed in the near future between the DGIPR and WIPO for the development of IP office business services. The agreement would promote cooperation between both parties to further the common goal of developing a global IP infrastructure. It was hoped that the CDIP would resume its work shortly and that the proposed project on South-South cooperation could be adopted by consensus during the next CDIP meeting. The development dimension should be mainstreamed into all aspects of WIPO activities. Indonesia attached great importance to the discussion in the SCCR, particularly regarding the need for international provisions on the protection of broadcasting companies from the illegal use of broadcast signals. With regard to the work of the IGC, the Delegation welcomed the progress that had been made in the development of consolidated texts on TK, TCEs and GRs, along with a focused, thematic work program to facilitate their finalization in the renewed mandate of the IGC for the 2012-2013 biennium. In that regard, the contributions that had come out of the Second Session of Like Minded Countries Meeting on the Protection of Genetic Resources, Traditional Knowledge and Folklore in Bali, in June 2011, should be used as a foundation for future negotiations within the IGC. Indonesia hoped that the instruments would be finalized in a timely manner and adopted within the current biennium at a Diplomatic Conference.

90. The Delegation of Spain congratulated the Secretariat on the inauguration of the new administrative building, and said it endorsed the statement made by the Delegation of the United States of America on behalf of Group B. The Delegation emphasized that Spain welcomed the excellent results achieved by WIPO over the past year, and that were so accurately described in the report presented by the Director General. Progress in the number of applications for international marks and in the number of applications for international patents demonstrated that the Organization's efforts to reach all corners of the planet, provide training and disseminate information were having a major positive effect at the very least. That was why

Spain was clearly in favor of WIPO playing a key role in the future development of industrial property. The Delegation also highlighted the Director General's willingness to deepen multilingualism, as that willingness was also in keeping with the very nature of the UN system. The Delegation stated that progress had to be made in that direction in order to continue extending the industrial property system to all countries and turn it into the universal tool required by globalization. Using the languages spoken in various regions was the most appropriate way of achieving that. In the specific case of Spanish, which was by more than 500 million people in over 20 countries, the need was unquestionable. It was the opinion of the Delegation that an organization such as WIPO could not work at full capacity without taking account of that undeniable reality. For that reason, the Delegation said it could not fail to support the comments made by the Delegation of Panama on behalf of GRULAC, to the effect that Spanish should be used at all levels of activity, including the working groups. The Delegation added that it was vital to avoid contradictions. For instance, it seemed inconsistent to state a willingness to move forward with multilingualism, while at the same time proposing practices that involved a backwards step by reducing the use of some languages (including Spanish) within a records system as important as the Madrid System for the International Registration of Marks. Introducing restrictions of that type, soon after extending the use of languages in the Madrid system, was not conducive to the existence and expansion of international registration in Spanish-speaking countries. In conclusion, the Delegation congratulated the Chair on his management of the discussions.

91. The Delegation of Burkina Faso endorsed the statement by made by the Delegation of South Africa on behalf of the African Group and expressed strong support for the four proposals put forward by the Group, namely, the proposal on GRs and future work submitted at the 18th session of the IGC; the proposal to strengthen South-South cooperation in the field of IP to promote development in developing and LDCs, submitted at the seventh session of the CDIP; the joint proposal by the African Group and the DAG calling on the SCP to adopt a working program on "Patents and Health"; and the amended WIPO draft treaty on exceptions and limitations for the disabled, teaching and research establishments, libraries and archive centers, which had been submitted at the 22nd session of the SCCR. The Delegation strongly hoped that the various proposals would receive special attention in conjunction with the strengthening of the DA so that IPRs could become a real vehicle for the economic, social and cultural development of the Member States. The Delegation noted that Burkina Faso endorsed the strategy to accelerate economic growth by using the opportunities opened up by the IP system, particularly by ensuring rational exploitation of inventions based on need. As far as enhancement of the results of research and inventions was concerned, the best products had been identified thanks to the biennial National Forum on Research and Technological Innovation, and were being developed. The Delegation wished to point out that the country attached great importance to the creative industries, in particular the performing arts, three-dimensional arts and the audiovisual sector, as reflected by the organization of several international events, such as the Ouagadougou Panafrican Film Festival, the Ouagadougou International Crafts Fair and the National Culture Week, which took place on a two-yearly basis. In that context, the Delegation expressed support for the convening of a diplomatic conference for the protection of audiovisual performances. The country had gained a certain amount of experience with collective copyright management through the Burkinabé Copyright Office, which had already provided some African officials with copyright training and had designed a special software for that purpose. The Delegation said that Burkina Faso was in a position to make its expertise and national experience available to WIPO technical assistance and capacity-building programs and to the other Member States, particularly within the framework of South-South cooperation. The Delegation further explained that Burkina Faso wished to continue supporting and strengthening the WIPO-Cost program for modernizing the infrastructure of collective management societies. Burkina Faso followed closely the activities of the Organization and was pleased that, at the WIPO Forum on LDC development through innovation and creativity, held in Istanbul (Turkey) on May 10 and 11, 2011, WIPO had undertaken to implement for those countries cooperation for development programs that were concrete, measurable, exhaustive,

targeted to individual countries and based on the results achieved jointly with public and private bodies, in accordance with the declaration made by the participants at that forum. The Delegation stated that activities to promote IP remained fundamental for the country, which was determined to continue its efforts in that respect. It reiterated Burkina Faso's request for assistance in defining its national strategy, noting that it was important for the country to develop such an instrument with the help of WIPO. In conclusion, the Delegation indicated that Burkina Faso would like to play a greater role in the life of the Organization, and therefore hoped that it could be represented on the Coordination Committee and the PBC.

92. The Delegation of Cuba emphasized the support provided by WIPO, especially by the Cooperation Bureau for Latin America and the Caribbean and by the Global Infrastructure Sector, in implementing projects to train staff manning the TISCs. Those training efforts had facilitated access to industrial property databases containing technological information and supported the work of R&D centers and universities, which were fundamental components of innovation in Cuba. The Delegation further expressed appreciation for WIPO's cooperation in the implementation of the automated industrial property service IPAS-JAVA for trademarks, including the management of international applications for trademark registration where Cuba was designated. The creation of the electronic documents management system (EDMS), as part of WIPO's digitization program, was a project of vital interest for Cuba, and implementation was expected to begin in early 2012. During the current year, Cuba had been awarded the WIPO Gold Medal for the group of authors working at the Center for Genetic Engineering and Biotechnology, for the invention of the biotech product HERBERPRO-P, a unique product in the world for the treatment of patients with diabetic foot ulcers in advanced stages who were at high risk of amputation. The country had also received the WIPO Prize for the best young inventor at the recent Geneva International Invention Exhibition, held in April 2011. With regard to the work of the CDIP, the Delegation considered that significant progress had been made in implementing some of the recommendations of the DA through projects, and deemed it important to continue improving the mechanism for coordination and monitoring, evaluation and reporting arrangements for the mainstreaming of the development dimension into all WIPO activities. It was also essential that WIPO continue to allocate budgetary funds for the implementation of the DA recommendations. With regard to the work of the SCCR aimed at the adoption of a treaty to improve access for the visually impaired and persons with reading difficulties, the Delegation felt that those efforts had a high impact on society. All should work towards obtaining concrete results as quickly as possible. In that respect, Cuba supported the proposal for a treaty on copyright exceptions and limitations for the visually impaired. As for the implementation of the language policy in the Organization, the Delegation backed the proposal to include Spanish and other languages in the documentation for the different working groups and various committees, underscoring the need to accelerate implementation of the language policy proposal, especially with regard to working group documents. The Delegation stated that the renewal of the IGC's term was crucial for the achievement of an international instrument for the protection of TK, GRs and expressions of folklore. In respect of the work of the SCP, it was important to apply recommendation no. 17 of the WIPO DA, which stated that standard-setting activities should take due account of the flexibilities established in international industrial property agreements, especially those which affected developing and LDCs. In conclusion, the Delegation endorsed the statement delivered by the Delegation of Panama on behalf of GRULAC and the statement by the Delegation of India on behalf of the DAG.

93. The Delegation of Rwanda endorsed the statement made by the Delegation of South Africa on behalf of the African Group. Rwanda attached great importance to IP protection, in particular the role it played in cultural and socio-economic development and investment promotion. In May, the Government had acceded to the Hague Agreement (including the Geneva Act), the PCT and the Madrid Agreement. In an effort to modernize its IP framework, the Government had passed a new law on IP, developed an up-dated IP policy and ratified the above-mentioned IP treaties. It had also presented a bill to Parliament on the protection of TK. Furthermore, Rwanda had become a member of ARIPO. Substantial efforts

had also been made to disseminate information on the importance of IP for the country's development. With WIPO's assistance, the Government had organized national and regional seminars on IP over the past two years, and had carried out an awareness-raising campaign designed to suit various constituencies (business, academia, artists). The Delegation reported that a Directorate General in charge of IP had been established within the Ministry of Trade and Industry. That Directorate would work to improve the coordination of activities related to IP promotion and protection, and would strengthen the role of IP in creativity and innovation. The Delegation expressed its thanks for WIPO's support in the areas of technical assistance and capacity-building. It hoped that further cooperation would focus on the creation of centers for innovation and technology transfer and the development of links between research and development and business. The Delegation stressed that it was vital that all partners support WIPO's efforts to implement the DA recommendations. It was necessary to adopt an international instrument that would regulate all aspects of TK, TCEs and GRs, which were economic and cultural assets for developing countries.

94. The Delegation of Bangladesh aligned itself with the statements made by the Delegation of Pakistan on behalf of the Asian Group and the Delegation of Nepal on behalf of LDCs. The Delegation stated that IP was associated with innovation, investment, economic growth, prosperity and social and cultural development, but not all countries were in a position to benefit equally from it. Developing countries needed to attain the institutional capability and develop human resources in order to utilize IP as a tool for promoting innovation, enterprise competitiveness and sustainable development. The LDCs, in particular, faced greater challenges in protecting their valuable IP assets and in developing their own IP regimes. The Delegation therefore counted on WIPO to help Bangladesh in articulating national IP and innovation strategies and providing enhanced technical assistance to implement those strategies. The Delegation had noticed that, during the last year, WIPO had initiated many programs which would generate better IP perception, installation and modernization of infrastructure, and strengthening of capacity. Projects, such as Access to Research for Development and Innovation, Access to specialized Patent Information, Capacity Building in the Use of Appropriate Technology-specific Technical and Scientific Information, and the proposed South-South Cooperation project would greatly benefit the developing countries. There was a need to promote a supportive IP regime both at domestic and global levels to overcome inherent structural weaknesses. WIPO could play a vital role by extending the benefits of exceptions and limitations under its various norm setting activities. The Delegation also welcomed the identification of the WIPO deliverables agreed to at the recently held Ministerial Meeting on the sidelines of UN LDC-IV in Istanbul and looked forward to the necessary activities to translate those deliverables into tangible results. The Delegation hoped that the implementation of the DA recommendations would gain further momentum and result in more development-oriented activities and action plans. Furthermore, implementation of the DA recommendations should not be reduced to only technical assistance activities. Therefore, it was necessary for all to work together for resumption of CDIP during the coming sessions in November. The Delegation had noticed with satisfaction that in the proposed budget for 2012/13, development expenditure was projected for an increase from 19.4 per cent to 21.3 per cent and looked forward to real development of infrastructure and capacity in the developing countries. The Delegation appreciated developments in the IGC. However, the Delegation preferred to see the principle of access to benefit sharing through prior informed consent to be reflected in any future understanding in that area. The Delegation also welcomed the primary understanding in SCCR that year and expected that sufficient provisions of exceptions and limitations would be available to the developing countries, especially LDCs. The Delegation thanked the WIPO Secretariat for its continuous support towards the building of human and institutional capacities in Bangladesh. That cooperation was crucial for the modernization and automation of IP infrastructure and the overall development of the country.

95. The Delegation of Antigua and Barbuda stated that the global community continued to grapple with ongoing and varied challenges arising from the global financial crises. Antigua and

Barbuda and the Antigua and Barbuda Intellectual Property and Commerce Office (ABIPCO) would continue to work in partnership with WIPO in key strategic areas. History had demonstrated that, in times of recession, new opportunities emerged and creativity and innovation thrived. Antigua and Barbuda remained aware of the importance of IP to national development goals and aspirations. As a result, the Government had embarked on an aggressive legislative and administrative campaign designed to ensure that national IP legislation remained in line with ongoing global developments in that crucial sector. Antigua and Barbuda had begun to examine the impact of creative industries on gross domestic product (GDP) and had initiated a process of revision of national patent laws, which should be enacted later on in 2011. In June, 2011, ABIPCO had relocated to new premises, facilitating increased growth and expansion. Work had begun to automate the national registry by the end of 2012, a process that would revolutionize the way business was conducted nationally, regionally and internationally, and bring stakeholders fully into the e-commerce and e-government environments. The Government had approved the creation of specialized technical positions, in line with the planned expansion of the registry's legal and administrative capabilities, with a view to meeting the increasing demand for IP services and support at the national level. Such posts were of particular importance with regard to the PCT and the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks. Multi-disciplinary committees continued to consult with stakeholders, in order to ensure a greater appreciation and understanding of IP throughout all sectors. That process was of particular importance with regard to Antigua and Barbuda's efforts to register "Antigua Black Pineapple" as a geographical indication. On April 26, World IP Day, the Ministry had hosted the first secondary school logo competition, which had proved to be tremendously successful. The private sector and WIPO, in partnership with the Ministry, had donated prizes and trophies for the winners and there were plans to hold the event on an annual basis. An IP display would also to be hosted at the National Science Fair in order to demonstrate to students the various ways in which IP affected their lives. A proposal had been made to the Ministry of Education concerning the incorporation of IP into the school curriculum at all levels. The IPRs of Caribbean artists did not always enjoy the protection they deserved. One example of how IP could, if not protected, fall into the public domain causing the creator to lose out financially was the song "Hot, Hot, Hot" by Arrow. A video featuring a number of artists and authors, including Drastic and Joanne Hillhouse, was due to be launched in the near future as a part of a campaign on copyright. The aim of that initiative was to raise public awareness concerning copyright and related rights. ABIPCO was collaborating with the Ministry of Culture on a project entitled "The History of Calypso". A seminar on copyright and enforcement was being planned in Antigua and Barbuda for Eastern Caribbean judges, local magistrates, police and customs officers and officials from the Antigua and Barbuda Bureau of Standards (ABBS). Antigua and Barbuda welcomed the recent statement by the Honorable Chief Justice Hugh Rawlins, of the Eastern Caribbean Supreme Court (ECSC), concerning the importance of IP jurisprudence and creativity. Antigua and Barbuda had urged its legal practitioners to recognize the significance of IP legislation. Given the range and scope of national initiatives and IP development in the Caribbean region, it should be apparent that the region took IP issues very seriously. The Caribbean Unit of the Bureau for Latin America and the Caribbean played an important role in achieving goals at the regional level and its financial, technical and human resources should be increased in order to enable it to support the growing aspirations of Member States. As to the issue of the DA, WIPO must take account of the needs of the developing world if the broad parameters for addressing IP issues were to be agreed upon and finalized. The Delegation also commended the work of the SCCR and the Madrid Protocol Working Group.

96. The Delegation of Argentina endorsed the statement made by the Delegation of Panama on behalf of GRULAC, and wished to support and cosponsor the proposal for an international instrument on copyright limitations and exceptions for persons with difficulty accessing printed matter, as that would guarantee a substantive solution for persons with reading difficulties, thereby placing beneficiaries on an equal footing with everyone else. With regard to the work of the IGC, the Delegation was following closely the progress made which was aimed at ensuring

greater convergence in respect of a topic characterized by a host of issues. In that connection, it supported the renewal of the Committee's mandate for 2012-2013. The Delegation expressed satisfaction at the progress made in including DA projects in the Organization's budget, in order to ensure the mainstreaming of DA recommendations into the work of the Committees. It hoped, however, to avoid a recurrence of the events that had taken place at the previous CDIP session, which had been suspended owing to a lack of agreement on any one item of the agenda. In a different vein, the Delegation noted that the WIPO Academy was a strategic institution for Latin America and the Caribbean and that, in an era of added value for intangible goods, education was key. In that respect, the Delegation reiterated its satisfaction at the fact that the WIPO Academy, an institution which played a vital role in training human resources from the developing countries, was headed by a GRULAC national. Taking up the comment made by the Director General the previous day, the Delegation emphasized that one of the challenges to be tackled was capacity-building in the LDCs and developing countries so that they could participate in the IP system and use it to promote innovation and cultural creativity. It therefore hoped that the Academy could be further strengthened and that its leaders would continue to promote training geared to development.

97. The Delegation of Congo endorsed the statement delivered by the Delegation of South Africa on behalf of the African Group. It stressed that Congo attached great importance to IP, following its accession to international IP conventions and treaties and various steps taken at the national level to promote innovation, in particular the creation of an assistance fund for invention and innovation; the introduction of an award by the President of the Republic for the best invention; the organization of invention fairs; and the conduct of public information and awareness-building campaigns. The Delegation was participating in the meeting against a backdrop characterized by the implementation of the national Government program entitled "The Road to the Future", which was based on the modernization and industrialization of Congo. For example, an industrial redeployment program had been launched, which was geared to food security and the improvement of living conditions. In that respect, a national IP development strategy was being prepared in cooperation with WIPO. The Delegation seized the opportunity to thank WIPO for its praiseworthy efforts to promote cooperation with Congo. It hoped that the cooperation between WIPO and Congo would continue in respect of the drafting of the National Plan for the Development of Intellectual Property, the creation of the National Industrial Property Office, the activation of the TISCs, and the training of human resources in IP specializations. Congo was pleased to note the significant progress that had been made in the various committees, such as the IGC and the SCCR, to mention just two bodies. It was worth noting the major step taken, following an 11-year hiatus, with regard to audiovisual performances. The Delegation further took good note of the Secretariat's desire to implement, by 2015, a language policy covering the six official languages of the UN system in a phase-by-phase approach. The proposed operating model met the related needs. 2012 should begin with encouraging prospects, and the Delegation accordingly wished the WIPO Assemblies every success.

98. The Delegation of Sudan pledged support for efforts made to achieve a better understanding and increased awareness of IP, and recognized the major role played by WIPO in the promotion of innovation and creativity for the well-being of all. The Delegation associated itself with the statements made by the Delegation of Egypt on behalf of the Arab Group, the Delegation of South Africa on behalf of the African Group, the Delegation of India on behalf of the DAG and the Delegation of Nepal on behalf of the LDCs. Sudan had a rich heritage that spanned over seven thousand years, and therefore was committed to protect its valuable knowledge. The Delegation trusted that WIPO would support Sudan in capacity-building and modernization of technological infrastructure. The Delegation shared concerns raised by other delegations with regard to the reasons which had led to the suspension of the CDIP seventh session and hoped that discussions would resume in the November session. Cooperation within the CDIP should aim at fostering development projects among developed countries, developing countries and LDCs. The Delegation welcomed the implementation of the 2010 General Assembly decision to report on DA-related activities to the General Assembly. Equally

welcomed was the consensus reached by Member States during the IGC nineteenth session to renew its mandate. The Delegation recommended text-based negotiations to reach an agreement on GR and TK protection. The Delegation welcomed the recommendation by the PBC eighteenth session to adopt the WIPO language policy which would allow for the translation of documentation and publications by 2015. It was hoped that such policy would be extended to interpretation services and WIPO's website as well. In conclusion, the Delegation emphasized that Sudan attached utmost importance to the reinforcement of the use of the Arabic language in WIPO.

99. The Delegation of Guatemala endorsed the statements made by the Delegation of Panama, on behalf of GRULAC, and by the Delegation of India, on behalf of the DAG. The Delegation mentioned that Guatemala had made progress in terms of IP, mainly in the promotion of innovation and creativity in favor of economic, social and cultural development, thereby helping to strengthen the legal structure that ensured and protected an effective and appropriate international system of IP. IP was a fundamental element of progress, as it was not only a means of protecting the individual right to property, but also provided a way of facilitating the transfer of technology within a framework of scientific security and legal certainty. The Delegation expressed its conviction that technological innovation had a key role to play in Guatemala's sustainable development, and that such innovation could not materialize without effective IP policies. That premise had formed the basis for the first Central American Ministerial Meeting on Public Policies, Innovation and Intellectual Property, held in Guatemala in December 2010. The Director General had attended that meeting, and had encouraged the relevant Central American authorities to identify ways to strengthen and expand innovation strategies, as those promoted the generation of knowledge and skills needed to boost cultural, artistic, scientific and technological creation. He had also encouraged the authorities to consider the proposal for formal linkages between entities working in the area of innovation policies and IP, with a view to establishing a permanent mechanism for communication, consultation, dialogue and joint actions. The Delegation acknowledged the importance of innovation as a tool of IP. With that in mind, WIPO had cooperated in the creation of the TISCs; the progress of countries was indeed dependent on innovation. In terms of copyright and related rights, Guatemala had made important progress, such as including copyright in the national secondary education program, which was vital for promoting respect for copyright. In addition, cooperation agreements had been signed with national and international institutions and universities, with a view to carrying out projects in the area of industrial property and copyright. The Delegation declared that Guatemala supported all the new mechanisms that had been created to give IP the focus it deserved, and that it welcomed what had been achieved in relation to TK and TCEs, given that Guatemala was rich in that regard. The Delegation thanked WIPO, and particularly the Cooperation for Development Bureau for Latin America and the Caribbean, for the unconditional support and assistance that had been provided to the Guatemalan Intellectual Property Office, as well as for the training given to its staff.

100. The Delegation of Togo endorsed the statement made by the Delegation of South Africa on behalf of the African Group, and the statement made by the Delegation of Nepal on behalf of the LDCs. It assured the delegates that Togo attached great importance to the activities of WIPO, whose outcomes were valued by all governments. In that respect, the Delegation thanked the Organization for its efforts to strengthen cooperation, and above all for its backing for Togo. That multifaceted support had made it possible to organize a number of activities to promote the IP system, including the Workshop on the Patent System and the Role of Patent Information in the Promotion of Innovation, which had taken place on May 4, 2011 in Lomé, and the National Forum on Intellectual Property and Economic, Social and Cultural Development, which had been held on June 30 and July 1, 2011, also in Lomé. Togo had also received financial support from WIPO to attend the IP Forum organized for ambassadors and high-level officials from LDCs on the topic of "Building a Knowledge Base for Innovation and Creativity to Promote Development", which had been held in Geneva (Switzerland) on February 14 and 15, 2011. The universities and R&D institutes which were being set up in the

African countries had to be at the forefront of technological development in Africa. Yet such an ongoing search for technological progress posed certain problems for those universities and institutes. A lack of funding prevented the African countries from going beyond widely encouraged initiatives, thereby penalizing training and research centers. Accordingly, the Delegation welcomed the signing of an agreement with WIPO, during the current Assemblies, on the establishment in Togo of a TISCs. That body, which would focus on research into subjects relating to technical information contained in patent documents which had fallen into the public domain, the search for trade partners and essential know-how, market analysis and the provision of general information on IP legislation, would significantly boost national development. In conclusion, the Delegation reaffirmed that the Government of Togo was prepared to cooperate closely together with WIPO with a view to achieving those common goals.

101. The Delegation of Uganda welcomed the Report of the Director General, in which it was pointed out that the challenges facing the LDCs and developing countries in using IP for development required priority treatment. The use of IP for development was vital to Uganda's National Development Plan. Uganda supported the statement of the African Group, as presented by the Delegation of South Africa, as well as the statement made by the Delegation of Nepal on behalf of the LDCs. The Delegation acknowledged the various program activities and projects at different levels of implementation undertaken by the International Bureau in support of Uganda's national development goals. The National Development Plan prioritized IP in the areas of innovation, science and technology, employment creation and economic competitiveness. The Delegation welcomed the fact that the requests which had been made for technical assistance under the DA, and which were in line with the national development objectives, had been approved. The reform of IP laws was a priority and had an impact on investment. The creative industries were key to employment creation and the situation in that sector would be discussed by the Presidential Investors Round Table (PIRT). A great deal of progress had been made by the International Bureau regarding the implementation of several initiatives, including: the IPoA for LDCs; support for legal reforms and enhancement of access to services for users through WIPO Gold; the translation of IP publications into one local language to facilitate awareness among SMEs; and, last but not least, the provision of support for ARIPO in order to promote a regional IP framework.

102. The Delegation of Mali said that its government welcomed the cooperation ties between WIPO and Mali, which were deepening and becoming more diversified. It reiterated its satisfaction at WIPO's efforts to develop IP in Mali. In the course of the current year, those efforts had been illustrated *inter alia* by the launching of the program for a national IP development strategy. That program, which was designed to strengthen the legislative and regulatory framework in order to ensure protection, promotion and effective and efficient use of IP, was a veritable source of wealth creation in all sectors of social and economic development, and had done much to promote sustainable development in Mali. WIPO provided support for the promotion of inventiveness and innovation in Mali, the most recent example of which had been the awarding of three gold medals to the winners of the Sixth National Exhibition of Inventions and Technological Innovation, held from July 28 to August 4 in Bamako. In that respect, the Government of Mali hoped that it could benefit from the program of the TISCs, which was an important means of promoting creativity and innovation for sustainable economic development in the country. The Delegation of Mali wholeheartedly supported the statement made by the Delegation of Nepal on behalf of the LDCs, and welcomed the rapid implementation of the Ministerial Declaration adopted in Istanbul at the High Level Forum. It also supported the statement made by the Delegation of South Africa on behalf of the African Group. In conclusion, it expressed once again its satisfaction at the quality of cooperation ties, which it hoped would prove to be lasting.

103. The Delegation of Venezuela (Bolivarian Republic of) endorsed the statement made by the Delegation of Panama on behalf of the GRULAC and stated that Venezuela welcomed the

progress that had been made regarding the implementation of the DA. The Delegation expressed satisfaction at the results of the previous session of the PBC, in particular, the fact that the region of Latin America and the Caribbean would have access to the resources necessary for the continuation of efforts to foster IP as a tool for development. Another cause for celebration was the language policy to be implemented in the coming biennium and the Delegation supported the statement made by the Delegation of Spain regarding the Spanish language. As to the negotiations within the IGC, the Delegation reiterated both its position in favor of achieving an international agreement that would guarantee the protection of those resources in the hands of their legitimate and historic owners and its reservations with regard to the possibility of patenting life in any form. The latter issue was not simply an ethical problem, but was also expressly forbidden by the Venezuelan Constitution. Venezuela had made clear its stance in that regard in all the international fora in which it participated. The Delegation therefore hoped that efforts would continue to be made to reach agreements that were in line with the needs of all the Member States. The Delegation repeated that the practice of alternating Chairs in the Committees was a good one, with new faces bringing the possibility of different perspectives and further agreements, as had been seen. With regard to a possible Diplomatic Conference on the protection of audiovisual performances, the Delegation stated that Venezuela considered that, given that there had been much talk of development within the Organization, it would be appropriate for the Assemblies to agree to the convening of a diplomatic conference that guaranteed access to printed material for visually-impaired persons, above all taking into account the fact that most of those persons lived in developing countries. In that regard, the Delegation urged all who were present to display consistency and stated that it wished to see agreements that were balanced and beneficial for all WIPO Member States.

104. The Delegation of Austria associated itself with the statements made on behalf of Group B and of the European Union and its member States. It emphasized the ability of IP to stimulate creativity and innovation, thereby contributing to economic, cultural and social development, and noted with appreciation WIPO's efforts and activities in providing the forum for in-depth dialog in relation to the role of IP in current discussions concerning major public policy issues such as public health, climate change and food security. The Delegation also noted with satisfaction the progress made and the positive developments with regard to the effective functioning of the international IP registration and filing systems operated by the International Bureau as well as the further implementation of the DA. It congratulated WIPO on becoming IPSAS-compliant and on the completion of its new building, and encouraged the Organization to continue to expand efforts and activities in the 2012/13 biennium, assuring it of Austria's full support in the pursuit of WIPO's global goals. The Delegation also noted with appreciation that the proposed Program and Budget for the 2012/13 biennium had been drafted, taking forward the process of strategic realignment approved by Member States and responding to the impact of the global economic crisis, while ensuring the smooth and continued functioning of WIPO's international registration and filing systems as the Organization's main source of income. In order to face that challenge the Delegation encouraged WIPO to proceed with its efficiency savings and cost-cutting measures. It registered its appreciation of the way the draft presented for discussion and decision had been elaborated in cooperation with Member States and welcomed the fact that it followed a results-based planning approach. The Delegation looked forward to discussing and adopting the Program and Budget for 2012/13 with a view to ensuring WIPO's ability to face existing and future challenges and to deliver the results requested by Member States and stakeholders. It expressed its concern that discussion on the implementation of the DA recommendations in the CDIP had been interrupted and it remained committed to cooperating with all parties to overcome the areas of discord, especially in relation to a coordination mechanism and monitoring, assessing and reporting modalities, and to continuing with the timely and effective implementation of that important initiative, in order further to enhance the development dimension at WIPO. The Delegation welcomed the progress made in the SCCR on the protection of audiovisual performances, which laid the groundwork for concluding the tasks remaining following the suspension of the 2000 Diplomatic Conference, and stood ready to continue deliberations concerning the access of persons with print disabilities to

copyright-protected works and the protection of broadcasting organizations. Concerning the report on the work of the IGC, the Delegation took positive note of the progress achieved during the seventeenth, eighteenth and nineteenth sessions of the Committee and during the meetings of the Intersessional Working Groups projected in the mandate approved by the 2009 Assemblies. It therefore supported the recommendation to renew the mandate of the IGC under the terms set out in document WO/GA/40/7 and with regard to the instrument(s) to be developed according to the mandate, and wished to reiterate its position that Member States should have the flexibility to choose the form of protection from among different options to satisfy all possible demands. The Delegation added that it wished to state its preference for a flexible and non-binding instrument or instruments. Convinced that a viable and harmonized patent system would be beneficial for all stakeholders, i.e. Member States and users, it welcomed the positive spirit shown during the fifteenth and sixteenth sessions of the SCP and looked forward to continued discussions. The Delegation reiterated its hope that, based on the work carried out, the Committee would be able to arrive at a conclusion with regard to defining a balanced future work program. It commented positively on the results of the deliberations in the SCT, particularly concerning the support expressed for advancing the work on possible convergences in industrial design law and practice, and expressed the hope that sufficient progress would be achieved to allow for that important work to be concluded at a diplomatic conference with the creation of an international instrument. With regard to the global IP registration and filing systems administered by WIPO, the Delegation of Austria commended the International Bureau (IB) on the results achieved in progressively developing and improving the procedures under the respective treaties, thereby making the systems more attractive to all parties. As an ISA and IPEA under the PCT, Austria had taken an active role in the deliberations of the PCT Working Group and had given its full support to the proposed amendments to the PCT Regulations and to the recommendations concerning the future work of the PCT Working Group. Having been represented in the sessions of the Working Group on the Legal Development of the Madrid system, the Delegation supported the recommendations to amend Rule 32 of the Common Regulations and the review of the application of Article 9^{sexies} of the Madrid Protocol. It noted with appreciation the Progress Report on the Goods and Services Database and stated its willingness to cooperate with the IB and other interested Offices in creating a German-language version. It also took positive note of the report on the implementation status of the Information Technology Modernization Program of the Madrid IT support systems. As a consequence, the Delegation continued to support the Organization's activities in enhancing internal productivity and expanding electronic business with all concerned, taking positive note of the information provided with regard to the implementation of phase I and the proposed revised schedule for the implementation of phase II.

105. The Delegation of Belgium aligned itself with the statements of Group B and of Poland on behalf of the European Union and its member states and stated that it attached great importance to the creation and maintenance of a balanced and effective international IP system. In that regard, the Delegation welcomed further balanced discussions within the SCP as agreed during the work program in November 2010. With regard to the SCT, the Delegation also welcomed the work done on the draft provisions on industrial design law and practice, harmonizing and simplifying design registration, formalities and procedures. In that framework, it subscribed to the possibility of convening a diplomatic conference for the adoption of a design law treaty in the 2012/13 biennium. As regards the SCCR, the Delegation agreed with the proposals contained in WO/GA/40/11 and WO/GA/40/06 which it considered could lead to the convening of a diplomatic conference on a treaty for the protection of audiovisual performances in 2012, to further progress being made on a treaty for the protection of broadcasting organizations, and to further constructive dialogue on VIPs. The Delegation looked forward to the renewed mandate of the IGC and remained committed to balanced discussions on the three issues covered by it. In order to underpin and maintain the functioning of an effective international IP system, the Delegation welcomed the revised proposed budget expenditure and the other recommendations of the PBC. Considering the fragile state of the global economy, the Delegation attached great importance to continued, proactive and systematic monitoring of

WIPO's income and expenditure and to continued savings and efficiency gains throughout the 2012/2013 biennium.

106. The Delegation of Benin stated that WIPO cooperated with the National Industrial Property Agency (ANAPI) and the Benin Copyright Office (BUBEDRA) and that, as part of such cooperation, the country had benefitted from training and was very shortly to participate in a colloquium on the strategic use of IP for the purposes of prosperity and development. In Benin the national body responsible for industrial property had been transformed into an agency, a decision founded on the ambition to see the body participate more often and directly in the creation of employment and wealth essential to overcome poverty and unemployment. That trend was based on the enhancement of research outcomes and the trademarks for certain export products, as well as on a partnership between the public and private sectors. The Delegation recalled that a few years previously, the African Group had reached agreement on the principle of adopting a binding legal instrument to govern matters relating to the protection of GRs, TK and folklore. The Delegation was of the opinion that such a position favored the interests of the developing and LDCs. It specified that, as a country in the category of LDCs, Benin wished to reaffirm its commitment to the WIPO DA. Its remarks were based in particular on the specific item aimed at creating a WIPO fund to finance the needs of that group of countries. In that context, the Delegation of Benin appealed to the Director General, inviting him to invest even greater efforts to support the DA by making available the financial resources essential for its implementation. The Delegation pointed out that the progress made in the understanding of issues such as those linked to the protection of GRs, TCEs, TK and also new interpretations were encouraging and were worthy of emphasis. Work nevertheless remained to be done in order to make further progress on the action undertaken. The Delegation remarked that, together with the African Group and the Group of LDCs, it was committed to the DA and it expressed satisfaction at WIPO granting financial resources for the Agenda to be implemented. Such a decision was essential to support numerous actions intended to integrate IP still further into economic development and facilitate the enhancement of development potential. The Delegation was also pleased at the adoption of the Plan of Action for LDCs in May in Istanbul and said that it was convinced that WIPO would continue to provide assistance with the implementation of that Plan.

107. The Delegation of the Czech Republic associated itself with the statements made by the Delegation of Poland on behalf of the European Union and its member states and by the Delegation of Slovenia on behalf of the Group of Central European and Baltic States. The Delegation noted with satisfaction the numerous achievements outlined in the Program Performance Report, encouraged the WIPO Secretariat to further improve its efforts and efficiency, and appreciated and welcomed the activity of the IAOC as well as WIPO's efforts to promote effective use and protection of IP worldwide and to reinforce its global IP role. The Delegation supported the adoption of the draft Program and Budget for 2012/13. Given WIPO's aim to improve global industrial property registration under the Madrid, Hague and Lisbon systems and the PCT system, the Delegation stated that it supported the work of the Working Group on the Legal Development of the Madrid system, and the creation of the Working Group on the Legal Development of the Hague system, and attached great importance to the further work of the Working Group on the Development of the Lisbon system. It also supported the continuation of the PCT Working Group and agreed with the proposed amendments to the PCT Regulations. The Delegation believed that the SCP would be able to adopt its balanced work program and pursue the patent harmonization process during the following sessions. It paid great attention to WIPO's efforts to define the issues and responses arising from the impact of the digital economy on IP. The global nature of the Internet, electronic commerce, use of trademarks on the Internet and relationship between IP and domain names raised new issues relating to IP protection. The Delegation therefore welcomed the work of the SCT as regards the WIPO Joint Recommendation Concerning the Protection of Marks, and Other Industrial Property Rights in Signs, on the Internet. The SCT's work on harmonizing formal requirements concerning industrial design registration should result in the adoption of a design law treaty in

the not too distant future. With respect to the SCCR, the Delegation was pleased that after a decade-long suspension of the negotiations on the international protection of audiovisual performers, a breakthrough had finally been made on the road to producing a new WIPO treaty and commended the long standing work of the outgoing Chair of the SCCR. The Delegation hoped for similar progress on the protection of broadcasting organizations. It supported a renewal of the mandate of the IGC, for which further discussions were needed and shared the view that international instruments on the protection of TK, GRs and folklore should be non-binding and flexible. The Delegation also supported the activities of the CDIP and hoped that the implementation of the adopted coordination mechanisms would enhance and accelerate substantive discussions. The Delegation emphasized the importance of the work of the ACE for all countries. Growing counterfeiting and piracy had a negative impact on the economy, employment and security. Awareness-building, training and education could help to limit that impact. As in previous years, the Czech Industrial Property Office, in cooperation with the WIPO Worldwide Academy, had hosted a two-week training course on industrial property protection for participants from various developing countries. In November 2010, a two-day WIPO Inter-Regional Symposium on Enforcement of Intellectual Property Rights had been jointly organized by WIPO, the Czech Industrial Property Office and the USPTO.

108. The Delegation of Denmark observed that WIPO's strategic goals and the efforts made to stimulate innovation and creation while promoting IP protections worldwide had gained importance in the context of economic and financial difficulties facing companies around the world. The Delegation noted the role of IP in the economic, social and cultural development of all countries and encouraged efforts to maintain that role despite economic difficulties. Reporting increasingly satisfactory results in 2009 and 2010 from the cooperation between Denmark, Norway and Iceland under the Nordic Patent Institute (NPI), the Delegation hailed the greater attention being paid to delivering high quality search reports and the efforts made to harmonize practices among those countries. Since its inception in January, 2008, the NPI had become more proactive in the global patent environment, both within WIPO patent fora and in respect of bilateral cooperation, and a joint NPI-USPTO pilot project for the Patent Prosecution Highway (PPH) based on PCT work products (the PCT-PPH pilot program) initiated in 2011 was cited as a good example of such cooperation. The Delegation expressed the hope that a stronger NPI would in future create the best possible platform for users in global markets. Referring to a report of the Danish Government on counterfeiting and piracy, the Delegation noted that legislative steps had been taken to reflect the report's findings and that a well-functioning network had been established as a permanent forum through which pertinent authorities worked together to inform and advise consumers, companies and other authorities. The serious impact of piracy and counterfeiting on international trade and IPRs was cited to underscore the importance of continued initiatives to help fight such offenses. The Delegation confirmed IPR enforcement as a central element in combating piracy and counterfeiting and cited its active participation in WIPO's ACE as an endorsement of the priority that addressing that issue deserved. The Delegation welcomed implementation of the DA, the assistance granted to the CDIP, and the concrete projects addressing DA recommendations, noting the important role WIPO played in bringing the issue of IP to the attention of such stakeholders in development work as governments, international institutions and other donors. The Delegation commented that Denmark had been involved in international development projects for several years, in neighboring EU countries, in the Middle East and in Asia, and found such projects useful for their contribution both to the improvement of IP infrastructure worldwide and to efforts to enhance growth and innovation. The Delegation felt that Denmark's experience could benefit other Member States and looked forward to greater cooperation with the WIPO Secretariat in that area. While commending progress made in the SCP and the PCT Working Group, the Delegation stated that more work would be needed to develop further the patent area and stressed that efforts would be required to ensure an effective patent process at the international level. The Delegation noted the important role WIPO played in that connection, but observed that solutions developed in other fora to improve the global patent system would also benefit WIPO. Denmark welcomed meetings with colleagues at the director and expert levels, and

endorsed cooperation between national and international offices as beneficial to the global IP environment.

109. The Delegation of Equatorial Guinea noted that, in view of the overall trend in respect of “young” nations (newly independent countries), the bodies which had made rapid progress were those which dated back to the colonial era, whereas the new bodies and/or institutions since independence had not been as fortunate, as reflected by the example of IP. The Delegation stated that Equatorial Guinea had been a victim of and witness to that situation, as IP awareness in the country had been virtually nil during the first decade following independence. However, thanks to the responsible policies followed by the current Government, the country now had a body responsible for IP, and was a member of WIPO and OAPI. Although it recognized the good work which WIPO had done and was continuing to do, the Delegation expressed concern at the lack of action with regard to the development of the use of languages in the Organization – a topic which had nevertheless been discussed on various occasions and acknowledged but never applied. It urged WIPO to monitor the application of that policy, which reflected the reality of a linguistic community that boasted more than 20 countries. Spanish had a role to play as a benchmark language in the IP field, just like English and French. Since Equatorial Guinea had joined the international IP community, it had made major advances in that respect, through for example bilateral cooperation with the OEPM. The Government of Guinea, in a desire to promote technological and scientific development, was in the process of building and outfitting a Technological Institute with a capacity of 500 students, whose mission would be to promote and develop the initiatives contained in the national development strategies, within the framework of the “HORIZON 2020” Plan, with the ultimate aim of becoming a self-sufficient country rather than an “emerging” country, as was the case currently. In conclusion, the Delegation expressed appreciation at the sound financial management of WIPO, despite the widespread crisis, and hoped that there would be increased funding for cooperation programs at all levels and in diversified sectors. That would help those Member States in greatest need of such cooperation, such as Equatorial Guinea, which as a new, small country required such assistance, even though it had been a major producer of oil and natural gas since 1995.

110. The Delegation of Germany stated that knowledge had always been central to economic development and unlocking its full potential as a key impetus of economic growth and prosperity depended on creativity and innovation. In that regard, IPRs played an important role as intangible assets which provided incentives to creators and enabled users to benefit from new ideas and insights. New ideas were also a major impetus for growth in Germany which, as a country with one of the largest user groups, shared the vision of many others that IP was an important tool for sustainable growth and wealth creation. Hence Germany’s keen interest in the further development of a robust, balanced and effective international system of IP protection. The creation, through international cooperation, of an environment that promoted respect for IP, including, but not limited to, the enforcement of IPRs, was essential to that development. The Delegation said that Germany supported the conclusions of the PBC as regards the proposed Program and Budget for the 2012/13 biennium, which was the fruit of hard work and the willingness of all parties to engage in productive dialogue. In that context, the Delegation wished to thank the Director General for his responsiveness to the concerns voiced by Member States over the fragility of the global economy in general and WIPO’s projected income and expenditure in particular. It believed it was a prudent step to revise the budget expenditure level from 4.7 per cent to three per cent, through cuts in expenditure of 10.2 million Swiss francs in non-program areas, and without any implications for development activities or the registration unions. At the same time it hoped that the International Bureau would not rest on its laurels, but would seek further savings and efficiency gains throughout the next biennium. Provisions needed to be made for maintaining and further improving the premier global IP services that WIPO provided, in particular patent cooperation under the PCT, the main generator of WIPO’s income. The Delegation supported a robust and appropriate international IP framework which balanced interests, stimulated innovation and encouraged the development

and transfer of technology. In that context, many stakeholders, including IP offices, would benefit from a simpler and more harmonized international legal framework, including substantive provisions of, *inter alia*, copyright law, patent law and trademark law. As the guardian of global legislation and harmonized practices, WIPO should keep such harmonization of legal concepts on its agenda. The Delegation pointed out that, as the deliberations within the SCCR had demonstrated, international harmonization of legal concepts in that field was a complex task which required time and dedication on all sides. However, if Member States worked together in a spirit of consensus and with the firm intention to reach a fair balance of all the interests involved, WIPO would continue to provide the framework within which positive results could be attained. The Delegation stated that Germany was proud and pleased to take note of the recommendation of the SCCR to the General Assembly that the Diplomatic Conference on the Protection of Audiovisual Performances, which had to be suspended in 2000, should be resumed. Since 2000, continuing consultations and deliberations among stakeholders and governments had led to a shared understanding of the remaining issues. Notably, with regard to the transfer of rights from performers to producers, a common basis had been reached which should enable all concerned to update the protection of audiovisual performers in accordance with the requirements of the information society pursuant to the standards set by the WCT and the WIPO Performances and Phonograms Treaty. The Delegation expressed Germany's continued dedication to the reaching of a consensus on an international treaty on the protection of broadcasting organizations. The necessity to update the protection of existing and emerging technological issues in that respect was just as urgent as for authors and other rights holders already protected by international treaties. Germany was committed to improving the access of the visually impaired to copyright-protected works. The deliberations within WIPO should lead to an immediate and tangible improvement. The Delegation believed that the proposal for a Joint Recommendation on access to works protected by copyright for persons with a print disability submitted by the European Union continued to be an excellent basis for further work. The vital role played by WIPO in the international IP system was also manifested by the fact that it was the most important forum for the international development of patent law. At its recent session, the SCP had again proven to be the appropriate forum for open discussions among all WIPO members on complex and pressing patent issues. The Delegation stressed that Germany welcomed the continuation of the SCP's work based on a balanced agenda and was ready to tackle the topic of "Patents and Health" at the Committee's next session. As more patent issues raised questions outside the conventional scope of IP discussions, duplication of work should be avoided. The SCP's central role in patent discussions should make use of already existing instruments and expertise in other international organizations. Thus, the SCP would be able to maintain its position as the international forum for discussion and possible convergence in patent law. The Delegation continued by commenting on the work of the SCT, which had generated a well-balanced set of draft articles and draft regulations for a possible Design Law Treaty. Like its model, the STLT, such a treaty would bring about a remarkable harmonization of administrative procedures. The Delegation therefore reaffirmed Germany's support for the idea of convening a Diplomatic Conference for the Adoption of a Design Law Treaty. It further stressed that WIPO's global IP services provided by the International Bureau and its staff as well as the services of the Arbitration and Mediation Center were of utmost importance for Member States and businesses, both multinationals and SMEs specialized in innovative areas. The Delegation stressed that patent cooperation under the PCT constituted the backbone of the international system of registration and application of patents. It had proven to be an adequate means to overcome the territorial limitation of patents. It noted that, as a highly patent-active state, Germany had greatly benefitted from such cooperation. In 2010 the German Patent and Trademark Office had processed 3,728 international applications, of which more than two-thirds were filed by non-German applicants. Germany was therefore not only ready to make every effort necessary for the further development of the PCT, but also encouraged all WIPO members to take advantage of the PCT system. As the outcome of the recent meeting of the PCT working group had shown, the PCT itself as well as the Regulations would need to be adapted appropriately over time. Germany appreciated the fact that the working group had

been able to reach a consensus on the amendments required and thus enhance the efficiency of the PCT system. That technical aspect of the working party should be maintained so that future challenges could be met accordingly. The international trade mark and design systems provided clear and enforceable rights that encouraged brand and design development with a view to maintaining competitiveness. The registration of trademarks under the Madrid system and the registration of industrial designs, especially under the Geneva Act of the Hague Agreement, were one important way for businesses to protect their brand identity and reputation. However, the Delegation noted that there were still areas where the systems could be further improved. It therefore supported the proposal to transform the Ad Hoc Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs into a regular Working Group, such as the Working Group on the Legal Development of the Madrid System for the International Registration of Marks. Creativity and innovation were conducive to social and economic welfare in all parts of the world, including developing countries and LDCs. As development cooperation had become an increasingly important component of WIPO's mandate, the Delegation commented that Germany had been pleased to note the considerable progress made with respect to implementation of the 45 agreed recommendations of WIPO's DA. The Delegation highlighted that IP was also particularly relevant for development in a number of specific policy areas, such as climate change and the protection of GRs, TK and TCEs. Regarding access to medicines, it was important to achieve a balance between providing pharmaceutical companies with sufficient incentives for the research and development of new medicines and enabling developing countries to make full use of the flexibility in existing international agreements to gain affordable access to medicines in order to meet public health needs. The same was true for the global challenge posed by climate change. That issue, too, required a balance between appropriate protection of climate-saving technology to provide both incentives for inventors and the necessary flexibility to cover the worldwide need for such technologies in an affordable manner. The Delegation noted the broad consensus among Member States to continue work in the IGC. A renewal of the mandate was necessary to continue the still far from finished work. The Delegation also welcomed the setting of a fixed and detailed agenda and timetable and called on all WIPO Members to commit to efficient and concentrated participation in future sessions. It stressed that Germany remained committed to the further progress of the IGC process and added that the vested interests of those holding TK, GRs and TCEs should and would be taken into account in a thoroughly elaborated legal instrument or instruments. It was especially in the interest of the holders of such rights that a *sui generis* non-binding legal instrument or instruments should be implemented cautiously and without harming the functioning of the IP system. The Delegation noted that electronic commerce also required extensive reflection, in particular as to its legal implications involving the entire Internet community. It welcomed WIPO's activities concerning the proposals to introduce new generic top-level domains and would appreciate WIPO's continued engagement with the Internet Corporation for Assigned Names and Numbers (ICANN) in the Governmental Advisory Committee (GAC) to ensure that due account was taken of brand owners' concerns regarding the expansion of domain names. The Delegation stated that, together with four other IP offices (JPO, USPTO, KIPO and the Canadian Intellectual Property Office (CIPO)), the German Patent and Trade Mark Office had initiated and extended Patent Prosecution Highway (PPH) pilot projects. The PPH aimed to enhance the efficiency of the patent examination procedure and improve international patent quality by sharing the results of work accomplished. Two programs had already been extended for a further two-year period and Germany was holding discussions on the launch of a PPH pilot project with a fifth national office. The Delegation added that the German Office and the USPTO had held a PPH User Seminar at the German Office, which had offered specialists from trade and industry, science and the legal profession a thorough discussion of issues related to use of the PPH. The Delegation highlighted that the cooperation between the German Office and the SIPO had been a longstanding and fruitful one. To celebrate 30 years of cooperation, the two offices would hold a symposium in Beijing and Shanghai the following month. The Delegation also noted that the German Office was very pleased with the successful and

continuously developing bilateral international exchange programs for patent examiners. In 2011, the programs carried out or envisaged involved IP Australia, SIPO, JPO, ROSPATENT, and TPI. Further, the German Office had run many seminars and training programs for foreign experts, such as the joint training program with the National Office of Industrial Property of Viet Nam (NOIP), organized by the German Office and WIPO.

111. The Delegation of Ghana shared WIPO's vision regarding the promotion of the use and protection of IP as an important component in the economic, social and cultural development of countries worldwide. In recognition of the increasing importance of IPRs for national economic development, Ghana had established a Committee to draft a national IP policy. The Delegation wished to thank WIPO for the many activities that had been undertaken with Ghana in order to strengthen the IP system. Ghana recognized that the efficient use of IP tools was crucial for development and therefore supported the projects agreed on as a part of the DA. It was to be hoped that the current momentum would be maintained and that those projects would be implemented to assist economic growth in developing countries, further deepening appreciation of innovation activities, as well as of IP protection and its benefits for society as a whole. The Delegation recognized the importance of the patent system and continued to follow the deliberations of the SCP with great interest. A balanced agreement, including exceptions and limitations, would be helpful for all Members. The Delegation recognized the significance of the work of the SCP, the SCT, and the PCT and Madrid Working Groups, and supported the continued improvement of WIPO Global IP Services that served the interests of the Member States. In respect of the enforcement of IPRs, enhanced international, regional and national cooperation would help to combat piracy and counterfeiting effectively and the Delegation therefore supported the work of the ACE. It was hoped that the initiatives that WIPO had launched in Ghana would be completed in the coming year, including the establishment of a sub-regional center providing training on trademarks. The Delegation recognized the significance of the decisions that were to be taken during the Assemblies and pledged its full participation and cooperation.

112. The Delegation of Guinea-Bissau fully endorsed the statements made by the Delegation of South Africa on behalf of the African Group, and by the Delegation of Nepal on behalf of the LDCs. The Delegation was pleased at the ongoing collaboration between the Organization and Guinea-Bissau, as demonstrated by the funding of the participation of IP managers in several events, such as the sixth session of the CDIP, held from November 22 to 26, 2010, at WIPO headquarters in Geneva, and the Regional Intellectual Property Seminar for the Community of Portuguese-Speaking Countries (CPLP), held on November 22 and 23, 2010, in Maputo (Mozambique). The Delegation also welcomed the entry into force on July 1, 2011, of the Regulations under the PCT and their inclusion on the WIPO website, which would encourage the use of IP in general, and the PCT system in particular, within the CPLP. The Delegation also welcomed the integration of the DA into the regular activities of the Organization, and the inclusion of related projects in the process of drafting the ordinary budget. The progress made during the previous year in implementing the recommendations of the DA should also be commended. Guinea-Bissau unreservedly supported all directions pursued by WIPO as part of the worldwide protection and management of IP, and in particular the fight against entities and individuals seeking to deceive and obtain considerable sums of money from the users of WIPO services, specifically in terms of international patent applications filed under the PCT, and the users of the Madrid System for the International Registration of Marks governed by WIPO. Guinea-Bissau committed itself and firmly encouraged WIPO Member States to combat entities and individuals seeking to deceive users of the Organization's services, and using false names and the WIPO logo to deceive others into paying costs that bore no relation to the processing of their patent applications or trademark registrations. In conclusion, the Delegation welcomed the consensus reached by Member States to extend by two years the mandate of the IGC, so that a diplomatic conference could be organized for the adoption of an international legal instrument for the effective protection of TK, TCEs and GRs from unlawful appropriation and the misuse of such cultural and scientific heritage.

113. The Delegation of Iceland commended WIPO for its many worthy projects and activities which it believed would be of benefit to the Patent Office and customers. There had been increasing demand for enhanced IT tools, which WIPO had addressed through its Information Technology Modernization program and the Madrid System Goods and Services Database. Funds spent on those areas were a sound investment. Efficient handling of patent and trademark applications was, within the existing legal framework, a challenge for all stakeholders. Backlogs needed to be addressed, whether by simplifying the internal processes of the Madrid system or improving the quality of international search and examination under the PCT system. The Delegation welcomed proposed solutions for improving efficiency and making cost and time savings. Raising awareness was an ongoing challenge for all Member States. In that regard, Iceland had used WIPO's promotional materials, both those produced for World IP Day, celebrated each year in Iceland, and other publications like the WIPO Comics which had been translated into Icelandic. To celebrate its 20th anniversary, the Icelandic Patent Office had organized an important international conference to raise awareness about the importance of IPRs. It had been a great honor for Iceland to have the WIPO Director General participate in that event. There had been signs of economic recovery in Iceland, including an increasing number of applications received by the Office – a smaller number of patent applications but an increase in European patent validations. Trademark applications had increased by about 4.5 per cent from 2010. Thanks to WIPO assistance, the Office had begun receiving all Madrid applications electronically from WIPO and was moving towards its goal of becoming a paperless office. The number of design applications had also risen, in particular the number of designations via the Hague system. The demand for services provided by patent offices was always increasing, and that challenge had to be met. The Patent Office acknowledged its responsibility in that regard. The Delegation supported those seeking more effective time and cost-saving solutions for stakeholders, which was important for future innovation and world growth.

114. The Delegation of Kuwait supported the statements made on behalf of the Arab Group and the Asian Group, and deeply appreciated the efforts made in support of IP activities around the world. Creativity, innovation and knowledge based economy played a central role in fostering economic progress in countries. Kuwait made every effort to enhance the understanding of IP among public and private sector actors through accession to various IP treaties, and initiated work to undertake an IP audit nationwide. A draft Law on Copyright and Related Rights was also being prepared. The Delegation wished to support the proposal by Oman to establish an International Register for Traditional Knowledge and Traditional Cultural Expressions as a technical background for relevant enactments. Work was needed on drafting the said proposal in treaty language for its integration into an appropriate international legal instrument. The Delegation supported the recommendation by the IGC to convene a diplomatic conference in 2012. The Delegation also welcomed the participation of the Palestinian Minister of Economy in the current General Assembly. The Palestinian National Authority (PNA) needed further support and technical assistance in IP capacity and institution building for sustainable development and improved economic performance. In conclusion, the Delegation reiterated support for WIPO's efforts in the promotion of IP and economic and social development.

115. The Delegation of Lesotho expressed satisfaction at the progress made by WIPO's Committees, particularly the IGC. Lesotho looked forward to the renewal of the IGC's mandate and hoped that the discussions would result in a legally binding instrument. The Delegation also welcomed the progress made in the SCCR, which would facilitate access to published works for persons with disabilities in the LDCs. The Delegation also associated itself with the statements made by the Delegation of South Africa on behalf of the African Group and the Delegation of Nepal on behalf of the LDCs. Lesotho had, in the past year, continued to benefit from WIPO's assistance in the area of capacity-building. WIPO had sent a team of experts to conduct a needs assessment, with a view to developing a customized IP strategy. The Delegation called upon WIPO to support the implementation of the IP strategy. The IP system was key to enabling the LDCs to achieve the MDGs. Lesotho had also benefited from

workshops and seminars organized by WIPO and other development partners. Furthermore, the Delegation commended the work done by the WIPO Academy in collaboration with ARIPO. Another important matter was the establishment of a TISCs. Lesotho was keen to see the launch of that project, which would make IP a powerful tool for development.

116. The Delegation of Malawi supported the statement made by the Delegation of South Africa on behalf of the African Group that IP was important for the economic development in many African countries, including Malawi, which could not make progress and effectively innovate to achieve its growth and DA without a comprehensive and clear IP system. The Government of Malawi, in its desire to be a technologically driven middle-income economy, intended to reduce poverty through sustainable economic growth and infrastructure development to meet its MDGs. Information and Communication Technology as well as Science and Technology were critical for socio-economic development, and IP had to be prioritized as it formed part of the basis of development in key sectors of Malawi's economy such as trade, industry, agriculture, health, culture and natural resources management. The Government of Malawi had therefore established the National Commission for Science and Technology (NCST), which was mandated to advise the government and other stakeholders on all matters related to science and technology with the objective of coordinating and regulating research so as to achieve development in Malawi through science and technology. The NCST was working in partnership with the Registrar General's Department to build an effective IP system for Malawi with the view that effective IP laws were necessary to stimulate research, innovation and development as well as attract foreign direct investment. That partnership had led to the submission of a proposal to the WIPO Regional Bureau for Africa on instituting an effective IP system. The Secretariat's comments had been noted, and the proposal would be re-tailored accordingly. Malawi continued to revise its IP-related laws so that they would better serve the country's economic growth and development. The revision of the Trade Mark Act had been completed and a Draft Bill was ready for consideration by the Cabinet. Malawi would be grateful to receive technical and financial assistance from WIPO in relation to the upcoming review of the Patents Act. The Delegation appreciated the financial and technical assistance provided by WIPO during the "WIPO National Intellectual Property Policy Forum on Building a Knowledge Base for Innovation and Creativity" Workshop which took place in Malawi from June 20 to 22, 2011. The Delegation considered that there was an inseparable link between TK, expressions of folklore and GRs and noted with a measure of optimism the developments that had taken place in the 19th session of the IGC from July 18 to 22, 2011, the last session of the IGC under its mandate for the 2010-2011 biennium. The Delegation believed that the IGC was one of the most important Committees in WIPO as it sought to develop an appropriate *sui generis* system for the protection of GRs, TK and TCEs. The Delegation had noted the progress of text-based negotiations in the Committee, which was a major step towards implementing the DA recommendations and in particular Recommendation 18 that urged the Committee to accelerate the process on the protection of GRs, TK and folklore, without prejudice to any outcome, including the possible development of an international instrument or instruments.

117. The Delegation of the Republic of Moldova supported the statement made by the Delegation of Slovenia on behalf of the CEBS and welcomed WIPO's efforts directed, not only to strengthening its role in stimulating economic growth and welfare worldwide but also, to improving the institutional capacities of the Organization through reforms. The Delegation expressed its confidence that in order to achieve both a well-functioning Organization and a strong international IP system it was necessary to promote strong national IP Offices and prosperous economies sustained by functional markets. The Delegation opined that the global economic crisis had put great pressure on the world's economies, at the same time forcing them to reevaluate their bases for economic growth and to seek more efficient, more competitive and more cost-effective technologies. The time was right for innovation and knowledge to be considered key tools for development and potential solutions in solving global emergencies in a very practical manner. The Delegation announced that the Republic of Moldova, along with

many other countries, was making strenuous efforts to meet current challenges by means of modern legislation aligned with European standards. The Republic of Moldova had become a signatory to all the major international IP treaties and a member of WTO, and was in the process of initiating negotiations on a Deep and Comprehensive Free Trade Agreement with the European Union. The Delegation was pleased to report the entry into force on January 1, 2011 of a new Law on Copyright and Related Rights, offering IP owners and users a better environment for benefiting from the copyright system. The Republic of Moldova was aware that there was still a long road to full implementation of IPRs, and with that in view a lot of initiatives and measures for raising the awareness of IPRs enforcement and respect were being undertaken by the Government, coordinated by the National Commission for Intellectual Property, chaired by the Moldovan Vice-Prime Minister and the Minister of the Economy. Further, an EU twinning project focused on IPR enforcement involving all IPR enforcement agencies was being run in the Republic of Moldova, the project being implemented in partnership with the Danish and Romanian IP Offices. A constructive dialogue with IP right holders, users and civil society had been established and public consultations on new legislative initiatives and policies were held on a regular basis. The Delegation recognized that those activities were far from sufficient for stimulating economic growth, for encouraging investment and entrepreneurship or for spurring job creation, and the greatest challenge the Republic of Moldova faced was to make IP a cornerstone of its development. It added that that was not a short-term goal and had been placed at the forefront of Moldova's new IP strategy. Developed with the assistance and support of WIPO, the draft strategy would provide for the development of the Moldovan IP system up to 2020 and was aimed at contributing to a shift in the country's economy from a consumer base to an economy producing and exporting high quality and value-added products and technologies. The Delegation agreed that that would take time and the measures undertaken by the IP office were insufficient; however, it expressed confidence that with a common effort, Moldovan society could be provided with incentives and practical tools for developing the innovation capacities of its population by using its human resources in which it placed great importance. The Republic of Moldova's main concerns were building up strategic partnerships between academia and business, using research in the service of industry on the one hand and encouraging industry to access and implement innovative, environmentally-safe and energy-efficient technologies. It counted on the experience of WIPO and its Member States in dealing with those major issues. As a final point, the Delegation wished to confirm strong support for WIPO programs focusing on development and innovation. Without diminishing the importance of the Organization's other responsibilities and mandates, including the need continuously to improve and diversify the IP services it provided to users worldwide and its commitment to establishing a favorable IP international framework, promote IP culture and raise awareness of IPR enforcement, the Delegation encouraged WIPO to continue its work on identifying practical solutions to deal with economic and humanitarian crises, poverty, etc. It expressed a strong belief that with common efforts, lifestyles and the environment could be improved.

118. The Delegation of Montenegro congratulated WIPO on World IP Day, celebrating the role of design in the market-place, in society and in shaping innovation in the future, and complimented the Director General for his determination in promoting the issue. As WIPO had pointed to industrial design as an inevitable element of future human progress, on which increased attention was being focused in order to find new environmentally-sustainable solutions, the Delegation was pleased to participate in the Assemblies of the Member States. The Montenegrin Intellectual Property Office had celebrated its third anniversary on May 28, 2011 and a trademark law, the first legislative framework in the field of industrial property, had been completed at the end of 2010. Laws on protection of industrial designs and on the protection of semiconductors had also been enacted. The Delegation stated that a new patent law was being drafted for the purposes of harmonization with EU laws. The Government of Montenegro had approved in January 2011 the draft law on ratification of the Vienna Agreement establishing an International Classification of the Figurative Elements of Marks, and, in February 2011, approved a draft law on ratification of the Geneva Act of the Hague

Agreement Concerning the International Registration of Industrial Designs, to be processed for parliamentary adoption. The Law on ratification of the Strasbourg Agreement Concerning the International Patent Classification and the draft of the ratified Patent Law Treaty had been approved in July 2011 and were also undergoing parliamentary adoption procedures. The Delegation explained that a national strategy on IP, set out in the Government's plan for the fourth quarter of 2011, specified tasks and deadlines for all institutions responsible for enforcement with the aim of their merging to ensure better IP policy implementation. The first expert mission had been conducted in January 2011, after which several meetings had been held with the relevant institutions. The Delegation expressed gratitude to WIPO for its support and welcomed its further involvement in the task of making the strategy workable. A first seminar on the Madrid system, organized by WIPO DCEA, the Department for Central European Countries and Asia, based on an agreed annual cooperation plan with the Montenegrin Intellectual Property Office and which involved the Office and the general public, had proved to be very useful. Supported by WIPO, Montenegrin representatives had also taken part in seminars on the Hague system and IPRs enforcement. Implementation of IPAS represented a big step both functionally and substantive, especially in terms of the Montenegrin Office's shift to digital data processing and storage safety. The Delegation reported that the Office was in a trial phase of customizing the system to meet its needs, with full implementation expected by the end of 2011. Realizing the significance of the Montenegrin Intellectual Property Office as the first national institution for protection of IPRs and estimating the need for special storage facilities for archives, primarily patent documentation, the Government of Montenegro had laid down the conditions for updating its premises while continuing work on strengthening administrative capacities, despite many limitations. Finally, the Delegation expressed its recognition for WIPO's support and welcomed further assistance in implementing the laws it had enacted. The Delegation appreciated the help, support and excellent cooperation established with the DCEA group and hoped for further strengthening of such support in order to accomplish many other goals in IPR protection, which had become more pressing since the delivery of Montenegro's candidature for accession to the European Union on December 17, 2010.

119. The Delegation of Mozambique supported the statements made by the Delegation of South Africa on behalf of the African Group and the Delegation of Nepal on behalf of the LDCs. Furthermore, the Delegation of Mozambique supported the statement made by the Representative of the Group of Friends of Development in relation to the DA. Mozambique had seen significant progress in the dissemination and use of IP. The number of registrations of IPRs had increased exponentially each year and the business community was becoming increasingly interested in the strategic use of IP to add value to products. With the teaching of IP at universities, the academic community was also becoming evermore aware of the subject. Public institutions responsible for the administration of IP had redoubled their efforts to encourage the use of IP in the country. The Delegation welcomed the Report of the Director General, which referred to the initiative relating to the establishment of TISCs in several countries. A TISC had been opened in Maputo on September 22, 2011. That initiative would facilitate access to information technology for researchers, innovators and entrepreneurs. Mozambique was the second greatest beneficiary of the distance learning courses run by the WIPO Academy, proof that there was great demand for training on the subject in the country. Many Mozambican students had studied IP-related issues at Africa University in Mutare, Zimbabwe, as well as in Turin. Moreover, a number of Mozambican technicians had benefited from the course on drafting patents run jointly by ARIPO and WIPO. Those technicians had already supported more than 100 innovators in the drafting of more than 80 patents, transforming the technological landscape of Mozambique. It was hoped that the course would continue. The solid partnership between WIPO and the Swedish International Development Cooperation Agency (Sida) had also enabled several Mozambicans to receive basic training on IP and had awoken great interest in the subject. The Delegation welcomed the planned establishment of National Intellectual Property (IP) Academies in several countries, an approach that would bring IP training initiatives closer to their beneficiaries. That initiative, in conjunction with the efforts to facilitate access to information technology through the Access to Research for

Development and Innovation (aRD_i) and Access to Specialized Patent Information (ASPI) networks, was to be commended. The Delegation looked forward to the development of concrete projects, transforming information into products for Mozambique's markets. The assistance lent by WIPO in putting into practice a system of geographical indications in their country was greatly appreciated. It was hoped that the first geographical indications would soon be registered in Mozambique, adding value to products of the fishery, agricultural and livestock sectors.

120. The Delegation of Namibia attached great importance to the issues examined in the IGC and supported the call for the renewal of its mandate. Other issues of critical importance included the proposed treaty on the protection of broadcasting organizations and future work on the WIPO DA. Namibia's industrial development and SMEs sector took center-stage in the National DA. There was, therefore, a need for capacity-building with regard to human capital, technology acquisition and technical skills development and enhancement, in order to realize the country's visionary goals in terms of economic growth, entrepreneurship development, job creation and poverty alleviation. Indeed, the DA would play a critical role for Namibia's industries regarding the improvement of production capacity, productivity, quality, standards and competitiveness in the global market place. WIPO and other stakeholders had made a positive contribution to the Industrial Property Bill, which had been passed by the National Assembly the previous month. An amended version of Namibia's Copyright and Neighboring Rights Protection Act would be tabled in Parliament at the beginning of 2012. That amended version of the Act was a priority, given its significance in terms of Namibia's ratification of the WCT and the WPPT. A collective management organization known as the Namibia Reproduction Rights Organisation (NAMRRO) had been established in Namibia in 2007 and officially launched in 2008. NAMRRO, which had been established with financial assistance from UNESCO and logistical support from WIPO, the International Federation of Reproduction Rights Organisations (IFRRO) and a South African reproduction rights organization, dealt with the protection of literary, artistic and dramatic works. NAMRRO was the second collective management organization after the Namibian Society for Composers and Authors of Music (NASCAM), which dealt only with musical works. It was hoped that the Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore would be put forward for ratification, firstly by parliament, and then by the Council of Ministers of ARIPO before the end of 2011. Namibia had greatly benefited from the generous support of WIPO in the area of capacity-building but challenges still remained in terms of human resources development and certain IP issues. Namibia would, therefore, continue to request assistance from WIPO, both with regard to basic training and broader IP education.

121. The Delegation of Norway commended the Secretariat and the Director General for their excellent preparatory work for the Assemblies. The Delegation welcomed the work that had been done to facilitate monitoring of WIPO's financial affairs by Member States and to establish proper audit and oversight processes. The PBC had agreed at its 18th session to recommend to the Assemblies the adoption of the proposed Program and Budget for the forthcoming biennium. The Delegation supported the recommendations of the PBC and welcomed the Director General's commitment to lowering expenditures and continuing to focus on efficiency gains. Norway was pleased to note the progress made in the SCCR in 2011 and supported updating the rights of audiovisual performers and broadcasters to bring them into line with what had been achieved in the 1996 WCT and WPPT. Norway looked forward to moving ahead with the recommendations of the SCCR regarding the resumption of the 2000 Diplomatic Conference with a view to finalizing a treaty on audiovisual performers' rights. The Delegation was pleased to note that, following a decade of discussions, the SCCR planned to prepare a draft treaty. It also emphasized the importance of exceptions and limitations, and supported the Committee's recommendation that progress should be made towards an international instrument on limitations for persons with print disabilities. It looked forward to the discussions on finalizing a proposal at the forthcoming session of the SCCR. Also very important was the work of the IGC. Norway was committed to renewing the Committee's mandate as

recommended by the IGC at its July session. In May 2011, Norway had signed the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. Developing an international framework for the disclosure of the origin of GRs would be key to achieving results. Norway supported the development of international legally binding instruments in the areas of TCEs and TK, provided that those instruments were fair and a robust public domain was maintained. Regarding the WIPO DA, the Delegation of Norway looked forward to resuming the work of the last session of the CDIP. Furthermore, it was important to make progress in the area of the balanced work plan of the SCP. In the SCT, Norway welcomed the progress made towards a Design Law Treaty. Norway remained committed to the goal of holding a diplomatic conference in the coming biennium. The Delegation further commended WIPO for its continued focus on providing the best possible global services under the PCT, Madrid and Hague systems. Simplifying operations for the benefit of users was crucial to continued and increased use of those global IP services. The relevant working groups had improved regulations, guidelines and practices. IT standards and technological infrastructure remained essential issues for WIPO experts to discuss, and the Delegation looked forward to a resumption of the work of the CWS, where experts from Member States had made a major contribution to international and national registration systems. A new Trademark Act had entered into force in Norway on July 1, 2010. The possibility of acceding to the STLT was currently under discussion. After adopting the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs, Norway had also seen a higher than expected increase in international design filings. Norway was in favor of the proper enforcement of IPRs, and was in the process of amending national IP legislation to strengthen further such enforcement. The Government of Norway was also preparing a white paper on Intellectual Property and Innovation.

122. The Delegation of Papua New Guinea acknowledged the invaluable assistance from WIPO in promoting and encouraging the protection of IPRs in the country and highlighted several developments that had taken place in the IP arena which had come about largely through the undivided support of WIPO. Papua New Guinea now had an automated system for the granting of trademarks, patents and industrial designs and was the only one of the small Pacific Island Countries using IPAS, which had proven to be very useful given the rate of development in IP. In the light of the move into regional trademarks administration, that standardized platform would be of benefit to other Pacific Island countries. The National IP Plan project had begun in 2009 and had been completed in 2011. WIPO technical experts had made that possible. The project's significance lay in the fact that it embraced the country's DA that reflected both the MDGs and elements of the IP DA. The strategies to be employed would specifically address increased awareness levels promoting creativity and innovation. It would also seek to strengthen the enforcement systems. The Delegation expressed satisfaction with this development and looked forward to having the development plan adopted by the Government and implemented in the coming year. Papua New Guinea was leading the charge in developing the Regional Trademarks Examination Body for the Pacific for the Pacific Islands. In work carried out since 2006, Regional discussions on a Memorandum of Understanding had been concluded. If signed by three countries of the Pacific, it would establish the Pacific Islands Regional Trademarks Examination Office in Papua New Guinea, commencing as early as the coming year. The Delegation acknowledged the support that Australia and New Zealand had provided in designing the mechanism, and of course WIPO's support in allowing a team to conduct a study tour of three different systems, the Madrid, Benelux and ARIPO systems. The intention was now to ensure that neighboring countries benefited from technical assistance, training and development. Papua New Guinea was in the region which presented social, economic, natural and traditional complexities requiring policy, legal and economic decision makers to exercise sensitivities at every level, while at the same time accord the necessary respect to their international obligations. Issues such as enforcement of IP breaches, adequate protection mechanisms for IP owners, gelling of all applicable legislation were but a few of those issues. The Government of Papua New Guinea was committed to developing IP and to working closely with WIPO and other international partners in developing the National IP Development

Plan that would take those issues into consideration and realistically map the way forward for the country in IP development. Papua New Guinea was part of the Pacific Region, but for the most part, IP was not an important priority for the governments of the region. That presented challenges considering that the Pacific region was endowed with biological resources and rich in traditional art, cultural expressions and folklore. In the absence of proper legal and administrative frameworks for IPRs protection in nearly all the island countries, it had not been possible to protect their IP or obtain maximum benefits from creativity and innovative activities, and that had affected their full participation in trade and investment activities. IPR infringement issues were also of great concern since all member countries were facing a huge challenge with the increasing activities of piracy and counterfeiting. The importation, reproduction and sale of pirated and counterfeit goods were so rampant throughout the Pacific region that the negative impacts were being immediately experienced by both the business communities and the consuming public. If those issues were not addressed effectively, it would pose a serious threat to the countries' economic and social development. The respective governments of the Pacific Island Countries had acknowledged the need to be more responsive to those intellectual property right issues. That should not only be done through legislative and policy reforms but also through establishing effective IPR protection and enforcement systems. That required adequate resources and capacity building for the relevant stakeholder organizations including the IP Offices, hence the milestone decision to create a Regional Trademarks Examination Body for the Pacific Islands. That was the first step of many. Given the development on the Pacific Regional Mechanism, the Delegation wished to work closely with WIPO and other developed members in building capacity at the IP offices in the Pacific.

123. The Delegation of Romania noted the progress made in 2010 and the increasingly important role of the SRP. The transition from the planning to the implementation phase had increased the Organization's efficiency and left it better equipped to meet the challenges of globalization. The Delegation associated itself with the statements made by the Delegation of Slovenia on behalf of the Group of Central European and Baltic States and by the Delegation of Poland on behalf of the European Union and its member states. The Delegation also expressed its gratitude for WIPO's support and cooperation in the organization of joint events that had made an essential contribution to the promotion of IPRs. The WIPO National Seminar on the PCT had taken place in Bucharest. A WIPO subregional workshop on the enforcement of IPRs for customs authorities, prosecutors and the judiciary had been organized in the city of Sibiu. A new National Intellectual Property Strategy for 2011-2015 had been finalized and was in the process of being approved. The Romanian IP Office (OSIM) and the Romanian Copyright Office (ORDA) had strengthened cooperation with law enforcement agencies. Great attention was attached to raising awareness of IP issues in Romania. In the area of copyright, ORDA had worked to harmonize relations between users, collective management organizations and rights holders with a view to encouraging creativity. OSIM had continued to align its statutes with international and European Union provisions. The Implementing Regulations of the amended and completed Law on Marks and Geographical Indications had been adopted at the end of 2010. During the annual meetings of the 16 Regional Centers for the Promotion of Industrial Property Protection, OSIM had presented new legislative developments and projects involving OSIM that might have an impact on the Centers' activities. In their reports, the Centers had highlighted problems that sometimes arose in their relations with SMEs and universities. Promotion activities targeted mainly at SMEs, such as seminars, workshops and round-table meetings, had been organized nationwide. The Patent Directorate had launched a pre-diagnosis service for SMEs. It had also participated in national and international exhibitions promoting inventions and new technologies. Romania was convinced that the IP system had the resources to reward creativity and make a key contribution to economic growth and social welfare. WIPO's role was therefore of major importance.

124. The Delegation of Serbia stated that the period since the previous Assemblies of Member States of WIPO had been characterized by many activities conducted for the development of IP protection in the Republic of Serbia. Serbia was grateful to WIPO for its continued support. The

Delegation highlighted the Director General's recent visit to Serbia, during which the Prime Minister of Serbia and the Director General had signed a Memorandum of Understanding between the Government of the Republic of Serbia and WIPO. Under the Memorandum, it was agreed that the two signatories would initiate joint projects in several IP-related fields in order to: strengthen the capacity of businesses, in particular SMEs; enhance the capacities of academic and research and development institutions; and strengthen the system for the enforcement of IPRs in Serbia. On November 15, 2010, the IPO had celebrated its 90th anniversary. On that occasion, the Intellectual Property Office of the Republic of Serbia (IPO) had, with WIPO's assistance, organized an international conference on recent trends in the protection of IPRs. The Delegation noted that, during 2010, the IPO had embarked upon a number of IP-related activities, including the preparation of the "National Study on Intellectual Property in Small and Medium-Sized Enterprises", the translation and printing of WIPO publications, as well as the training of employees in the regional chambers of commerce and regional development agencies. The Delegation stated that, during 2011, WIPO, in cooperation with the IPO, had held several IP-related events, including a workshop on the marketing of innovations and technology transfer and an inter-regional symposium on the enforcement of IPRs. The Delegation noted with satisfaction that, on October 1, 2010, the Republic of Serbia had acceded to the European Patent Convention (EPC). In so doing, Serbia was guaranteeing protection on its territory of technology patented at the EPO and providing easier and less expensive protection for Serbian patents in the member states of the Convention. With regard to legislative activities in the field of IP protection, the Delegation noted that several significant regulations had recently been passed, including the Law on Optical Discs and the Law on Trade Secrets. Serbia's IP strategy for 2011-2014 defined the main goals which Serbia aimed to fulfill in the field of IP protection. The IPO's Centre for Education and Information had organized IP training for various users of IPRs and enforcement institutions in the intersessional period. It had also organized a series of seminars for the benefit of the financial sector, academic institutions, research and development institutes and enforcement authorities. The Delegation stressed that Serbia was working, and would continue to work, tirelessly in order to establish an efficient and reliable IP protection system.

125. The Delegation of Seychelles drew attention to the existence of a Copy Right and Industrial Property Office in Seychelles and the recent establishment of an IP committee as part of government efforts to strengthen the country's IP system. As a relative newcomer to WIPO, the Delegation sought support to build the capacity of the national IP system, and requested technical assistance to strengthen its IP offices and, thus, improve the country's economy. The Delegation noted the vital role played by Seychelles in fighting against piracy in the Indian Ocean and ensuring the safe passage of international shipping. Furthermore, the Delegation expressed the Seychelles' eagerness to fight piracy in the field of IP, in order to protect IPRs holders and enable the people of Seychelles to enjoy the benefits of IP.

126. The Delegation of Slovakia associated itself with the statement made by the Delegation of Slovenia on behalf of the Group of Central European and Baltic States (CEBS), and thanked the WIPO Secretariat for having prepared a well-balanced Program and Budget for the 2012/13 biennium. Slovakia was aware of the important role of the IGC, and underlined the importance of the discussions in that forum. The Delegation welcomed the progress made and results achieved in both the Committee sessions and the Inter-sessional Working Groups. It also welcomed the discussions in the SCP. Enhanced international, regional and national cooperation in the area of the enforcement of IPRs was required in order to combat piracy and counterfeiting. The work of the ACE should therefore be supported through the continued exchange of information and experiences. The Delegation thanked WIPO for the continued support and assistance provided to the Slovak IP Office. A three-year cooperation project had been launched to raise awareness concerning IP in Slovakia and to stimulate the use and development of the IP system. The aim was to secure adequate recognition of the role of IP in national economic, social and cultural development among high-level policy-makers and media actors, while raising awareness of IP within the business community and among the general

public by enhancing the outreach activities of the Slovak IP Office. In order to tackle the problems of counterfeiting and piracy, the Slovak IP Office had established the Inter-ministerial Commission for the Coordination of Cooperation in the Fight against Counterfeiting and Piracy. The Commission comprised representatives of 12 government institutions involved in IPR enforcement. The task of the Slovak IP Office was to coordinate the Commission and define national strategy. There had also been effective communication with the WIPO Division for Certain Countries in Europe and Asia (DCEA). The recent initiatives of that Division fully matched capacity-building requirements in terms of the use of IPRs for cultural and economic development.

127. The Delegation of Swaziland thanked WIPO for its assistance in drafting a new IP legislation, in particular the Copyright and Neighboring Rights Bill. That legislation had already been tabled in Parliament and, it was hoped, would be enacted before the end of 2011. The patents, utility models, industrial designs and trademarks amendment bills would soon be presented to Parliament. The Delegation hoped that those instruments would form the basis of a strong national IP protection system. Swaziland had finalized amendments to its trademarks legislation which would allow it fully to meet its international obligations. The Delegation wholeheartedly supported the work of the CDIP and looked forward to the full implementation of the DA recommendations. Swaziland intended to request assistance in formulating a national IP policy. The Delegation endorsed the statement made by South Africa on behalf of the African Group. It was optimistic that the renewal of the mandate of the IGC would enable that Committee to continue text-based negotiations that would lead to a binding international legal instrument for the protection of TK, GRs and TCEs. The Delegation thanked WIPO for its financial and technical assistance in organizing a Seminar on the Importance of the Patent Cooperation Treaty and Technology and Innovation Support Centers, in August 2011. The Delegation remained committed to supporting WIPO's initiatives, so that the IP system would benefit right holders and users and contribute to economic development. It expressed its thanks for WIPO's financial and technical assistance in organizing a national forum on IP, to be held in October, which would focus on using IP as an effective tool for economic development.

128. The Delegation of Sweden fully supported the statements made by the Delegation of the United States of America on behalf of Group B and by the Delegation of Poland on behalf of the European Union and its member states. Sweden wished to emphasize its support for WIPO in its mission for the promotion of innovation and creativity for the economic, social and cultural development of all countries through a balanced and effective international IP system. Sweden continued to welcome and support measures leading to mechanisms that were responsive, transparent and robust over time aiming at a more efficient WIPO. The Delegation expressed appreciation for the inclusive and transparent process by which the budget had been developed. It wished to emphasize the need for a balanced budget especially in view of the uncertainties and turbulences in the global economy. It was of special importance that the income-generating services of WIPO retain their efficiency as well as meet customers' needs. The work of the Committees of WIPO was important and the Delegation was happy to note that progress was now being made in several areas. With regard to the SCCR, the Delegation welcomed the efforts to move the issues on the agenda forward and reiterated its commitment to constructive participation in the future deliberations of that Committee. It recognized the important work of the CDIP, and also the IGC where it remained committed to continuing the discussions on all three issues - TCEs, TK and GRs - under a renewed mandate. The Delegation also welcomed the new constructive atmosphere in the SCP and remained committed to extending the international harmonization of patent law through the work of the Committee. The Delegation recognized the great importance and added value of harmonizing and simplifying design registration formalities and procedures and looked forward to concluding discussions on that issue in the SCT and the prospect of a diplomatic conference being convened for the adoption of a design law treaty in 2012/13. The Delegation stressed that Sweden considered the work in the ACE important and supported the convening of that Committee at appropriate intervals during the coming biennium. With regard to recent national developments, Sweden had

acceded to the STLT, the instrument of accession having recently been deposited. The Delegation noted and appreciated the ongoing work in the PCT Working Group on the recommendations drawn from the study “The Need for Improving the Functioning of the PCT System”, for example the quality feed-back system for third parties. Furthermore, the Delegation wished to reiterate its great appreciation for the cooperation with the International Bureau in the organization of the three yearly training programs relating to various aspects of IP, one on Copyright in the Global Economy, one on Industrial Property in the Global Economy and one on Intellectual Property for Least Developed Countries. The Delegation announced that Sida had approved further financing of those programs initially through 2013. Finally, Sweden looked forward to continuing its successful cooperation within WIPO on the development of the international IP system to the benefit of economic, social and cultural development of all.

129. The Delegation of the Syrian Arab Republic stated that in the previous years the national IP legal and technical infrastructure had evolved significantly, following the adoption of the new Law on Trademarks, Industrial Designs, Geographical Indications and Unfair Competition as well as the modernization of the Law on Patents and the modification of the Law on Copyright. In addition, work was underway for the establishment of a General IP Authority, as a financially and administratively autonomous body responsible for all IP aspects and the elaboration of a National IP Strategy. The Delegation was convinced of the important role of such an authority in the promotion of creativity and innovation as well as the overall development of the country. Equally important was the continued and fruitful cooperation with WIPO, as it evolved qualitatively and quantitatively, exemplified in the organization of the AI Bassel Fifteenth Fair for Invention and Innovation (July 2011). The Fair was considered as a major event in Syria, which continuously supported creators and inventors. Through the sponsorship of WIPO and the League of Arab States (LAS), AI Bassel Fair gained an Arab and international dimension which attracted a wide global participation. The Delegation also highlighted the preparation of the Arabic version of the Nice Classification which was prepared and would be handed over to WIPO under the WIPO-Syria Cooperation Agreement. WIPO’s assistance would also be instrumental in the establishment of a National IP Academy and TISCs. The necessary infrastructure was made available for those ambitious projects that would greatly benefit trainees. In that regard, the Delegation hoped that the creation of a National IP Academy would be introduced under the DA as an ongoing support program with wider target groups. Such projects would undoubtedly play a central role in the dissemination of IP culture and consolidation of its role in economic development. Echoing the statement made on behalf of the Arab Group, the Delegation looked forward to the appointment of a Director for the Arab Bureau, as a further step towards enhanced cooperation in the field of IP and better focused support for Arab countries at large.

130. The Delegation of the United Republic of Tanzania stated that it aligned itself with the statements made by the Delegation of South Africa and the Delegation of Nepal, and that of the Representative of the African Union, speaking on behalf of the African Group, the LDCs and the African Union, respectively. The Delegation noted the unwavering leadership of the Director General and his team in the accomplishment of WIPO’s activities despite the financial challenges occasioned by the global financial crisis. The Delegation observed that the role of IP as a formidable tool for social and economic development was no longer debatable, even in LDCs. In the areas in which IP had been promoted through marketing activities, significant competitive trends had been recorded. The Delegation stressed that the strategic use of home-grown and imported technology transferred to manufacturing companies had resulted in considerable improvement in terms of both production volumes and quality of manufactured products. It noted that the use of marketing tools such as trademarks, industrial designs and geographical indications had also proven highly effective in fueling fair competition. It was also very encouraging that small and micro enterprises had become fully involved. The Delegation stressed that Tanzania appreciated the cooperation that it enjoyed continuously through the various projects implemented in Tanzania and the support services that it had been constantly receiving. The Delegation wished in particular to thank WIPO for assisting Tanzania in initiating

the implementation of certain of the recommendations on the WIPO DA. As part of Project DA_10_05, Improvement of National, Sub-Regional and Regional IP Institutional and User Capacity, a consultant's report would shortly be submitted and would form the basis for the formulation of the Tanzania Intellectual Property Strategy. The Delegation informed the Assemblies that, in recognition of the important role that SMEs play in countries' economies as job-creation platforms and of the fact that the strategic use of IP assets by SMEs would improve their competitiveness, Tanzania had requested WIPO to assist in the training of the trainers. A WIPO mission had accomplished that task in August 2011. The main objective had been to establish a critical mass of trainers who would eventually assist SMEs in effectively mainstreaming IP strategies in their business plans. Tanzania was convinced that such a strategy would be fruitful. The Delegation noted that the role of technical information in technological development was of the utmost importance. In 2007, the Tanzania Advisory Services and Information Center had been established with WIPO's assistance for the purpose of improving national, sub-regional and regional IP institutional and user capacity. The Center's dissemination of patent information was helping scientists and other stakeholders to improve the quantity and quality of their research. The Delegation expressed its thanks to WIPO for its regular supply of materials to the Center's library. A WIPO mission was planned for the near future for upgrading the Center to a technology innovation support center, which would enable research scientists using it to access technical information. The Delegation stated that Tanzania had various products which could benefit from IP protection through branding, which would thus provide them with added value on overseas markets. WIPO had undertaken a branding expert mission to devise appropriate strategies for selected products, and scoping studies had been carried out for three products: Tanzania coffee, Tanzania tea, and Zanzibar spices. The Delegation noted with satisfaction the progress made hitherto in the committees engaged in negotiating the various IP-related issues, and the renewal of the mandate of the IGC. It was to be hoped that an international instrument or instruments for the protection of TK, GRs and TCEs and folklore could be established. The Delegation was also pleased to note that the budget allocation for the work of the CDIP would support the implementation of the DA recommendations. It assured the Members of its commitment to constructive engagement in all the abovementioned processes to ensure rational and successful achievement of the common goals.

131. The Delegation of Kenya, endorsing the views of the African Group, stated that, with the continued support of WIPO, and via the Kenya Industrial Property Institute (KIPI), the Kenya Copyright Board (KeCoBo) and other institutions, it had been able to address several intellectual property issues. Both KIPI and KeCoBo had carried out various projects and activities, including raising awareness of IP and capacity building. However, funding for IP protection and effective enforcement remained a challenge. In addition to ensuring the continuity of ongoing activities, several new activities had been carried out or initiated since the previous WIPO General Assemblies. Those included the translation into Kiswahili of an IP promotion video, entitled PANORAMA, towards the end of 2010, which would go a long way to helping Kiswahili-speaking Kenyans understand IP, as that language was spoken by the largest segment of the population in East Africa. World IP Day had been celebrated on April 26, 2011, by holding a one-day workshop on IP for stakeholders and other members of the public, at which senior government officers had been present. The event had also been used to award certificates of recognition to outstanding local inventors. In June, KIPI had hosted a delegation conducting a feasibility study on the joint ARIPO – WIPO – National Industrial Promotion Agency (NIPA) ICT infrastructure Upgrade Project. The Delegation stated that a clear roadmap for upgrading IPAS used by KIPI was still pending. The Delegation supported the objectives of the WIPO DA in enabling developing countries to utilize IP as a tool for economic growth and development, and in that regard, Kenyan patents had been included in PATENTSCOPE. In September, Kenya had received a team of WIPO consultants conducting a feasibility study on a projected Start-Up National IP Academy in the country. After meeting with representatives from KIPI and Kenyan university IP teaching staff, a report containing a clear roadmap towards establishing an IP Academy was expected and, in that regard, Kenya supported an enlargement

of the Start-Up Academies Project under the DA to include more countries than originally envisaged. The Delegation stated that Kenya had remained at the forefront of those countries which had recognized the role of IPRs in economic development and had had to amend its IP statutes to conform to international standards and best practices. It had also addressed emerging issues such as biotechnology, counterfeiting and compliance with other international obligations such as the TRIPS Agreement and public health. In that respect, the Government of Kenya was currently amending its industrial property legislation to comply with the TRIPS Amendment Protocol, which would greatly facilitate Kenyans' access to essential medicines at affordable prices. The Government had drafted a Geographical Indications Bill as a result of collaborating with the Government of Switzerland in assisting the agricultural sector and stated that the Bill would improve protection of the country's natural riches. The Delegation also looked forward to signing the TISCs Service Level Agreement (SLA) between KIPI and WIPO, as that, prior to the establishment of TISCs, would lead to the organization of training in October 2011 in Kenya on patent searching. Lastly, the Delegation thanked WIPO for providing continuing training and financial support by arranging local and international courses for its officers and stated that it would be happy to share its experience and expertise with other countries. The Government was also thankful to WIPO for its support of infrastructure development and pledged its continued support to the Organization.

132. The Delegation of Palestine expressed appreciation for the opportunity to participate in the WIPO General Assembly for the first time at such a level and looked forward to closer cooperation with WIPO in the promotion of IP in the country on the multilateral and bilateral levels. Concurrent with such participation was Palestine's application to the UN for full recognition of the State of Palestine. The Delegation recalled that such a bid had been made after all attempts had been exhausted to launch serious negotiations to end the Israeli occupation since 1967; to establish an independent State along the June 4 borders, with East Jerusalem as its capital; to implement international agreements concerning Palestinian refugees; and to include the State of Palestine in global efforts for the intellectual, economic, social and human well-being of all. Palestine, the Delegation recalled, had made every effort in the previous two years to build State institutions, make objective and practical arrangements for statehood, and, under the theme of "Free Palestine, End the Occupation", take all necessary action for the establishment of strong State institutions, in terms of governance, economic and social development, including IPRs. Such efforts were geared towards setting optimal conditions for the international community to make the right decision and recognize the legitimacy of the establishment of the State of Palestine. The Delegation noted that the Palestinian people were the last to endure occupation and the time had come for occupation to end. The Delegation further emphasized that occupation remained the last obstacle preventing the creation of the State and realization of the aspirations of a people and expectations of the international community. Palestine was committed to participating in relevant IOs and establishing bilateral relations with all countries, regional groups and international fora. Joint economic and technical ministerial committees were also established with partners. Such efforts, the Delegation explained, were aimed at creating a conducive environment, developing the economic infrastructure, enhancing the role of the private sector in economic development, knowledge transfer and supporting Palestinian creativity through the development of human and natural resources. The most recent achievement was the conclusion of an MoU with WIPO the previous year, following WIPO's granting of observer status – like other UN agencies – to Palestine in 2005. The Delegation recalled that IPRs were essential for the protection of creativity and innovation, and among the most significant rights for Palestinians. The Palestinian National Authority (PNA) attached special importance to IPRs, due to the need to promote IPR protection, promulgate relevant laws and regulations and create an IP culture. To that end, the Palestinian Cabinet had approved, in the current year, the establishment of a Technical Ministerial Committee responsible for the implementation of the WIPO-Palestine MoU. The Delegation also highlighted current efforts to obtain observer status with the WTO. A National Group composed of private and public institution representatives was created and entrusted with the task of preparing Palestine's accession to the WTO. The Delegation said that

the PNA had made concrete efforts to implement the MoU. The Ministry of National Economy, in cooperation with WIPO, had embarked on an automation project, which had a positive impact on public services. Work was also underway on the publication in Arabic and English of trademarks and patents on the Ministry website. The PNA was currently involved in the modernization of primary and secondary industrial property legislation in line with current developments and relevant international obligations. Such steps would encourage foreign investment and enhance technology transfer. The Delegation then highlighted some achievements, namely: the preparation of a draft Law on Copyright and Related Rights, pending executive and legislative endorsement and ratification; and a feasibility study on the creation of TISCs in cooperation with Palestinian universities. Although Palestine was not party to any IP-related international treaty, and therefore had no obligations thereunder, the PNA committed itself to respecting such international treaties. For example, the PNA provided for national treatment, relief procedures, publication of laws and regulations, adoption of international classifications as well as recognition of prior use and registration whether local or foreign. The Delegation emphasized that efforts would continue to be made to achieve national objectives, particularly to establish a strong national economy and sound national institutions that ensured sustainable development, independence and progress. A National IP Strategy would be elaborated as a tool for economic development under the theme "For a State of Creativity and Innovation". The Delegation looked forward to WIPO's support and assistance and hoped that the weeks to come would witness positive developments for the recognition of Palestine as a full-fledged Member of the UN and its specialized agencies, including WIPO, and party to relevant international treaties. In conclusion, the Delegation stressed that the Palestinian right to freedom, equality and integration in the international community was not a gift to be bestowed but rather a long-standing entitlement. The Delegation was convinced that, with WIPO's support, freedom was near.

133. The Representative of the African Union (AU) stated that the Union was grateful to WIPO for its support on many occasions, in particular the stakeholders' workshop to analyze the Statutes with a view to the establishment of the Panafrican Intellectual Property Organization, an extremely productive meeting held in Dakar (Senegal) on September 7 and 8, 2011. The Representative also welcomed the statement delivered on behalf of the African Group. In addition, the Representative urged WIPO's Member States and Secretariat to pay special attention to the problems of Africa, which had been and would be raised during the Assemblies, which required concrete solutions. Their support could help promote more just and more equitable IP development in all of the world's countries. WIPO, through its SRP launched in 2008, was endeavoring to reexamine and reorient the objectives, structures, programs and strategic resources of the Organization in order to increase its effectiveness as the leading intergovernmental body working in the IP field. The African Union welcomed that initiative and thanked the WIPO Secretariat which, through various programs, had enhanced the value of the resources and programs targeted to Africa and to IP development. That increase in resources could result in more balanced IP development throughout the world. Such an increase could further enable the various committees, including the CDIP, to operate more effectively. The African Union attached great importance to the work of the CDIP. The Representative welcomed the progress and achievements in respect of the implementation of the recommendations adopted in conjunction with the WIPO DA, and urged WIPO Member States to ensure that funds, or at least material resources, were always available for the effective implementation of the recommendations contained therein. At recent CDIP sessions, the African Group had submitted a development project on South-South cooperation, which had received the backing of a great many developing countries prior to the suspension of the previous CDIP session. The African Union called on Member States to resume the work of the CDIP, adopt the African project and make available sufficient means for the effective implementation of that project, which would help the countries of the South exchange information on and replicate their beneficial experiences. It further hailed the progress made within the IGC. In relation to the very encouraging results achieved, particularly in respect of the renewal of that body's mandate, the Representative urged the WIPO Member States to continue

along the same lines so as to guarantee measurable progress in the discussions on GRs. The African Union was advocating a recommendation to ensure that the relevant WIPO patent-related treaties be amended and to introduce compulsory disclosure of the origin of the GRs contained in patent applications. A solution had also to be found with regard to the extremely controversial draft articles on draft legal instruments relating to TK and folklore. Another WIPO body which had made good progress in its work was the SCCR. The African Union, together with the Group of African countries and a great many developing countries, felt that it was in the interests of all to convene a diplomatic conference with a view to the conclusion of the Treaty on the Protection of Audiovisual Performances. It further welcomed the consensus obtained on continuing the discussions on copyright exceptions and limitations, and attached great importance to the African proposal which had been submitted at the 20th session of the SCCR. It contained the minimum flexibility components for inclusion in national copyright legislation with a view to allowing access to copyright-protected works. The African proposal deserved very close study, as it would no doubt make it possible to achieve results that met the expectations of all parties. With regard to the work of the SCP, the Representative urged all stakeholders to pay special attention to the African proposal on the question of health and patents, which had been submitted at the Committee's 16th session. He also said that the African Union supported the opening of a WIPO regional representative office for Africa, a step which could help strengthen cooperation and IP development in Africa.

134. The Representative of the International Organization of Francophonie (OIF), on behalf of the OIF Permanent Representative to the international organizations in Geneva, said that the organization, enriched by the diversity of its 75 Member States and observers, was guided by the founding principle of diversity in favor of sustainable development based on inclusive economic progress, equitable social development and respect for cultural and linguistic diversity. With that in mind, for many years the daily work of OIF had been carried out as part of mutually beneficial partnerships with specialized organizations such as WIPO. The Representative commented that, in today's globalized world, the intensification of exchanges and the integration of economies and cultures had made IP and the associated institutional and legislative mechanisms absolutely essential. It was henceforth undeniable that all those intangible goods - such as technological innovation, research, knowledge and culture - stimulated to create wealth by means of IP, were making a contribution to the economic prosperity and improved integration of developing countries into the world economy. The Representative affirmed that, in the light of such potential, OIF and WIPO, which shared a common interest in the economic progress of their developing member countries, had signed a cooperation agreement in 2000. The results of the agreement had included the implementation of joint capacity-building activities, particularly concerning awareness-raising and training in IP and support for cultural industries. The Representative also pointed out that, in order to reinvigorate that partnership, the Secretary General of OIF and the Director General of WIPO had met at OIF Headquarters in June of the same year to outline a new program of cooperation. The activities considered could include support for cultural policies, training, expertise development and capacity-building. Such a renewed and revitalized partnership, which could be based on biannual roadmaps and regular technical follow-up, would therefore be the fruit of a productive and mutually beneficial relationship that would enable both organizations to expand and enrich their contribution to cooperation and international solidarity in favor of the member countries they had in common.

135. The Representative of the African Regional Intellectual Property Organization (ARIPO) recalled ARIPO's role as an inter-governmental organization, the aim of which was to establish an effective IP system that responded to the needs of its Member States. The Representative reported that two new countries, Liberia and Rwanda, had joined ARIPO since 2009, and that ARIPO welcomed the membership of other interested States. The Representative hailed the close working relationship that ARIPO and its Member States enjoyed with WIPO, and referred to the many activities undertaken since 2010 with the technical and financial assistance of WIPO, including: capacity-building, initiatives to enhance PATENTSCOPE, programs

addressing copyright and related rights, and a number of workshops and seminars. The Representative looked forward to continued support from WIPO to improve the IP landscape in the region.

136. The Representative of the Eurasian Patent Office (EAPO) noted that the Eurasian Patent System had become increasingly attractive to applicants over the past year. In 2010, 3,329 Eurasian applications had been filed at EAPO, which was 18.9 per cent up on 2009. The pre-crisis level of applications had therefore been exceeded in 2010, a fact which had had a positive effect on EAPO's financial performance. Representatives of 62 States had become holders of Eurasian patents. Although in 2011 there had been a decline in the growth rate of invention applications, the trend nonetheless remained positive. By the end of the year, EAPO expected growth of 10 per cent in the number of applications, and an application growth rate close to that in the following year. Despite difficulties, the past year had been successful both in terms of enhancing information provision on EAPO's work, and its cooperation with applicants and national patent offices of the Organization's Member States. At present, around 60 per cent of applications were filed at EAPO in electronic format, which enabled applicants to reduce costs and to increase the efficiency of dealing with the Office. The portal of electronic services which had been created in 2010 not only enabled EAPO Member States' national patent offices to obtain necessary information, but also provided online services to applicants. Collaboration with the national patent offices of the Organization's Member States always had been, and remained, one of the main priorities of EAPO's work, and had been reflected in the Organization's Development Program for 2010-2014. As EAPO developed and was strengthened, the nature and scope of such collaboration were being expanded and deepened. Promotion of the development of EAPO Member States' innovative work had been given fresh emphasis in the fostering of collaboration. First and foremost, EAPO's new initiative in that area was to be noted, namely information support for public libraries, institutes of higher education, and scientific and technical, and innovation centers of the Organization's Member States. EAPO was prepared to grant access free of charge to EAPATIS, the patent information system developed at the Office, which contained more than 38 million patent documents. The first agreement on the granting of free access to EAPATIS had been signed with the Republic of Belarus in September 2011. Similar agreements with other EAPO Member States' national offices were ready to be signed. The Representative noted that, along with the types of collaboration which had already taken shape, information support of public libraries, institutes of higher education, scientific and technical, and innovation centers would become a useful tool in implementing States' national strategies for developing innovative processes. EAPO's collaboration with WIPO continued to develop. Two documents specifying the future scope of collaboration had been signed in 2010: the Joint Work Program relating to the Patent Cooperation Treaty, and the Memorandum of Understanding between EAPO and WIPO in the area of Patent Information and Dissemination of Patent Documents. WIPO actively collaborated with EAPO both in annual retraining programs for national patent office specialists, and in carrying out joint undertakings on the territory of the region's States. EAPO endorsed WIPO's draft Program and Budget for 2012-2013, presented for review at the current session. In the first instance, that concerned Program 10, "Cooperation with Certain Countries in Europe and Asia", where the program was aimed at helping to develop States' IP and innovative activity systems in an efficient and focused manner. The Representative had noted with satisfaction that WIPO intended to devote particular attention in the future to collaboration with the regional organization. For its part, the Representative affirmed that EAPO would do everything possible to be a reliable partner of WIPO in resolving issues on the use of IP systems and assets in the interests of sustainable development in the region.

137. The Representative of the World Blind Union (WBU) said that WIPO Member States should act to address the situation of the reading disabled, an issue currently before WIPO. Many regional groups and States had included the issue in their opening statements and called for a rapid end to the book famine for the visually impaired, who were currently excluded from accessing 95 per cent of all published works. That figure rose to 99.5 per cent in developing

countries and the LDCs and the issue was therefore relevant to the WIPO DA. Visually impaired readers merely wished to have the same freedom as others to enter a bookstore or public library and buy or borrow a popular new book in an accessible format such as Braille, large print or audio, but rights holders were not publishing and marketing those formats, with the result that the visually impaired were condemned to a literary wilderness. The United Nations Convention on the Rights of Persons with Disabilities stipulated in Article 30.3 that laws protecting IPRs should not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials. However, the current copyright framework based on national jurisdictions provided just such a barrier to organizations of the blind wishing to share internationally the few accessible titles they had produced at their own expense. Other relevant human rights instruments included the European Union's Charter of Fundamental Rights, of which Article 26 on the integration of persons with disabilities underlined the fact that the reading disabled were a special case. The Representative asked for the issue of reading disability to be included in the diplomatic conference on the protection of audiovisual performances, on condition that the reading text which was nearly ready could be satisfactorily finalized at the forthcoming meeting of the SCCR. The visually impaired had been waiting for WIPO's assistance ever since the mid-1980s. In the twenty-first century WIPO needed to find a solution to that problem and the reading text would surely be completed in time to be included in the diplomatic conference. Doing so would reduce WIPO's budget, spare visually impaired readers any further exclusion and demonstrate that WIPO was a dynamic organization capable of creating an IP environment fit for the modern world and its most vulnerable communities.

138. The Representative of the Third World Network (TWN) said that innovation had become a buzzword in policy circles but WIPO appeared to be more focused on the promotion of IPRs, often failing to recognize that IP was only one tool and that it was more effective in countries with advanced economies. IP played a relatively minor role in the promotion of innovation in most developing countries. A more nuanced approach to innovation was required. It was important to maintain the distinction between the concepts of "invention" and "innovation". The promotion of innovation depended on a combination of investment in research and development and education, access to technologies and know-how, and the use of flexibilities, such as compulsory licenses and exceptions, and limitations, to enable local inventors to emulate IP-protected technologies. The Representative expressed reservations about WIPO's approach of promoting innovation solely through IP protection and enforcement. Such a way of working was more likely to hinder rather than promote innovation and development. With the adoption of the DA it had been established that development should be at the center of discussions relating to IP property. The world was not flat and there was a need to acknowledge differing development needs. The DA needed to infuse all levels of IP policy-making. The Representative therefore urged Member States to enhance the transparency of WIPO's technical assistance work, and in particular its work on developing national IP and innovation strategies, so that development was not impeded. South-South cooperation was also key to promoting the DA. The Representative called for the adoption of a project on South-South cooperation in the upcoming meeting of the CDIP. The Representative also expressed concern over the call for a harmonization of patent law and practice that had been made at the Global Symposium of Intellectual Property Authorities and in some of the opening statements. Any procedural or substantive harmonization of patent law would compromise the patentability flexibilities available under the TRIPS Agreement. Member States should seek maximum flexibility in the procedural and substantive aspects of patent law, while building national capacity to implement patent law in accordance with national development interests. Development, rather than the matter of the efficiency of the patent system, should be at the center of deliberations on patent law and practice. Member States should therefore adopt a carefully calibrated and evidence-based approach to that issue.

139. The Representative of Knowledge Ecology International (KEI) requested the General Assembly to authorize organization of a diplomatic conference on a treaty for copyright exceptions for persons with disabilities, subject to agreement on the terms of reference for the

diplomatic conference at the 23rd meeting of the SCCR in November. The SCCR was close to reaching an agreement. If the topic had to return to the WIPO Assemblies in 2012, it would be impossible for a diplomatic conference to be organized before 2013. The Representative stressed that such a time-limit could be met if WIPO were to agree to schedule a diplomatic conference on the audiovisual performances treaty and the agenda broadened to include the issue of those with disabilities. The Representative noted that it did not wish the matter of progress on the audiovisual performances treaty to be linked to the disabilities issue, and indeed, opposed such a link. It stressed that it would be more expedient and more economical to extend the agenda of one diplomatic conference to include the disabilities issue rather than organizing a further conference a year later. The Representative noted that, in 1996, WIPO had considered four separate treaties, and had adopted the WCT and the WPPT, but had failed to adopt treaties governing databases and audiovisual performances. A precedent had thus been established. Concerning other copyright-related topics, the Representative stated that KEI was opposed to time being spent on a broadcasters' treaty until those requesting such a treaty had identified the problem which they were endeavoring to solve and had identified why a solution was necessary, how it could be least restrictive and harmful, and the reason for any delay until WIPO had conducted an economic impact assessment, as had been proposed during the WIPO Global Symposium of Intellectual Property Authorities. On the topic of patents, and in light on the United Nations High-level Meeting on Non-communicable Diseases, the Representative of KEI encouraged the SCP to compile a report on unequal access to patented drugs for cancer, and to consider reforms in order to address the matter of access to medicines. The Representative also called upon the SCP to address the patent thicket issue for smart phones and other mobile computing devices.

140. The Representative of the International Video Federation (IVF), speaking on behalf of producers and publishers of audiovisual works around the world including major companies and SMEs, welcomed the breakthrough on the protection of audiovisual performances reached by the SCCR, hailing it as a significant development for audiovisual performers and WIPO alike. The Representative called on Member States to decide on the reconvening of the suspended diplomatic conference and to work constructively towards consensus on outstanding issues, namely three additional agreed statements in relation to Articles 1, 2 and 15 and one additional clause in the Preamble recognizing the importance of the DA. The Representative reiterated the importance of not upsetting the consensus reached on 19 articles in 2000 and of ensuring the treaty's consistency with the existing international copyright framework. Failure to do so, the Representative noted, would prevent a successful outcome on this important item. The Representative supported a pragmatic solution to increase the availability of books in specialized formats for print-disabled persons in the developing world and expressed appreciation for the dedication of countries trying to come closer on a text for an international instrument on this important issue. It was noted that in order to succeed, those efforts must truly focus on improved access for reading-disabled persons. The Representative emphasized the IVF's readiness to support an international instrument that was consistent with existing WIPO treaties. The Representative was pleased to acknowledge the progress reached by the IGC, including on the protection of TCEs. While agreeing that a successful outcome was long due, it urged Member States not to rush into solutions without having fully assessed the real-world implications. The Representative, therefore, welcomed the proposal to renew the IGC's mandate in order to allow for more time to give careful consideration to the options and their implications. The Representative regretted the CDIP's failure to come to a conclusion at its last meeting and respectfully recommended that the CDIP focus on projects that could make a real difference for cultural, social and economic development.

141. The Representative of the International Publishers Association (IPA) stated that the IPA represented the world's book and journal publishing industry, both paper and digital, through its 60 member associations on five continents. IPA congratulated WIPO on the advancement it had made over the last 12 months on a range of issues that impacted on publishers large and small. IPA agreed with all Member States that it was time to advance the legal instrument for

visually impaired persons. The Representative welcomed the progress that had been made during the SCCR in June towards a single text and stated that IPA was able and willing to contribute to further discussions to improve the current text. Further discussions would ensure that the instrument would be “future-proof”, for which it must be more flexible, building on the existing IP framework and focusing on supporting all measures that provided effective access. The WBU had reported on the difficult situation regarding access that prevailed around the world. The Representative, however, was very heartened to note that the situation was taken very seriously by all, and that on closer examination, there was a lot of progress and dynamism in that area. With respect to the work of the IGC on GRs, TCEs and TK, IPA noted the progress made on the text-based negotiations over the past 12 months, noting also however that there was still no consensus on fundamental principles for protection. IPA remained concerned about the potential threat to the human rights of creators and publishers, their freedom of expression and freedom to publish, freedom of information and freedom of research. IPA supported the extension of the IGC’s mandate. At the same time, the Representative hoped that a simplified route could be found to secure the consensus already achieved. IPA supported the work of the ACE and remained saddened that enforcement remained a topic of evidently low priority to many WIPO Members. A right without effective protection was no longer a right. Piracy remained a great obstacle to the development of healthy local publishing industries in the developing world. The Representative felt that Latin America, the Arab world and Sub-Saharan Africa faced desertification of the local cultural and educational landscape because there simply were not enough publishers and hence not enough local content. Copyright was not the problem and therefore copyright exceptions would not resolve the issue. On the contrary, copyright would actually strengthen neo-colonial dependency on foreign content. Even the Internet, with its free access to countless educational resources and textbooks, had to date not provided effective relief, in particular for the needs of education in primary and secondary schools. Rather than focus on copyright exceptions, it was necessary to identify and pilot intelligent solutions to specific practical problems. WIPO’s two platforms that sought to leverage the use of IP for addressing global policy challenges served as welcome examples. In a further project the first trusted intermediaries and publishers had signed a Memorandum of Understanding in accordance with the timeline of the project plan. The situation was such that all were poised to begin in earnest the exchange of accessible files internationally. A small step perhaps, but a step on a clear and irreversible path ahead, that of increasing international accessibility. The Representative hoped that there was time available for many delegates to share with IPA their experience with publishing, with copyright and access to knowledge, and was sure that scope existed to learn and jointly to improve WIPO outcomes.

142. The Representative of the International Centre for Trade and Sustainable Development (ICTSD) referred to the Global Conference on Intellectual Property and the Public Interest, at which the Washington Declaration on Intellectual Property and the Public Interest had been adopted. The Conference had been held in Washington, in August 2011, and had been organized by the American University Washington College of Law’s Program on Information Justice and Intellectual Property, the Center for Technology and Society of the Fundação Getulio Vargas in Brazil, the American Assembly at Columbia University and the ICTSD in Geneva. Attracting around 180 experts from 32 countries, it had focused on IP and the public interest. The Conference had recognized the important role IP played *inter alia* in promoting innovation and creativity. Delegates at the Conference had been concerned at how that role was sometimes used as a justification to expand IPRs in a manner that was not based on empirical evidence and that could upset existing IPRs and obligations. It was against that background that the Conference had sought to reaffirm and rearticulate the public interest dimension of IP law and policy. The Declaration emphasized the importance of: the value of openness; the public domain and of strengthening limitations and exceptions; the need to set public interest priorities for patent reform; supporting cultural creativity and of checking enforcement excesses; the implementation of the DA; requiring evidence-based policy making in the area of IP.

143. The Representative of the International Federation of Reproduction Rights Organisations (IFRRO) stated that IFRRO was the main international body of associations and collective management organizations in the print and publishing sphere and was at the heart of rights management across the world promoting easy, legal access to copyrighted creative works that rewarded the creator while delivering service to the consumer. IFRRO fostered partnerships between stakeholders to ensure a flexible service within the ever-changing digital world, it promoted dialogue and negotiation to encompass the varied needs of different geographies and interest groups within the framework of international copyright law and believed that much could be achieved through stakeholder collaboration on a voluntary basis to enable increased access for user groups to IP and cultural heritage. The Representative acknowledged the excellent cooperation with WIPO in many of the awareness raising, education and capacity building activities with which IFRRO was involved; examples of which were the WIPO Stakeholder Platform on enhanced access to copyrighted works by persons with print disabilities, and the constructive collaborative efforts by representatives of the print disabled to allow cross border transfer of files and works based on a network of Trusted Intermediaries, which the Representative reported was on schedule and within budget. The Representative welcomed the outcome as a most needed means to complement appropriate legislation in favor of persons with print disabilities, and declared that the IFRRO was both able and willing to contribute to its further success as well as to other relevant collaborative endeavors. Concerted efforts by libraries, archives, authors, publishers and RROs represented by IFRRO had also agreed on mechanisms to enable enhanced access to cultural heritage. On September 20, 2011, in the presence of, and facilitated by, the European Commission, 10 organizations representing the stakeholders signed a MoU to digitize and make available works that were out of commerce or out of print to the public across borders. It supplemented previously agreed tools, such as model licensing agreements, and had the potential of addressing the orphan works issue and documented what could be achieved through stakeholder dialogue. The Representative proposed that if WIPO and its Member States were interested, IFRRO would be pleased to share experiences on orphan works and out of commerce works administration at appropriate conferences organized by WIPO and/or its Member States. Regarding the work of the IGC on GRs, TCEs and TK, the Representative noted with satisfaction the progress made in the text based negotiations over the previous 12 months. IFRRO supported culture and cultural diversity, respect for it and a good framework for its development and continued existence, as well as freedom of research, academia and expression and the protection of scientific, academic and cultural products through copyright and other instruments. IFRRO was committed to assisting communities in developing frameworks to further cultural and academic progress and to stimulate incentives for investment in cultural and creative industries and practical implementations *inter alia* through RROs which carried out transactions on behalf of rights holders, managing rights on their behalf where it was impractical for them to do so. That included certain aspects of TK and the IFRRO therefore supported appropriate IPRs as a means to create functional incentives for investment in order to lead to a richer body of cultural, creative, scientific and academic works. The Representative supported the extension of the IGC's mandate, and hoped that a simplified route was found to move forward and wished to acknowledge the efforts both of ARIPO and WIPO in that respect.

144. The Representative of the International Federation of Actors (FIA) opened by stating that he spoke on behalf of hundreds of thousand of professional performers around the world, who made a significant contribution to the success of the audiovisual industry, as well as to cultural diversity, which they expressed through a great variety of media. The FIA was in favor of a diplomatic conference that would lead to the acknowledgement at the international level of the IPRs of performers in their audiovisual works. That landmark achievement would bring to an end the discriminatory situation that had existed since the early 1960s and that had harmed the cause of the FIA's members. With a new WIPO treaty to protect their work, audiovisual performers would finally be granted right holder status and achieve the level of recognition they deserved. At the current time, content was king. Audiovisual content was a major driver for technological development, boosting economies, but also helping to shape social

consciousness and improve cohesion in society. Needless to say, performers were at the very heart of all of those developments. The new WIPO treaty would finally do performers justice and give them the tools they so desperately needed, especially in the digital environment, to: preserve their image and reputation; get a fair reward for their talent; try to make a living of their craft. The FIA wished to extend its most sincere thanks to WIPO and its staff, who had always been staunch supporters of its campaign and had never ceased to believe that a positive outcome could be reached. The Representative further wished to express the FIA's deepest gratitude to all the WIPO Member States, who had worked tirelessly and had often proved to be ready to do the unthinkable – but not the unreasonable – to seek consensus and reach agreement on a treaty with a worldwide appeal. The Representative extended the FIA's thanks to all the other organizations that had supported them all the way, even when they had had other priorities, and had let the FIA's voice resonate so meaningfully in the important forum that was WIPO. The FIA wished to encourage all Delegations to continue to work constructively from the current time until the successful conclusion of the diplomatic conference in the upcoming year. The Representative was convinced that the most difficult hurdle was now behind them and that any other outstanding issues could be resolved. The new draft treaty contained a very meaningful combination of rights, both moral and economic, that were extremely appropriate for a globalized world, where content could be made available for millions to enjoy with the click of a mouse. The current draft of the treaty would equally do justice to the various legal systems under which people lived and through which their work was created. The FIA would continue to be available for advice and would be happy to offer its support to all parties, as it had consistently done in the past.

145. The Representative of the International Federation of Film Producers' Associations (FIAPF) explained that creative producers and production companies in Africa, the Middle-East, Asia, Europe and the Americas all shared a reliance on IPRs to finance and distribute new projects and generate revenues to support the considerable expenditure necessary to develop fresh audiovisual content that would meet audiences' expectations. FIAPF looked on WIPO as the custodian of a global legal architecture that should serve to incentivize creativity and creative enterprise so that citizens and consumers could continue to access and enjoy a diverse range of audiovisual creations. It hoped that whatever new statutory instrument was agreed by WIPO in the future, every effort should be made to strengthen those incentives to original creation and support the sustainability of film and other cultural industries. FIAPF approved the progress made at the previous session of the SCCR on finding a solution to the unresolved issue of audiovisual performers' rights and taking a decisive step towards a treaty. It supported the reconvening of a diplomatic conference based on the 19 articles already agreed on in 2000, and called on Member States to strive towards agreement on the outstanding issues, namely the three Agreed Statements which had been added at the previous SCCR. Regarding progress on the issue of access to special format books by print disabled persons, FIAPF favored a pragmatic solution to allow for cross-border circulation of such works, with the proviso that the solution should guarantee that such publications would only be accessible to those categories of readers. A lack of clarity on that count would be to the detriment of enterprise and risk-taking in that important copyright-based industry. FIAPF remained at the disposal of all Member States to support them with its international expertise on the use of copyright and related rights in the development of robust and sustainable film industries and looked forward to engaging on fruitful cooperation as and when the need might arise.

ITEM 6 OF THE CONSOLIDATED AGENDA

ADMISSION OF OBSERVERS

146. Discussions were based on document A/49/2.

147. Introducing the agenda item on admission of observers, the Legal Counsel stated that five international and five national non-governmental organizations (NGOs) had requested observer status in the meetings of WIPO bodies and committees. He further informed the Member States that in conformity with one of the principles applicable in extending observer status to national NGOs, the Secretariat had held consultations with Member States from which the NGOs originated. The Legal Counsel also reported that in respect of one of the five national NGOs that had requested observer status, the Secretariat had not received any feedback, be it positive or negative, from the Government of Sudan on the NGO that was based there.

Admission of International Non-Governmental Organizations as Observers

148. The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following five international non-governmental organizations: *Association des praticiens du droit des marques et des modèles* (APRAM); European Composer and Songwriter Alliance (ECSA); European Network for Copyright in Support of Education and Science; International Council of Museums (ICOM); and Medicines Patent Pool.

Admission of National Non-Governmental Organizations as Observers

149. The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following five national non-governmental organizations: Association for the Promotion of Scientific Innovation (APSI); *Asociación Mexicana para la Protección de la Propiedad Intelectual* (AMPPI); Institute for Intellectual Property and Social Justice (IIPSJ); Iranian Intellectual Property Law Association (IRIPLA); and Polish Chamber of Patent Attorneys.

ITEM 7 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

150. Discussions were based on document A/49/3.

151. 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*: Angola, Bangladesh, Botswana, Burkina Faso, Cameroon, Chile, Colombia, Congo, Croatia, Denmark, Ecuador, Egypt, Finland, Ghana, Guatemala, Hungary, Iran (Islamic Republic of), Ireland, Italy, Japan, Luxembourg, Nepal, New Zealand, Oman, Pakistan, Peru, Republic of Korea, Romania, Russian Federation, Senegal, Singapore, Slovenia, South Africa, Sri Lanka, Sudan, Togo, Turkey, United Kingdom, Venezuela (Bolivarian Republic of), Zambia, Zimbabwe (41);

- (ii) the Berne Union Assembly unanimously elected the following States as *ordinary* members of the *Berne Union Executive Committee*: Algeria, Australia, Austria, Barbados, Belarus, Belgium, Brazil, Bulgaria, Canada, China, Costa Rica, Côte d'Ivoire, Democratic People's Republic of Korea, Dominican Republic, El Salvador, Estonia, France, Georgia, Germany, Iceland, India, Indonesia, Malaysia, Mauritius, Mexico, Morocco, Netherlands, Nigeria, Norway, Paraguay, Portugal, Spain, Sweden, Thailand, Trinidad and Tobago, Ukraine, United States of America, Uruguay, Viet Nam (39);
- (iii) the WIPO Conference unanimously designated the following States as *ad hoc* members of the *WIPO Coordination Committee*: Ethiopia, Kuwait (2);
- (iv) the WIPO Conference and the Assemblies of the Paris and Berne Unions noted that Switzerland will continue to be an *ex officio* ordinary member of the *Paris Union Executive Committee* and of the *Berne Union Executive Committee*.

152. As a consequence, the WIPO Coordination Committee for the period October 2011 to October 2013 is composed of the following States: Algeria, Angola, Australia, Austria, Bangladesh, Barbados, Belarus, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Democratic Peoples' Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia (*ad hoc*), Finland, France, Georgia, Germany, Ghana, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kuwait (*ad hoc*), Luxembourg, Malaysia, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland (*ex officio*), Thailand, Togo, Trinidad and Tobago, Turkey, Ukraine, United Kingdom, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe (83).

ITEM 8 OF THE CONSOLIDATED AGENDA

COMPOSITION OF THE PROGRAM AND BUDGET COMMITTEE

153. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 9 OF THE CONSOLIDATED AGENDA

PROGRAM PERFORMANCE REPORT 2010

154. Discussions were based on documents A/49/4 and A/49/16.

155. The Chair indicated that the document accompanying this item, was A/49/4 entitled Program Performance Report for 2010 and that the Program Performance Report for 2010 had been submitted to the 17th session of the Program and Budget Committee (PBC), which was held in June 2011. He further highlighted that the 17th session of the PBC had reviewed and taken note of the report and recommended that the inclusion, in the document, of explanations by program, as appropriate, of budget transfers in 2010.

156. He added that the 18th session of the PBC had reviewed the Program Performance Report for 2010 and recommended its approval to the Assemblies of the Member States of WIPO, as reported in the summary of decisions and recommendations adopted by the PBC (document A/49/16). He quoted that "the Program and Budget Committee had

recommended the approval of document WO/PBC/18/14 to the Assemblies of the Member States of WIPO”.

157. The Secretariat explained that the Program Performance Report for the year 2010 was the mid-biennium Performance Report, which assesses organization performance in terms of progress made towards achieving the expected results for the biennium as measured by the performance indicators and against the resources approved in the Program and Budget for 2010 and 2011.

158. The Secretariat reiterated that the Program Performance Report was its principal accountability tool, whose main purpose was to report on organization performance to Member States and that it was an integral part of WIPO’s Results Based Management Framework. It stressed that the report served as an important learning tool in ensuring that lessons from past performance were duly incorporated into the future planning and implementation of WIPO’s activities.

159. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as was concerned, approved the recommendation made with respect of document WO/PBC/18/14 by the PBC, as recorded in document A/49/16.

ITEM 10 OF THE CONSOLIDATED AGENDA

2010 ANNUAL FINANCIAL STATEMENTS

160. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 11 OF THE CONSOLIDATED AGENDA

STATUS OF UTILIZATION OF RESERVES

161. Discussions were based on documents A/49/6 and A/49/16.

162. The Chair indicated that document A/49/6 provided: (i) an overview of the status of Reserves and Working Capital Funds following closure of 2010 (RWCF) annual accounts on both budgetary and the International Public Sector Accounting Standards (IPSAS) basis; and (ii) the status of RWCF appropriations approved by Member States to date, including the impact of the proposed appropriation for an Information and Communication Technology Capital Investment Proposal. The Chair added that the proposal for the utilization of the RWCF for a Capital Investment Proposal for Funding of Certain Information and Communication Technology (ICT) Activities (document A/49/7) would be presented on its own merit, for consideration by Member States. As recorded in the Summary of Decisions and Recommendations adopted by the 18th session of the PBC (document A/49/16), the PBC recommended that the Assemblies take note of the contents of document WO/PBC/18/7 (reproduced as Assemblies document A/49/6).

163. The Secretariat explained that since the Organization’s accounts had been prepared, for the first time, and as mandated by Member States, in full compliance with IPSAS, the document presented the status of the reserves on both a budgetary as well as on an IPSAS basis. In order to provide clarity and transparency in the evolution of the figures from the budgetary basis to IPSAS basis, the document also provided a simple walkthrough of the adjustments made, which affected the reserves opening balances as well as the 2010 level of reserves on closure. The Secretariat added that, as it had become customary, the document also provided an overview of the status of RWCF appropriations approved by Member States to date, including

the impact of the proposed appropriation for an Information and Communication Technology Capital Investment proposal that would be discussed under Agenda item 16.

164. The Delegation of the United States of America welcomed the summary information on the previously approved and proposed uses of the reserve balance. It noted that WIPO continued to preserve a significant amount of its accumulated reserves, a large portion of which was being invested in infrastructure improvements such as the new construction and conference hall projects. The Delegation recalled that Member States supported those projects, which were extraordinary undertakings for an international organization. The Delegation reiterated that the use of reserve funds, in its view, should only be for extraordinary one time expenditures and there should be no deficit spending from the reserves.

165. The Chair read out the decision paragraph contained in the document A/49/16, inviting the Member States to take note of the contents of the document, as recommended by the PBC.

166. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, took note of the contents of document WO/PBC/18/7 (reproduced in document A/49/6).

ITEM 12 OF THE CONSOLIDATED AGENDA

POLICY ON INVESTMENTS

167. Discussions were based on documents A/49/14 and A/49/16.

168. The Chair recalled that the Policy on Investments had been submitted to the 18th session of the PBC which had recommended to the Assemblies of the Member States the approval of the proposal. As recorded in the Summary of Decisions and Recommendations made by the 18th session of the PBC (document A/49/16), the PBC had recommended that the Assemblies approve the Policy on Investments as contained in document WO/PBC/17/6, Annex I.

169. The Secretariat added that, by way of background, the Policy on Investments had first been considered the previous year at the 15th session of the PBC. Following comments made by Member States, the document had been revised and resubmitted to the 17th session of the PBC held from June 27 to July 1, 2011. At that time the PBC had taken note of the proposal presented in document WO/PBC/17/6 and had decided to postpone making any recommendation on the document until the 18th session of the PBC in September 2011. The 18th session of the PBC discussed the document and was now recommending its approval to the Assemblies.

170. The Delegation of the United States of America appreciated the effort and careful thought that had gone into development of the Policy on Investments and the additional time permitted for Member States to provide observations and comments on the proposal. The Policy on Investments contained numerous provisions to safeguard invested funds by minimizing risk while ensuring the liquidity of funds necessary to meet the Organization's cash flow. Therefore, the Delegation believed that the proposed Investment Policy was sound and should be adopted.

171. In the absence of comments the item was closed.

172. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the Policy on Investments as contained in Annex I of document WO/PBC/17/6.

ITEM 13 OF THE CONSOLIDATED AGENDA

POLICY ON LANGUAGES

173. Discussions were based on documents A/49/15 and A/49/16.

174. The Chair introduced the item, stating that document A/49/15 was a follow-up to the decisions of the 2010 Assemblies concerning the Policy on Languages at WIPO, and also to the sessions of the PBC in January, June and September 2011. The document contained the proposed language policy of WIPO and also the timelines for implementation. He read out the Summary of Recommendations, as adopted by the PBC, and recorded in document A/49/16, as follows:

The Program and Budget Committee:

- (i) took note of the information contained in document WO/PBC/18/15;
- (ii) recommended to the Assemblies of the Member States of WIPO the adoption of the proposals contained in paragraph 28 of document WO/PBC/18/15, amended as follows:

“28. Based on the analysis contained in this document, the Secretariat submits for the consideration of Member States the following proposals:

(a) The language coverage for documentation for meetings of the WIPO Main Bodies, Committees and Working Groups, as well as for core and new publications, shall be extended to the six official languages of the United Nations (Arabic, Chinese, English, French, Russian and Spanish) in a phased manner that commenced in 2011 (as detailed in Section II above) and subject to approval of the resource requirements proposed in the draft 2012/2013 Program and Budget. The cost of language coverage for documentation for Working Groups will be assessed in the light of experience gained in 2012/2013 and in the context of the 2014/2015 Program and Budget.

(b) The translation requirements for the WIPO web site shall be examined in more depth in parallel with the restructuring of the said web site.”

175. The Secretariat confirmed that the document reaffirmed WIPO's commitment in implementing a comprehensive language policy by 2015, and contained implementation timelines. As already agreed at the 2010 Assemblies, effective January 2011, six-language coverage had already been extended to the SCCR and the SCT meetings; effective January 2012, six language coverage would be extended to the SCP/CWS/ACE, and during 2012/13 to all WIPO Main Bodies. The cost of language coverage for Working Groups would be assessed in the light of the experience gained in 2012/13, in the context of the 2014/15 Program and Budget, as had already been decided and recommended by the PBC. The Secretariat added that a two-fold business model was proposed for the provision of translation services, namely maintaining a core team of expert revisers and translators, and increasing outsourcing percentages from 30 per cent in 2009 to around 45 per cent in 2012/13. As the quality of translation was a major concern of Member States, rigorous criteria had been established to uphold standards, while outsourcing translation work.

176. The Delegation of Brazil took positive note of the information provided by the Secretariat which was discussed in the 18th session of the PBC. The Delegation fully supported the extension of language coverage to the six official languages of the UN, according to the

timelines described. It welcomed the provision regarding future coverage for Working Groups, as important activities were being carried out in those groups. In that regard, it was ready to participate in the evaluation of the costs that would be done during the next session of the PBC. The Delegation highlighted the need to assure the quality of documents and translation during the process of extending language coverage, whilst, at the same time, balancing costs.

177. The Delegation of the United States of America appreciated receiving the Secretariat's detailed report on extending language coverage in the six official languages of the UN System to each of WIPO's Governing Bodies, Committees and Working Groups. The report reflected careful consideration of the impact on volume, paperwork and resulting increases in workload and cost to the Organization, and appropriately incorporated provisions that would seek to preserve the quality of outsourced translation work. The Delegation reported that at some organizations the quality of translation could suffer if the necessary quality control and oversight mechanisms were not in place. At many international organizations, conference and language services had grown to a point where they consumed a large portion of the resources that would otherwise have gone towards contributing to the performance of the Organization's core mission. Therefore, the Delegation generally opposed increases in language services because of the considerable potential for increased overhead costs for the Organization, and the potential for inefficiencies resulting from extended bureaucracy. The current proposal indicated that providing translation in each of the six official UN languages at each of the WIPO Governing Bodies and Committees in 2012/13 would cause an increase of 12 per cent in language services costs and that that increase could be accommodated in the existing 2010/11 funding levels for the relevant program, namely the Conference and Language Services program, through offsetting cost reductions in other areas. The Delegation noted however that the Secretariat's report did not contain an estimate for the future cost increases that would result from extending the expansion in language services to Working Groups in 2014/15. As a matter of principle, the Delegation could not support the adoption of a proposal without knowing the full cost implications of that proposal. Therefore, given previous decisions on the topic and the Secretariat's assurance that the extension of expanded language services to Governing Bodies and Committees would not result in an overall increase in resources needed for the conference and language services program, the Delegation did not oppose agreement to the proposed expansion of language services in 2012/13 in the PBC, but urged the Committee not to commit to subsequent expansion to Working Groups in 2014/15 in the absence of information about the cost implications of that further expansion. The Delegation also urged that the subsequent expansion to Working Groups be considered in three years' time in the light of two years' experience with the 2012/13 expansion of language services to Governing Bodies and Committees. That would permit evaluation of concrete data on the demand for the additional language papers and the cost of their production. Lastly, the Delegation encouraged continued commitment to reducing paperwork volume by publishing materials electronically and only printing documents on an 'as needed' basis.

178. The Delegation of China thanked the Secretariat for the efforts which it had put into the matter and for providing a detailed program on the further implementation of the decision by the Member States on the language policy at WIPO. It supported the efforts which had been made by WIPO in order to expand language coverage and offered its support for the proposals which were contained in the document. The Delegation hoped that WIPO would be able to put in place the decisions adopted by Member States as quickly as possible and take necessary and feasible measures to provide sufficient and appropriate resources to the language services, including increasing the numbers of translators, in order to ensure that language coverage at WIPO is expanded to the six official UN languages. The Delegation also expressed its wish to see that comprehensive, efficient and high quality language services are provided to the Member States, thus paving the way for them to be actively involved in all the discussions at WIPO.

179. The Delegation of Angola, speaking on behalf of the countries that it was representing at that time on the linguistic policies of WIPO, referred to the information contained in document WO/PBC/18/15, paragraph 25, and the recommendations submitted to the Assembly in document A/49/16, and considered that it was a positive step forward. However, the Delegation felt the need for more specific details on certain points which should be improved for Portuguese speakers in the Organization. For example, extension should be made to the WIPO Academy, and the Delegation believed that greater attention should be paid to the issue in the future.

180. The Delegation of Algeria expressed satisfaction with the quality of work that had been accomplished by the WIPO Secretariat concerning the preparation and the translation of documents. It welcomed the language policy proposed by the Organization which should make it possible for all documents to be made available progressively in the six official UN languages. In a world where cultural diversity should govern what we do, multilingualism responded to cultural aspirations but above all to working requirements. The documents produced by WIPO could only be used efficiently and effectively by the experts if they were available in the relevant working languages. The Delegation supported the statements made by the Delegation of South Africa in the various meetings held to discuss the issue and which would be made in the course of the current meeting. It looked forward to agreement on the language coverage for documentation for meetings of the Main Bodies, Committees and Working Groups of WIPO and also wished to see core and new publications covered by the language policy so that they would be issued in the six UN languages, with gradual implementation starting in 2012. The Delegation welcomed the recommendations made by the PBC to enable full implementation of the Organization's language policy which, it believed, was an important instrument for strengthening capacities of Member States. The policy, as set out in document A/49/15, should provide access for all Member States to documentation that they needed to prepare for the very important meetings held by the Organization. Those States would then make a better and more effective contribution to the work done in the various Conferences, Committees and Working Groups of WIPO. The Delegation was aware of the amount of work that had to go into the implementation of the language policy, but had no doubt that the Secretariat would continue to work tirelessly to ensure that the policy was implemented successfully, on the basis of arrangements accepted by everyone in the 2012/13 budget and in the forthcoming budget for 2014/15.

181. The Delegation of South Africa, speaking on behalf of the African Group, welcomed the WIPO language policy which, as it evolved, would ensure equal treatment of the UN official languages within WIPO. The Delegation expressed satisfaction that the Portuguese language was receiving recognition as a passive language in WIPO. The Delegation supported the adoption of the policy.

182. The Delegation of Chile welcomed the agreement which had been reached on the issue. The availability of documents in the Spanish language for all the Committees and Working Groups within the Organization was essential for active participation and appropriate expression of points of view on the substance of ongoing discussions. The Delegation added that it was interested in the work of the PCT Working Group, and as the documents were extremely complex and technical, they should be available in Spanish to enable their active participation, as a new member of the Group.

183. The Secretariat responded to the various delegations which had raised the issue of quality, stressing that quality would be of prime concern as the policy was implemented and outsourcing was increased. Regarding the extension of language coverage to Working Groups, the decision formulated by the PBC provided for the extension to Working Groups in the light of experience gained and in the context of the Program and Budget for 2014/15. The issue would be raised again at that time and the cost implications examined.

184. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation of the PBC made in respect of document WO/PBC/18/15, as recorded in document A/49/16.

ITEM 14 OF THE CONSOLIDATED AGENDA

WEBCASTING AT WIPO

185. Discussions were based on documents A/49/8 and A/49/16.

186. The Secretariat introduced the document which had been prepared in response to the request made by the Member States in June 2011 at the informal session of the PBC. Webcasting services provided for the current Assemblies comprised live webcasting as well as recorded meetings as video-on-demand. Those services could be accessed from the WIPO web site. The Secretariat intended to provide coverage for the meetings of all WIPO committees and main bodies, which involved 18 events per year. To make this coverage possible, the Organization had already made capital investment during the current biennium and would consolidate the relevant audio and video services currently available within the Organization. Live webcasting would be streamed with the floor and English audio track and recorded video-on-demand content with only the floor audio track. The progressive deployment would start as from these Assemblies.

187. The Delegation of Brazil welcomed as positive the introduction of webcasting in the meetings of WIPO. This initiative contributed to transparency in the work of the Organization and also contributed to raising interest on IP issues to the public as a whole. With regard to accessing recorded meeting contents through a video on demand service, the Delegation considered it important that not only the floor audio track be provided but also the English audio track. The Delegation acknowledged the fact that there were constraints and expressed a hope that a solution could be found soon.

188. The Secretariat commented on the intervention by the Delegation of Brazil on the matter of provision in English and explained that this matter was being looked at very closely. The issue was not so much of a technical nature but rather one of copyright where the Secretariat would have to put in some disclaimers as the recording would be the interpretation of the English language on the site. The Secretariat was working very closely with the *Association internationale des interprètes de conférence* (AIIC), in order to make this possible and it hoped to have this matter resolved soon.

189. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation of the PBC made in respect of document WO/PBC/18/19, as recorded in document A/49/16.

ITEM 15 OF THE CONSOLIDATED AGENDA

PROPOSED PROGRAM AND BUDGET FOR THE 2012/13 BIENNIUM

190. Discussions were based on documents A/49/5 and A/49/16

191. The Chair introduced this agenda item by noting that the Proposed Program and Budget for the 2012/13 biennium (document A/49/5) was submitted to the Assemblies following consideration by the PBC, in accordance with the Financial Regulations and Rules (FRR), and pursuant to the Mechanism to further involve Member States in the preparation and follow up of the Program and Budget of the Organization. The first draft of the proposed Program and

Budget (document WO/PBC/17/4) was presented to the PBC informal session in June 2011, for discussion, comments, recommendations and amendments. At that session, the PBC requested the Secretariat to issue a revised version of the proposed Program and Budget for the 2012/13 biennium based on the comments and amendments suggested. The amended document had been considered by the 18th session of the PBC in September of this year. The proposed Program and Budget for 2012/13 had been the subject of extensive consultations as well as detailed review by Member States in the course of the June and September 2011 sessions of the PBC. The present version of the proposed Program and Budget included various amendments resulting from and agreed at those two sessions. As recorded in the Summary of Decisions and Recommendations made by the 18th session the PBC:

“1. The PBC recommended to the Assemblies of the Member States of WIPO and of the Unions, each as far as it is concerned, the approval of the proposed Program and Budget for the 2012/13 Biennium as contained in document WO/PBC/18/5, subject to the following:

“(i) Efforts by the Secretariat to reduce expenditure through cost efficiency measures by 10.2 million Swiss francs, from 647.4 million Swiss francs to 637.2 million Swiss francs, through, *inter alia*, travel policies for staff and third parties, premises management, policies for payments of SSAs and honoraria for experts and lecturers, internship programs, receptions and rental of premises and equipment during conferences and a reduction of personnel costs through improved organizational design. These cost efficiency measures will not affect Program delivery, results and targets as set out in the Program and Budget proposal. The Secretariat will report back to Member States on the implementation of the efficiency measures in the annual Program Performance Reports; and

“(ii) Reflection of the new program for SMEs and Innovation and the narrative changes agreed in the course of the PBC session to: Results Overview chapter, Results Framework chart, Programs 1, 3, 4, 6, 7, 8, 9, 11, 14, 17, 18, 19, 21, 27 and 30 as well as addition of a footnote to paragraph 5 regarding the definition of development expenditure’.

“2. The PBC further recommended to the Assemblies of the Member States of WIPO and of the Unions, each as far as it is concerned, to utilize any surplus generated as a result of higher income than expenditure incurred for the biennium, to reinstate the provision for after service employee benefits, including ASHI, up to previous levels, in accordance with prudent financial management.

“3. The PBC further recommended that its June session in budget years be convened as a formal session for future Program and Budget cycles, starting with the discussions of the Program and Budget for 2014/15.

“4. The PBC also had recommended that the Secretariat report on the activities, both undertaken and planned, of the IP and Global Challenges Program to Member States during PBC sessions.”

192. The Delegation of the United States of America welcomed the proposed revised Program and Budget and appreciated the efforts by all involved that had gone into preparing the proposal. The Delegation strongly supported the important work that WIPO has done, as reflected in the budget. The Delegation said that at a time when governments and businesses around the globe were struggling with economic difficulties, it was more important than ever that WIPO continued to work to maintain tight fiscal discipline that included initiatives to increase efficiencies. With more than 90 per cent of WIPO’s budget directly dependent on the income generated from market driven services, the global economic downturn had lowered WIPO’s

actual income in 2010 by 12.8 million Swiss francs or 4.3 per cent. The Delegation was pleased to hear, through the PBC meetings, that the forecast for the next biennium would greatly improve, with a 4.7 per cent increase in income. Nonetheless, the Delegation observed that WIPO's recovery, in the midst of the global economic downturn, remained somewhat fragile. The Delegation supported WIPO's efforts to monitor the financial performance of the Organization with great vigilance and appreciated the publication of quarterly financial results on the web site for the benefit of the Member States. In order to maintain a balanced 2012/13 budget throughout the biennium, the Delegation supported WIPO's continuing efforts to streamline and contain costs, particularly in areas where there should be consolidation of human resources and alignment of the existing workforce to organizational needs.

193. The Delegation of Brazil welcomed the proposed Program and Budget for the 2012/13 biennium as discussed in the 18th session of the PBC. The document amended by the PBC incorporated important contributions made by Member States during the process of reviewing all programs and activities. These contributions reinforced the Member driven characteristics of WIPO's activities. The Delegation thanked the Secretariat for providing relevant documents with high level of detail, for the readiness to respond to questions raised by Member States and also for providing additional information during the course of the 18th session of the PBC. The Delegation took note of the estimated growth of 4.7 per cent in the revenue of the Organization. The prospective revenue growth indicated that the Organization would be able to offer improved solutions to the needs of Member States in the context of increasing demand. The Delegation saw as positive the initiative of delivering efficiency gains while, at the same time, preserving the development expenditure and the level of services. These efficiency gains would allow for 3 per cent growth in expenditure. The Delegation welcomed the fact that 21.3 per cent of the budget for next biennium was allocated for development activities, which was extremely important given the implementation of the DA recommendations as agreed in the General Assembly in 2007. While information on the allocation of resources to development was positive, the Delegation also welcomed the PBC recommendation made during its last session to refine the definition of development related expenditure.

194. The Delegation of Japan thanked the Secretariat for the hard work and expressed its sincere appreciation to the Chair of the PBC for the excellent chairmanship at the PBC sessions. The Delegation emphasized its continuing skepticism regarding the estimate made by the Secretariat on the revenue for the next biennium. The Delegation found it too optimistic, as it had stated on various occasions, including at the PBC. However, the Delegation appreciated the initiative of the Director General to reduce expenditure through cost efficiency measures by 10.2 million Swiss francs, which would not affect program delivery, including development activities, the PCT and Madrid system services. Nevertheless, this did not alleviate the Delegation's concern regarding the estimated income. The Delegation welcomed the initiative of cost efficiency measures and expected that it would be effectively executed by the Secretariat. With such delivery by the Secretariat, the Delegation would be able to go along with the recommendation by the PBC regarding the 2012/13 Program and Budget proposal. The Delegation expected that efforts by the Secretariat would bear meaningful fruit and consequently the Organization would be managed in sound and efficient manner in the coming biennium.

195. The Delegation of El Salvador recalled that at the informal June session of the PBC Member States agreed to several modifications to the proposed 2012/13 Program and Budget. Modifications had been proposed in the description of programs, including in the results frameworks, which had strengthened the Program and Budget proposal. The Delegation recalled that, at the time there had been concerns regarding the description of programs, the performance indicators, baselines and expected results and the development share for Programs 15 to 26, the explanations given on budget transfers and information relating to the Program and Budget 2010/11 already approved. Member States had agreed that a special

program for the SMEs would be reinstated. The Delegation was satisfied with the work done in the PBC and with the agreed recommendation concerning the proposed 2012/13 Program and Budget. It was particularly satisfied with the recommendation to continue the consultation process among Member States on the issue of WIPO governance. The Delegation urged that the PBC recommendation on the proposed Program and Budget be adopted by the Assemblies.

196. The Delegation of Pakistan, speaking on behalf of the Asian Group, welcomed the proposed Program and Budget for the 2012/13 biennium contained in document A/49/5 and the Summary of recommendations of the 18th session of the PBC contained in document A/49/16. The Asian Group was of the view that effective oversight by Member States of WIPO's budget and management, coupled with the transparent and consultative approach adopted by the Secretariat, had contributed enormously to improving the effectiveness of WIPO by building confidence and trust between the Secretariat and Member States as well as among Member States themselves. The proposed Program and Budget aptly reflected this and accommodated the various ideas expressed by the Member States. The increase in development expenditure of the Organization from 19.4 per cent to 21.3 per cent was welcomed. The Asian Group hoped that this increase would be translated into completing initiatives to support the social, cultural and economic development of the countries in the field of IP.

197. The Delegation of India, speaking on behalf of the DAG, welcomed the proposed Program and Budget for the 2012/13 biennium as a balanced workplan for the coming two years. The DAG thanked the Secretariat and the Assistant Director General for the comprehensive documentation provided, useful briefing sessions and the open and interactive dialogue with Member States in preparations for the 18th session of the PBC that considered and approved the draft Program and Budget. The DAG also thanked all Member States of WIPO for their constructive and collaborative engagement in the exercise of reviewing the proposed Program and Budget, leading the membership to agreement on a programmatic plan and budgetary outlay that responded to the needs and concerns of all Member States. The DAG noted with appreciation that the next biennium was expected to see a welcome return to growth, with the Organization's revenue estimated to grow by 4.7 per cent. The DAG trusted that the conservative increase of 3 per cent projected for the biennial budget would be utilized prudently to achieve optimal efficiency for WIPO's programs while integrating the DA in an intrinsic manner. As the DAG was principally concerned about integrating the development dimension in WIPO's work, it was happy to note that development remained a strategic priority for WIPO, with 21.3 per cent of the 2012/13 Program and Budget being dedicated to development expenditure. The DAG was pleased that this marked a 1.9 per cent relative increase from the last biennium in terms of the percentage of WIPO's budget allocated to the development oriented expenditure. The DAG emphasized that mainstreaming development was not only a strategic goal for WIPO but a pragmatic and necessary complement of the global IP regime, if IP was to play a credible role as one of the contributors to socio-economic growth and development. In order to clearly understand what part of WIPO's resources were being allocated to the use of IP to advance development, it was important to arrive at a clear and shared understanding of what constituted 'development expenditure' and what activities could be qualified as 'development activities'. In the absence of such a precise definition, the DAG was concerned that inflated figures, that had no justification in terms of making a contribution to development, could lead to misleading impressions that a large percentage of WIPO's budget was being spent on development oriented activities. Therefore, the DAG was satisfied that this important gap had been recognized by the PBC and that agreement had been reached to refine and fine-tune the definition of development expenditure for purposes of drawing up the next 2014/15 biennium Program and Budget. The DAG looked forward to the evolution and adoption of a precise definition which would help the Organization and its Member States to objectively evaluate progress made in mainstreaming the development dimension in all areas of WIPO's work. The DAG welcomed the reinstatement of a separate program for SMEs and Innovation. The activities under this Program were important and were the key contributors to the use of IP for enhancing innovation and development. The DAG noted that enhancing the capacity of SMEs

to use different IPRs to boost the technological innovation, commercialization and growth was indeed a substantial crosscutting strategy in most of the proposed programs. The DAG hoped that the SMEs program played its due role as the coordinator for various SMEs related activities undertaken by different organizational units in WIPO. For this to happen, it was important that the SMEs division continued to function as an independent and autonomous unit that liaised with other programs on SMEs related activities and had a say on how they were organized and conducted, in order to ensure coherence and avoid duplication of efforts and resources. The DAG hoped that this would be ensured by the Secretariat in the coming biennium. The DAG was pleased to note the increase in resource allocation to the WIPO Academy and urged that this Program be augmented further to enable it to more effectively assist Member States, keeping in mind the rising demand for the Academy training courses and the current inability of the Academy to cater to this growing demand. The DAG was particularly pleased that the Executive Training Program was being reinstated after a delay of two years and hoped that the number of these training programs would be increased in the coming biennium. The DAG also took positive note of WIPO's efforts in exploring how IP could contribute to finding solutions to global challenges faced by the world today and was pleased that the newly established Global Challenges Division in WIPO was looking at these important issues. Given the fact that these were critical issues that impacted on developing countries and socio-economic development, The DAG urged the Secretariat to report on Global Challenges division's activities regularly to Member States in the relevant intergovernmental committees such as the CDIP or the SCP, where one of the global challenges – health - was already on the agenda for discussion. In the DAG's view this would help Member States to periodically update their knowledge on the work being undertaken by WIPO in this area, guide the program where required and benefit from the program's output for use in the national context wherever possible. Finally, the DAG believed that it was clearly evident that the Program and Budget was directly linked with the implementation and mainstreaming of the DA. Therefore, the DAG welcomed the Secretariat's efforts to identify and further refine the linkages between the programs and the development implications in the proposed Program and Budget document. Given the direct relevance and linkages between the Program and Budget and the WIPO DA and the key role the PBC played in the mainstreaming of the DA, the DAG hoped that this important and relevant WIPO body would also report to the Assemblies on how it was mainstreaming the DA in its work, as was being done by other relevant bodies in accordance with reporting mechanisms mandated by the Assemblies the previous year.

198. The Delegation of Iran (Islamic Republic of) thanked the Secretariat for its hard work in preparing the proposed Program and Budget for the 2012/13 biennium and supported its adoption by the Assemblies. Having studied the Program and Budget, the Delegation noted with appreciation the efforts made by the Secretariat to reduce expenditure by 10.2 million Swiss francs through cost efficiency measures. The Delegation said that this, however, should not affect the mainstreaming of development in the work of the Organization. Similarly, the Delegation noted with satisfaction the decision of the PBC to define the development expenditure for the purpose of the preparation of WIPO's Program and Budget. The Delegation was encouraged that development remained a priority in the coming biennium, which was reflected in an overall increase in the development expenditure from 19.4 per cent to 21.3 per cent in the next biennium. The Delegation attached great importance to the SMEs and innovation program and supported its reinstatement as an independent program in the proposed Program and Budget. The Delegation welcomed the continuation of IP and Global Challenges Program which had concentrated its activities on global health, climate change and food security, issues which particularly affected developing countries. The Delegation was interested in hearing the details of this Program's activities and was looking forward to the report on them at the PBC and other standing committees. The Delegation believed that these important issues should be discussed in an intergovernmental forum to guide the WIPO Secretariat in its engagement with other UN organizations. For this reason, the Delegation had always supported the idea of the establishment of a new committee in WIPO to deal with global challenges. The Delegation was glad that the discussions on WIPO's governance reform

continued to be on the agenda of the upcoming PBC. The Delegation supported strengthening the existing governance structure, such as the Coordination Committee and the PBC, in order to further streamline the functioning of the Organization without any radical reforms of overall WIPO governance and structure.

199. The Delegation of Norway wished to align itself with the opening statement made by the Delegation of the United States of America on behalf of the Group B, in emphasizing the importance of continued focus on savings and efficiency gains while securing sufficient resources towards the constant improvement of the global registration system. The Delegation noted that the budget increase envisaged in the next biennium presented in the proposed Program and Budget document (in comparison to the budget of present biennium). However, it noted that the results for 2010 had not been in line with the budget and in the Delegation's opinion it would have been helpful to see a comparison between the proposed budget and the actual results for 2010. The Delegation was pleased to note that the Secretariat continued to publish quarterly financial reports on WIPO's web site. The Delegation found this to be a very positive step enabling Member States to follow up financial developments.

200. The Delegation of South Africa, speaking on behalf of the African Group, thanked the Secretariat for holding informal briefing sessions with Member States in an effort to develop the consolidated Program and Budget for the 2012/13 biennium. Additionally the 17th and 18th sessions of the PBC had provided opportunities for more interactive discussions focused on developing a well balanced 2012/13 Program and Budget, which took into account the views of various Member States. The African Group welcomed the return to growth in the Organization's revenues estimated to increase by 4.7 per cent during the next biennium following the impact of the financial crisis. The African Group commended the Director General for stressing that development remained a priority in the Program and Budget for the 2012/13 biennium. This was reflected in the overall increase in development expenditure from 19.4 per cent in the present 2010/2011 biennium, to 21.3 per cent in the next biennium. The African Group welcomed the mainstreaming of the DA in the Program and Budget as well as the funding of DA projects from regular budget of WIPO. Since there were expenditure readjustment to the proposed Program and Budget, the African Group wished to caution that any cost efficiency measures to manage expenditure should not affect service delivery on programs, especially programs for developing countries and, in particular, Program 8 (DA Coordination), Program 9 (Regional Bureaus) and Program 11 (WIPO Academy). Sufficient resources should be allocated to these Programs to ensure their optimum functioning. The African Group was pleased that Program 30 (SMEs) had been retained as an independent program, as requested by the Group during the 17th session of the PBC. SMEs were often the driving force behind innovation and creativity in Africa and generated not only industrial property but copyright and IP in the form of TK, TCEs and GRs. It was therefore not advisable to integrate this Program with Program 1. The African Group was also pleased so see WIPO address some of the greatest challenges facing mankind in the 21st century, i.e., climate change, food security and public health. To this end, the African Group welcomed the creation of a unit at WIPO to deal with Program 18 (IP and Global Challenges) which entirely addressed these issues. However, hitherto the decision of the 18th session of the PBC, the Group noted that the activities of this program were not being discussed by Member States in any platform in WIPO. Therefore, the African Group welcomed the decision of the PBC mandating the division to formally report to the PBC. Since the issues being dealt with by the Division are cross-cutting, the Group believed it would be to the mutual benefit of both the Member States and Secretariat for the Division to report on its activities in the SCP and the CDIP to ensure coherence on the activities of various WIPO bodies. The African Group endorsed the Program and Budget for the 2012/13 biennium as recommended by the 18th session of the PBC. In conclusion, the African Group thanked the outgoing Chair of the PBC, Mr. Douglas Griffiths, for the excellent manner in which he had directed the work of the PBC during his term.

201. The Delegation of China thanked the Secretariat for drafting the proposed Program and Budget and for its open attitude in discussing the Program and Budget. The Delegation noted that WIPO continued to give priority to development and increased the overall development expenditure. This Delegation appreciated such efforts, especially as China, one of the largest developing countries, gave priority to the progress of DA and looked forward to the mainstreaming of development activities to ensure the implementation the DA recommendations. The Delegation supported, in principle, the proposed 2012/13 biennium Program and Budget.

202. The Delegation of Morocco endorsed the statement made by the African Group. It welcomed the work accomplished by the Director General and the Secretariat in preparing the 2012/13 Program and Budget. The Delegation considered it a good budget proposal and one of its main strong points was the increase in the amount of resources allocated to development activities. However, the Delegation had some concerns regarding decrease of resources allocated to certain programs; especially to Programs 8 and 9 which were not in line with the implementation of the DA. The Delegation was nevertheless reassured by the explanation provided on this issue by the Secretariat who had explained that the level of resources would not actually affect in anyway the development related activities. The Delegation obviously supported reducing costs and considered it a very important issue as it believed that reducing costs would improve the management of the Organization. The Delegation encouraged the Secretariat to make further efforts in order to bring down the costs and overheads, particularly staff cost which accounted for over 70 per cent of the total budget of the Organization. On this point, the Delegation requested the Secretariat to apply more stringently a fair, balanced and transparent recruitment and staff promotion policy.

203. The Delegation of Angola took note of the strategic measures proposed by the Secretariat to make savings in response to the current world economic crisis i.e., by revising policy guidelines for staff and third party travel and by containing costs for participants' travel. The Delegation was of a view, as it had stated in its opening statement, that the adoption of such measures should be carefully analyzed and be preceded by consultation between Member States, WIPO's Secretariat and the staff in order to avoid misunderstandings and miscomprehension. The Delegation stressed that development was to remain on top of WIPO priorities for the 2012/2013 biennium and in this regard the Delegation commended the Director General for maintaining the overall increase in the development expenditure (from 19.4 per cent in the present biennium to 21.3 per cent in the next biennium). The Delegation believed that despite the mainstreaming of development activity in the substantive program sectors in the Program and Budget proposed for the next biennium, regional bureaus should remain the focal point for the implementation of the master plan, for the future proposal and the results to be achieved by organization in each country in accordance with the national IP strategy and capacity building plans. Concerning the efforts by the Secretariat to reduce expenditure by 10.2 million Swiss francs, the Delegation inquired how the cost saving measures would work. In particular, the Delegation inquired as to the provisions of travel policy for third party travel (travel of participants from African countries in particular) and other conference costs.

204. The Delegation of Canada welcomed the efforts of the Secretariat to see cost efficiencies of 10.2 million Swiss francs while ensuring the continued quality of WIPO services. In particular, the Delegation was pleased to see reflected in the biennium budget the proposed work to review and revise travel policies. The Delegation continued to advocate for cost management throughout the budget and indicated its support for WIPO's initiatives to explore cheaper work alternatives, such as video conferences and webcasting of conferences, with the view to minimizing expenditure increases. The Delegation also supported the 3 per cent increase in the proposed expenditure.

205. The Delegation of the Republic of Korea welcomed the proposed Program and Budget for the 2012/13 biennium and the fact that it reflected various views and comments made by

Member States in previous meetings. With regards to program expenditure, the Delegation advocated caution on priorities in order to achieve excellent performance with limited resources. The Delegation believed that since 90 per cent of WIPO income came from providing global IP services, these services deserved greater financial investment in order to promote their use and improve customers' satisfaction. Among the IP services of WIPO the PCT system generated 74 per cent of WIPO income and experienced a 9.5 per cent growth in income in the first half of this year. It was likely that various things could occur during the processing of these applications in the international phase if the proper steps and resources were not deployed in a timely manner. The Delegation believed that, should this happen and should the situation be repeated, it would eventually result in a decrease in effectiveness and trust in the PCT system. The Delegation recalled that since the election of Korean as an official language under the PCT in January 2010, the number of PCT applications originated from the Republic of Korea increased 40 per cent in 2010 as compared with 2008. The Delegation urged the Secretariat to propose some substantial changes to address the challenges arising from the skyrocketing numbers of PCT applications in certain languages such as Korean, Chinese and Japanese.

206. The Secretariat addressed the concerns raised on the issue of efficiency. In answer to the concerns by the Delegation of Angola, which had not been present when discussions on this subject had taken place in the PBC, the Secretariat recalled it would report back to the Member States on the implementation of the efficiency measures in the annual Program Performance Report as requested by Member States. The Secretariat offered to provide further detailed explanation in a bilateral meeting.

207. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it was concerned, approved the proposed Program and Budget for the 2012/13 Biennium as contained in document WO/PBC/18/5, subject to the following:

- (i) Efforts by the Secretariat to reduce expenditure through cost efficiency measures by 10.2 million Swiss francs, from 647.4 million Swiss francs to 637.2 million Swiss francs, through, *inter alia* travel policies for staff and third parties, premises management, policies for payments of SSA's and honoraria for experts and lecturers, internship programs, receptions and rental of premises and equipment during conferences and a reduction of personnel costs through improved organizational design. These cost efficiency measures will not affect Program delivery, results and targets as set out in the Program and Budget proposal. The Secretariat will report back to Member States on the implementation of the efficiency measures in the annual Program Performance Reports; and
- (ii) Reflection of the new program for SMEs and Innovation and the narrative changes agreed in the course of the PBC session to: Results Overview chapter, Results Framework chart, Programs 1, 3, 4, 6, 7, 8, 9, 11, 14, 17, 18, 19, 21, 27 and 30 as well as addition of a footnote to paragraph 5 regarding the definition of 'development expenditure'.

208. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, further decided to utilize any surplus generated as a result of higher income than expenditure incurred for the biennium, to reinstate the provision for after service employee benefits, including ASHI, up to previous levels, in accordance with prudent financial management.

209. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation of the PBC that the PBC June session in budget years be convened as a formal session for future Program and Budget cycles, starting with the discussions of the Program and Budget for 2014/15.

210. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, recommended that the Secretariat report on the activities, both undertaken and planned, of the IP and Global Challenges Program to Member States during PBC sessions.

211. The Director General thanked all the delegations for this decision, as well as for their very constructive engagement in the dialogues and discussions that had taken place over the past month and that had led to the adoption of the Program and Budget for the 2012/13 biennium. The Director General wished to record the Secretariat's special thanks to the Chair of the PBC, Mr. Douglas Griffiths, for the magnificent work that he had done in steering discussions, as well as his personal thanks to his colleagues of the Secretariat, the Assistant Director General and his team, for close engagement in the process over the past month and, finally, to the Chair of the Assemblies for steering the membership to this final decision.

ITEM 16 OF THE CONSOLIDATED AGENDA

CAPITAL INVESTMENT PROPOSAL FOR FUNDING OF CERTAIN INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) ACTIVITIES

212. Discussions were based on documents A/49/7 and A/49/16.

213. The Secretariat explained that whilst the proposed budget for 2012/13 had already covered ICT operational expenditures, one time capital expenditures would be needed in response to growing demands, to bring down the operational risks, and to contain cost. As delegations were aware, older or obsolete equipment was more expensive to support and maintain. The proposed capital investment presented covered: (1) ICT related facilities for the new conference hall; (2) replacement of the obsolete PABX systems; and (3) replacement of the desktop computer systems and software. The proposal had been prepared in accordance with the principles and approval mechanism to be applied for the use of reserves that had been approved by the Member States last year at the Assemblies.

214. The Delegation of the United States of America expressed that it had given very careful consideration to the Secretariat's proposals and, based on the proposal and the presentation given by the Secretariat previously, could support the recommendation. The Delegation as it understood the need for acquiring and using current technology, did not have any objection in principle to making use of video-conferencing technology and incorporating the latest telephone and desktop computing technology into WIPO's infrastructure. The Delegation looked to the Secretariat to use best practices when considering product and service alternatives for IT needs and in the undertaking of a procurement process that would result in best value for money. The Delegation urged the Secretariat to take the necessary steps to keep both implementation and acquisition costs reasonable.

215. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, approved the recommendation of the Program and Budget Committee made in respect of document WO/PBC/18/13, as recorded in document A/49/16.

ITEM 17 OF THE CONSOLIDATED AGENDA

PROGRESS REPORT ON THE IMPLEMENTATION OF IT MODULES TO ESTABLISH COMPLIANCE WITH THE NEW FINANCIAL REGULATIONS AND RULES (FRR) AND INTERNATIONAL PUBLIC SECTOR ACCOUNTING STANDARDS (IPSAS)

216. Discussions were based on documents A/49/9 and A/49/16.

217. The Chair recalled that, at the Assemblies in 2007, the Member States had agreed in principle to the adoption by WIPO of IPSAS by 2010 (document A/43/5). At the 46th session of the Assemblies in December 2008 the Secretariat presented its "Proposal for the Implementation of IT Modules to Establish Compliance with the New Financial Regulations and Rules and IPSAS: Procurement, Asset Management and other System Requirements for IPSAS Compliance" in document A/46/6 (d). During the 47th and 48th sessions of the Assemblies in September 2009 and September 2010 respectively, the Secretariat presented progress reports providing information on the status of the project and on progress to date. The Assemblies had taken note of these reports. This latest progress report concluded the implementation of the IT Modules Establishing Compliance with the FRR and IPSAS. These modules had allowed WIPO to produce IPSAS financial statements and to improve procurement workflow as well as the fixed assets management system. The project known as the FRR-IPSAS project had been accomplished in one year, within budget and was now complete. It would be finally closed after the Assemblies. The 18th session of the PBC had discussed the document and was now recommending the Assemblies to take note of the document.

218. The Delegation of the United States of America welcomed the detailed report and congratulated the Secretariat on the substantial progress made in achieving compliance with the IPSAS. The Delegation was very pleased to note that WIPO planned to close the project as of September 30, 2011, within its original budget and that any unspent balance would be returned to the reserves once the project had been audited.

219. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, took note of the contents of document A/49/9.

ITEM 18 OF THE CONSOLIDATED AGENDA

PROGRESS REPORT ON THE IMPLEMENTATION OF ENTERPRISE RESOURCE PLANNING (ERP) IN WIPO

220. Discussions were based on documents A/49/10 and A/49/16.

221. The Chair stated that the documents accompanying these items concerned the Progress Report on the Implementation of Comprehensive Integrated Enterprise Resource Planning (ERP) System and the Summary of Recommendations by the PBC at its 18th session.

222. The Chair highlighted that the main purpose of the Progress Report was to present a brief background on the objectives and scope of the ERP Project Portfolio and update on the key achievements to date, by presenting an outline of the budget utilization to date, as accorded to the summary of decisions on recommendations adopted by the PBC. He quoted that "the Program and Budget Committee had recommended to the Assembly to take note of the content of document WO/PBC/18/12".

223. The Secretariat opened its presentation by summarizing the objectives, scope and benefits of the ERP implementation which had been approved last year. It stated that these were three-fold, mainly (i) the modernization of WIPO's core administrative management and

customer service functions; (ii) to improve pro-activity; and (ii) to provide better information to Member States, stakeholders and management.

224. The Secretariat emphasized that the primary scope of the ERP portfolio included human resources management and development, planning, budgeting and enterprise performance management and customer relationship management, with key accomplishments made so far were the establishment of the governance process which included the creation of the project Board for the ERP and Cross Functional Groups to address the cross functional needs of the ERP.

225. The Secretariat reported that the ERP Project Management Office had been established and that the vision and planning phases had commenced in June of this year. It further announced that the Organization had also started the upgrade of the PeopleSoft software, which had been used for this purpose as early as June 2011.

226. The Secretariat pointed out that the strategy of the ICT direction for the ERP Portfolio had been confirmed on the way forward. Moreover, the Oracle software components had been acquired at 70 per cent discount. It underlined that the actual expenditure to date up to the end of June 2011 was approximately 3.3 million Swiss francs and the forecast to the end of this year was anticipated to be around about 5.4 million Swiss francs.

227. In order to give a planning overview for 2012, the Secretariat said that the International Bureau was planning to initiate the human resources management and the enterprise performance management projects and complete the PeopleSoft upgrade during the year 2012.

228. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it was concerned, approved the recommendation made in respect of document WO/PBC/18/12 by the Program and Budget Committee, as recorded in document A/49/16.

ITEM 19 OF THE CONSOLIDATED AGENDA

PROGRESS REPORT ON THE NEW CONSTRUCTION PROJECT

229. Discussions were based on documents A/49/11 (and its Annex, document WO/PBC/18/9) and A/49/16.

230. The Secretariat highlighted the main points reflected in document WO/PBC/18/9. The occupancy permit for the new building had been issued by the local authorities in the Spring of 2011 and 500 staff members had been moved into the new building from the rented premises. The reserved parking for delegates opened in June 2011. Despite delays encountered by the General Contractor in the completion of the New Construction Project, the planned moves of staff from the largest rented office building, the P&G Building, and the vacating of that building could be completed on time at the end of August 2011, due to the phased delivery of floors of the new building. Nevertheless, a few areas had not been delivered yet (certain parts of the underground including the liaison tunnel between the new building and the AB Building, certain elements on the roof, as well as some exterior areas on the forecourt), none of which affected the functioning and the occupancy of the new building. The General Contractor had agreed to pay to WIPO financial compensations for the delays in completing the Project (500,000 Swiss francs for the period from beginning October to end November 2010, and 1,725,000 Swiss francs for the additional period since then). The Secretariat recalled that, in respect of the budget and provisions which had been approved by Member States in December 2008, the basic budget envelope (for an amount of approximately 145 million Swiss

francs) had been almost fully used or committed. The Provision for Project Modifications (in the amount of approximately 8.2 million Swiss francs) had been fully used or committed to cover a number of major modifications, in particular the implementation of UN H-MOSS security measures and various installations in other areas in the basement of the new building. Finally, the Secretariat indicated that the Provision for Miscellaneous and Unforeseen (in the amount of approximately 7.8 million Swiss francs) had not been fully used, and that an amount of slightly over 2 million Swiss francs had not been and would not be used or committed, and was therefore available. As to the bank loan, drawdowns were made while interest rates were lower than anticipated initially. The Secretariat gave an update of the situation on the rental of office spaces. The largest rented office building, the P&G Building (which had approximately 400 workplaces), had been fully vacated at the end of August 2011. The lease for the smaller building, the CAM Building, was not terminated to ensure an adequate overall balance across all buildings between occupied workplaces and unoccupied workplaces over the coming years. Despite the implementation of a stricter office space allocation policy, three main reasons have led the Secretariat to decide not to vacate the CAM Building, as detailed in document WO/PBC/18/9. Firstly, new local safety regulations requiring that corridors be free of any equipment (such as network printers, cupboards, etc.) have necessitated that office spaces be converted into designated functional rooms on all floors. Secondly, the need for small meeting rooms throughout the buildings to cater for internal working meetings has necessitated that office spaces be converted into designated meeting rooms on all floors. Thirdly, a number of major projects, mainly the ERP project, required a particular setting combining office spaces, training rooms for workshops and other meetings for the five-year duration of that project. In conclusion, due to these new constraints or demands, which could not have been foreseen when the new building was designed, the Secretariat decided to keep the CAM Building to ensure the flexibility required for managing the workplaces and related facilities in its premises to facilitate the delivery of programs and projects activities. The Secretariat pointed out that the effect on the regular budget was minimum (an amount of 1.4 million Swiss francs per biennium), due to historically good rental conditions for the CAM Building, when compared to market prices in the vicinity.

231. The Delegation of the United States of America expressed appreciation for the Progress Report indicating that the New Construction Project was nearing completion and that the actual costs appeared to be close to the final estimate. It however noted that the estimated cost of the new building had increased considerably since initially proposed several years ago. The Delegation indicated that it was not pleased with the need to retain the CAM Building for additional space at the cost of approximately 1.4 million Swiss francs per biennium, particularly given the planning and cost that had gone into the New Construction Project. While it understood the explanations given by the Secretariat for retaining the CAM Building, the Delegation stressed that it expected that the Secretariat would make every effort to explore alternatives to the continued use of the CAM Building space and to relinquish it within five years.

232. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, took note of the contents of document A/49/11, taking into consideration the recommendation of the Program and Budget Committee made in respect of document WO/PBC/18/9, as recorded in document A/49/16.

ITEM 20 OF THE CONSOLIDATED AGENDA

PROGRESS REPORT ON THE NEW CONFERENCE HALL PROJECT

233. Discussions were based on documents A/49/12 (and its Annex, document WO/PBC/18/10) and A/49/16.

234. The Secretariat highlighted the main points reflected in document WO/PBC/18/10. The pre-construction phase of the New Conference Hall Project had been fully completed with the selection of the General Contractor by the Selection Board composed of representatives of Member States in February 2011, followed by the signature of the contract in May 2011. Work had started mid-August. As a consequence, the budget approved by Member States in September 2009 had only been marginally used so far. In terms of framework and control, the set-up was similar to that which had been put in place for the New Construction Project, but with improvements on the basis of lessons learned from that previous Project. The Secretariat referred to the detailed explanations included in document WO/PBC/18/10 in respect of the updated estimated cost of the New Conference Hall Project, after signature of the contract with the General Contractor. Having taken into account that contract as well as the recalculated honoraria and other fees required to carry out the Project, the updated estimated cost of the Project was approximately 4,400,000 Swiss francs higher than the original estimate approved by Member States in September 2009. However, it was important to point out that the contract negotiated with the General Contractor contained options that the Secretariat was in the process of reviewing, and a number of items in respect of which the General Contractor had the obligation to launch new tenders as market prices were expected to decrease during the construction phase. The Secretariat therefore remarked that the final additional cost may in fact be lower than the current estimated additional cost. It proposed to absorb the estimated additional cost of about 4,400,000 Swiss francs by the amount remaining available from the New Construction Project in the order of approximately 4,500,000 Swiss francs (see document A/49/11, Annex, document WO/PBC/18/9).

235. The Delegation of the United States of America expressed its appreciation for the Secretariat's report, in particular to the effect that the Secretariat was already exploring ways to find cost savings in the construction of the new conference hall. The Delegation indicated that it expected the Secretariat would continue to do so. The Delegation hoped that the Secretariat and the General Contractor would take lessons learned from the New Construction Project into careful consideration while constructing the new conference hall, such as those learned in the area of safety and security requirements that reduced the amount of usable workspace in the new building.

236. The Delegation of Mexico, while stating that it had no objections to approving the recommendation made by the PBC on the New Conference Hall Project, noted that the estimated cost of the Project was now increased by almost 4,500,000 Swiss francs, above the originally approved amount appropriated from the reserves. With particular reference to paragraph 10 of document WO/PBC/18/10, the Delegation took the opportunity to congratulate the Secretariat for having obtained financial compensations from the General Contractor for the delayed delivery of the new building, thereby permitting the estimated additional cost of the New Conference Hall Project to be absorbed by funds remaining available from the New Construction Project.

237. The Secretariat recalled that the PBC had positively recommended the authorization of the use for the New Conference Hall Project, if and when necessary, of an amount of up to 4,500,000 Swiss francs remaining available from the budget and provisions approved by the Member States in December 2008 for the financing of the New Construction Project, as indicated in paragraph 10 of document WO/PBC/18/10.

238. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, taking into consideration the recommendation of the PBC made in respect of document WO/PBC/18/10, as recorded in document A/49/16,

- (i) took note of the contents of document A/49/12; and
- (ii) authorized the use for the New Conference Hall Project, if and when necessary, of an amount of up to 4,500,000 Swiss francs remaining available from the budget and provisions they had approved in December 2008 for the financing of the New Construction Project, as indicated in paragraph 10 of document WO/PBC/18/10.

ITEM 21 OF THE CONSOLIDATED AGENDA

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

239. Discussions were based on documents A/49/13 and A/49/16.

240. The Chair explained that item 21 (Progress Report on the Project to Upgrade the Safety and Security Standards for the Existing WIPO Buildings) was accompanied by two documents: A/49/13 (Progress Report on the Project to Upgrade the Safety and Security Standards for the Existing WIPO Buildings) and A/49/16 (Summary of Recommendations Made by the PBC at its Eighteenth Session (September 12 to 16, 2011)). The Progress Report addressed the issues of the modification of the concept of security perimeter, the coordination with the Host Country and the progress report for the use of the approved budget. As reported in the summary of the PBC's decisions and recommendations, the PBC took note of the contents of document WO/PBC/18/6.

241. The Secretariat explained, as a way of background for the Member States, the modification of the concept and the coordination with the Host Country and a progress report of the use of the approved budget. On the issue of the modification of the concept of the security perimeter, this had been at the request of the States Services and the Canton Services, basically to maintain a right of way in the Chemin des Colombettes, which is situated behind the WIPO buildings within the context of the normal processing of the application for the building permit. Discussions between the Secretariat and the various competent services of the Host Country were held in order to find an alternative and an alternative was reached which was acceptable to all parties. The result of the modification of the perimeter project included the following characteristics; (i) complete anti-vehicle protection around all Organization's buildings, consisting of a combination of fixed and retractable obstacles; (ii) maintenance of a pedestrian right of way in the Chemin des Colombettes; (iii) maintenance of pedestrian access to the WIPO park, that is the front of the main building; (iv) pedestrian guard rails along the length of Chemin des Colombettes in the direction of the Route de Ferney, the future Access Center and the future Conference Hall; and (v) a significant reduction in the height of the barrier, which would not be around all of the perimeter but wherever it would be present, which is closer to the New Conference Hall. The Secretariat added that it was also pleased to say that coordination with the Host Country had resulted in a Memorandum of Understanding (MoU) that had been signed on June 21, 2011, by the Secretariat and the *Fondation des immeubles pour les organisations internationales* (FIPOI) in its role as a representative of the Host Country in order to guarantee the effective and coordinated management of external security measures. It also noted and reminded Member States that the Host Country was contributing around 5 million Swiss francs towards the financing of external security measures for which the Organization was very thankful. Concerning the progress report, the Secretariat explained that work continues to be ongoing regarding the specifications for the issuing of requests for proposals.

The execution phase of the work was expected to begin as of November 2011, subject to the granting of a building permit for the security perimeter. The Secretariat believed this was now well underway. On August 15, 2011, the competent services of the Host Country granted the Secretariat authorization to begin construction of the Control Center which is an integral part of the internal security measures. Concerning the approved budget, it was recalled that the approved budget at the time of the December 2008 Assemblies, was 7.6 million Swiss francs. The final cost of the project would depend on the request for proposals which would be issued soon. At the time of writing the report, about 1.5 million Swiss francs had been committed of which 844 000 Swiss francs had been paid. The remaining available balance stands at approximately 6 million Swiss francs. All the project recommendations were to be implemented, taking into account various factors, such as technical constraints, technological advances, construction projects and the state of expenditure. Work on the essential elements would be undertaken as a matter of priority, with the remaining elements being added in the light of developments concerning safety and security standards.

242. The Delegation of the United States of America reported that it had appreciated receiving the report which had indicated that the work to improve the safety and the security at WIPO's facilities was proceeding. The Delegation added that they were pleased that WIPO and the Swiss Authorities had resolved the issues regarding security perimeters without making significant changes to the scope and cost of the project. The Delegation welcomed the fact that Phase three of the project was soon to be underway. The Delegation looked forward to receiving future reports which indicated that the work will be completed within the approved budget amount.

243. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, noted the content of document WO/PBC/18/6 and any recommendations of the PBC, as contained in document A/49/16.

ITEM 22 OF THE CONSOLIDATED AGENDA

STRATEGIC REALIGNMENT PROGRAM (SRP) UPDATE

244. Discussions were based on an oral presentation by the Secretariat and document A/49/16.

245. The Secretariat expressed its gratitude for the opportunity that it had been given to address the Member States on the progress of WIPO's organizational improvement initiative, namely the WIPO Strategic Realignment Program (SRP). It said that the SRP had been launched shortly after the current Director General had taken office, and was in response to recommendations from the Audit Committee as approved by the General Assembly in September 2007. It reported that during the first two years since its launch, a robust and comprehensive MTSP had been developed and that the Organization was restructured and aligned to the nine Strategic Goals. The Secretariat reported that Phase II of the SRP had begun in 2010. This entailed the detailed planning of 19 interdependent initiatives which strengthened some of the fundamental ways WIPO operated. It said these initiatives had been grouped under four "core values", namely, service orientation; working as one; accountability for results; environmental, social and governance responsibility; emphasizing the principles which WIPO works under. Results from phase II were immediately evident starting with the MTSP presented to the General Assembly last year. Recognizing the importance of the Staff's view, it reported that external consultants had been asked to undertake a Staff survey that yielded some interesting observations. The Secretariat underlined that the first value, service orientation, focused on the secretariat treating all its stakeholders – whether internal or external – as customers. From the survey, it was realized that staff believed that the Organization had offered better service to its external customers than to those offered within the Organization.

Secondly, the Secretariat reported that the “working as one” value focused on WIPO operating as an integrated, responsive and efficient entity. Again, the survey pointed to potential measures that could improve the way the Secretariat interacted across its sectors and based on this, adjustments had been initiated accordingly. The Secretariat stated that the third value “accountability for results”, required WIPO to take ownership for its performance and to aim to achieve agreed results both as individuals and as an Organization. It was found that the majority of staff believed that “we in WIPO are accountable for results”. A series of initiatives had commenced to strengthen individual and organizational performances further. Finally, with regard to the fourth value “focusing on environmental, social and governance responsibility emphasizing the importance of performing in an ethical manner, and caring about our staff, community and environment”, it had shown that two out of three staff believed that WIPO was “committed to ethical principles” and also two out of three staff agreed that “WIPO’s environmental responsibility had improved in the previous year”. Owing to the detailed nature and complexity of the SRP, some concrete examples of the program’s success were elaborated. For a comprehensive review of all the initiatives, Member States were invited to obtain a copy of the 2011 SRP roadmap brochure, available in all UN official languages at the documentation desk.

246. The Secretariat further stated that in order to strengthen service orientation, the Organization had ensured that external queries had been dealt with efficiently by a centralized customer service team. Moreover, there had been an increased availability of core publications in required UN languages from just over 62 per cent in December 2010 to over 65 per cent today, reaching the target for this year four months ahead of schedule. The Secretariat reported that the International Bureau had a better understanding of its opportunities to increase the use and market share of its registration services after engaging a company to analyse the market position of the Organization’s services. It was noted that the Organization had work to do in order to strengthen its working as one culture, and one of the ways would be to bring its sectors together through organizational wide initiatives. For example, it quoted that the Organization did not see the implementation of the Enterprise Resource Planning (ERP) system as a technology project, but rather as a collaborative effort to improve business processes across the house. End-to-end process ownership would be the cornerstone of the ERP planning and implementation exercise, and in the past year the Organization had made good progress towards defining better work processes using technology as the enabler. To strengthen accountability for results, the Secretariat underlined that delegates would have noticed that the proposed Program and Budget for 2012/13 contained an improved results framework with well defined baselines and biennial targets. Furthermore, with the guidance of the IAOC, a strengthened risk management framework had been planned at WIPO. The IAOC had taken a risk-focused approach to reviewing SRP’s progress and this fitted well with its SRP initiative to strengthen internal controls in the wider context of an integrated risk management framework. Finally, in terms of strengthening environmental, social and governance responsibility, the Secretariat reported that it had been equally active. The newly established ethics office has developed a whistle-blowing protection policy and a code of ethics. The Secretariat reported that a plethora of activities had been undertaken to decrease its carbon footprint, for example, by installing piped water fountains in the new building to reduce the Organization’s dependency on bottled water. And, the implementation of a system of opt-in for printed materials for the Assemblies thus reducing paper consumption. While this had been a high level overview of the wide-reaching and important work being undertaken across the Organization as part of the SRP, the Secretariat hoped that it had provided delegations with a useful progress overview. In conclusion, the Secretariat stated that it was committed as an Organization to making the SRP program a success, not just until its scheduled completion in December 2012, but also that the program of change takes root in the Organization to make it a more responsive, efficient organization, equipped to achieve its Strategic Goals and to provide global leadership on IP issues.

247. The Delegation of Japan appreciated the fact that the SRP had steadily progressed with the tireless efforts made by the Director General, as well as the Secretariat. The Delegation expressed that they would like to fully endorse further intensive promotion of the SRP. The Delegation hoped that the SRP would eventually enable IP protection to effectively promote creativity and innovation, and solve global issues through creativity and innovation. The Delegation expressed its high expectations for strong leadership of the Director General, in accomplishing this important mission.

248. The Chair informed Member States that they were not invited to take any particular action on Agenda Item 22 except to obtain a copy of the brochure available. However, in his capacity as Chair, he expressed his view that all should uphold the efforts of the SRP and of the strategic orientation. In his view, the development of WIPO's strategy was one of the most important paths that lay ahead of Member States and the Secretariat. It had to be undertaken as a joint effort in order to arrive at a common ground which shared the values, objectives and future goals that WIPO needed to achieve in order to fulfill its mission.

ITEM 23 OF THE CONSOLIDATED AGENDA

REVISION OF THE TERMS OF REFERENCE OF THE WIPO INDEPENDENT ADVISORY OVERSIGHT COMMITTEE (IAOC)

249. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 24 OF THE CONSOLIDATED AGENDA

SELECTION OF EXTERNAL AUDITOR

250. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 25 OF THE CONSOLIDATED AGENDA

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

251. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 26 OF THE CONSOLIDATED AGENDA

EXTERNAL AUDITOR'S REPORT

252. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 27 OF THE CONSOLIDATED AGENDA

ISTANBUL DECLARATION AND PROGRAMME OF ACTION (IPoA) FOR THE LEAST DEVELOPED COUNTRIES (LDCs) FOR THE DECADE 2011-2020

253. Discussions were based on document A/49/17.

254. The Chair informed the meeting that the document under consideration referred to paragraph 153 of the Istanbul Programme of Action (IPoA) where the United Nations Programs,

Organs, Organizations, Specialized Agencies, the Bretton Woods Institutions and International Financial Institutions were invited to contribute to the implementation of the program of action. In that context, he invited the Director General to mainstream the relevant parts of the IPoA into the various programs of the Organization. The Chair invited the Secretariat to take the floor to introduce the document.

255. The Secretariat explained that the document under consideration was about the IPoA for the LDCs. The Secretariat informed the meeting that WIPO organized during the Conference in Istanbul a Ministerial Forum for Ministers from the LDCs and a program of action in respect of IP was adopted during that Forum which essentially covered areas such as IP and Innovation, IP Policies and Strategies, enhancing technical skills, access to knowledge, strengthened knowledge infrastructure, branding and also digitalization of TCEs. The Secretariat informed that the Forum was the culmination of a number of Regional Meetings that had been organized by the Organization in cooperation with LDCs in Africa and Asia following which a road map had been agreed, identified and put in place by the High representatives of LDCs. The Secretariat explained that the present document, essentially, was a request that the Organization mainstream the implementation of that LDCs program. The Secretariat further explained that while a much broader program covered the whole UN System, the organization's engagement was with respect to IP. The Secretariat informed that the meeting was to take note of the document and endorse the mainstreaming of the relevant parts of the program of action within the Organization.

256. The Delegation of Nepal thanked the Chair and stated that in accordance with paragraph 153 of the IPoA, the present agenda was about mainstreaming the relevant portion of the IPoA into WIPO's work program. The Delegation wished to thank the Director General for taking the initiative to add this item on the agenda and for the Director General's commitment to place LDCs on WIPO's priorities and support and develop capacities in the LDCs. The Delegation referred to the document of the Programme of Action for LDCs for the decade 2011 to 2020, adopted at the Fourth United Nations Conference on the LDCs held in Istanbul in May of this year. The programme of action recognized that LDCs represent enormous human and natural resources, potential for economic growth, welfare and prosperity. It also recognized that addressing LDCs' special development need would contribute to the cause of peace, prosperity and sustainable development for all. For this to happen, the IPoA called for renewed and extended global partnership for LDCs. The Delegation stated that the UN System was part and parcel of that partnership. The Delegation mentioned that the UN stood at the centre for harmonizing the actions of nations and mobilizing the international cooperation in addressing the long standing development challenges and its structural vulnerability that were multifaceted and deeply entrenched. The Delegation expressed its sincere appreciation for the close involvement of WIPO's leadership in the preparatory process and the personal attention of the Director General in developing the WIPO deliverables. The Delegation wished to thank the important contributions that WIPO had made to the preparatory process including the hosting of High-Level Ministerial meeting during the Conference. The Delegation informed that the Ministerial Meeting adopted the WIPO deliverables which ranged from supporting the LDCs and building knowledge infrastructure to technological transformation, to human and institutional capacity building, to commercialize the vast wealth of IP assets. The Delegation indicated its expectation for the enhancement and deeper engagement of the WIPO leadership. The Delegation observed that WIPO's support was critically important in the priority areas for action which included productive capacity, agriculture, food security, rural development, human and social development, trade as well as addressing the rolling global economy crisis. The Delegation saw the crucial role of IP in addressing the growing social and economic crisis and stated that in the context of data emanating from the rolling global economic crisis, WIPO's contribution became very important. The Delegation also recalled that the similar process of integration of IPoA had been initiated in other UN entities in addition to the United Nations General Assembly (UNGA) resolution and the Economic and Social Council (ECOSOC) substantive session that was held in Geneva in July that year appealing to contribute to the

implementation of the program of work. The Delegation wished to express its sincere appreciation to the Member States for approving the mainstreaming of the relevant portion of the IPoA into the WIPO work program. The Delegation also wished to reiterate its thanks for the exemplary leadership of the Director General and the commitment to place LDCs' priorities in WIPO's program.

257. The Delegation of Bangladesh thanked the Chair and stated that it wished to align itself with the statement delivered by the Delegation of Nepal. The Delegation observed that while every day life was dependent on different novelty of ideas and their implementation into reality, unfortunately, all the countries of the world were not in a position to benefit equally from the advantage associated with IP. The level of development among different countries necessitated that additional efforts were necessary for developing countries especially LDCs to attain the institutional capability and developed human resources in order to utilize IP as a tool for promoting innovation, enterprise competitiveness and sustainable development. The Delegation stated that LDCs faces challenges in protecting their invaluable IP assets and in developing their own IP regimes suitable to their own special requirements. The Delegation stated that the Fourth United Nations Conference on LDCs in Istanbul adopted the programme of action for the LDCs for the decade 2011-2020 and the Conference's outcome document of IPoA recognized the priority sectors for action and described the actions to be taken by LDCs themselves as well as the development partners, different multilateral organizations and the relevant stakeholders. The Delegation observed that the task in front of them was to ensure the effective and early implementation of the programme of action. The Delegation wished to join the Delegation of Nepal to call upon all Member States to participate in the implementation of the IPoA and welcomed the identification of the WIPO deliverables agreed at Istanbul, in that connection. The Delegation expressed its belief that implementation of the deliverables would enable the LDCs to prevail over the inherent structural weakness and help to promote supportive IP regime both at domestic and international levels. The Delegation wanted meaningful and effective participation by WIPO in that regard. The Delegation expressed its appreciation for the increase of the development expenditure of WIPO to 20.3 per cent of its budget and hoped that LDCs would benefit from the increased budgetary provisions available at WIPO.

258. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, took note of the information contained in document A/49/17.

ITEM 28 OF THE CONSOLIDATED AGENDA

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

259. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 28(i) OF THE CONSOLIDATED AGENDA: REVIEW OF THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA RECOMMENDATIONS

260. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 29 OF THE CONSOLIDATED AGENDA

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

261. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 30 OF THE CONSOLIDATED AGENDA

RECOMMENDATION ON HOLDING OF A DIPLOMATIC CONFERENCE ON THE PROTECTION OF AUDIOVISUAL PERFORMANCES

262. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 31 OF THE CONSOLIDATED AGENDA

MATTERS CONCERNING THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE (IGC)

263. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 32 OF THE CONSOLIDATED AGENDA

COMMITTEE ON WIPO STANDARDS (CWS)

264. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 33 OF THE CONSOLIDATED AGENDA

INFORMATION REPORTS ON OTHER WIPO COMMITTEES

ITEM 33(i) OF THE CONSOLIDATED AGENDA: STANDING COMMITTEE ON THE LAW OF PATENTS (SCP)

265. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 33(ii) OF THE CONSOLIDATED AGENDA: STANDING COMMITTEE ON THE LAW OF TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS (SCT)

266. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 33(iii) OF THE CONSOLIDATED AGENDA: ADVISORY COMMITTEE ON ENFORCEMENT (ACE)

267. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 34 OF THE CONSOLIDATED AGENDA

PCT SYSTEM

268. See the report of the session of the PCT Union Assembly (document PCT/A/42/4).

ITEM 35 OF THE CONSOLIDATED AGENDA

MADRID SYSTEM

269. See the report of the session of the Madrid Union Assembly (document MM/A/44/5).

ITEM 36 OF THE CONSOLIDATED AGENDA

HAGUE SYSTEM

270. See the report of the session of the Hague Union Assembly (document H/A/30/3).

ITEM 37 OF THE CONSOLIDATED AGENDA

LISBON SYSTEM

271. See the report of the session of the Lisbon Union Assembly (document LI/A/27/3).

ITEM 38 OF THE CONSOLIDATED AGENDA

WIPO ARBITRATION AND MEDIATION CENTER, INCLUDING INTERNET DOMAIN NAMES

272. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 39 OF THE CONSOLIDATED AGENDA

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

273. See the report of the session of the General Assembly (document WO/GA/40/19).

ITEM 40 OF THE CONSOLIDATED AGENDA

SINGAPORE TREATY (STLT) ASSEMBLY

274. See the report of the session of the Singapore Treaty (STLT) (document STLT/A/3/3).

ITEM 41 OF THE CONSOLIDATED AGENDA

ADOPTION OF THE REPORT OF THE SIXTY-FOURTH (23RD EXTRAORDINARY) SESSION OF THE WIPO COORDINATION COMMITTEE

275. See the report of the session of the Coordination Committee (document WO/CC/65/4).

ITEM 42 OF THE CONSOLIDATED AGENDA

ANNUAL REPORT ON HUMAN RESOURCES

276. See the report of the session of the Coordination Committee (document WO/CC/65/4).

ITEM 43 OF THE CONSOLIDATED AGENDA

APPOINTMENT OF THE DIRECTOR OF THE INTERNAL AUDIT AND OVERSIGHT DIVISION

277. See the report of the session of the Coordination Committee (document WO/CC/65/4).

ITEM 44 OF THE CONSOLIDATED AGENDA

ADOPTION OF THE GENERAL REPORT AND OF THE INDIVIDUAL REPORTS OF EACH GOVERNING BODY

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

279. 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 5, 2011.

280. 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 5, 2011.

ITEM 45 OF THE CONSOLIDATED AGENDA

CLOSING OF THE SESSIONS

281. The Delegation of Panama, speaking on behalf of GRULAC, congratulated the Chair on his outstanding work in conducting the 49th meetings of the Assemblies and reiterated the support of its region for its future work. The Group also thanked the Director General, the Secretariat, the interpreters and all those who had made it possible for this important event to take place and for producing such an efficient outcome. It pointed out the positive spirit that had reigned during the Assemblies and noted that it was this spirit that had produced positive results. Major decisions had been taken such as renewing the mandate of the IGC, or adopting the recommendations of the SCCR and the Program and Budget. Given the relevance that these areas had for GRULAC, the Group added that its region had made important contributions, and acknowledged that other important areas needed progress. In this respect, it reiterated its position regarding progress to be made towards the adoption of a treaty for visually impaired persons and other people who had difficulty accessing the printed word. The Group also stressed that it looked forward to a rapid and successful outcome of the process of

consultations, which had begun under the presidency of Ambassador Dumont, in order to establish an institutional policy in the election of chairs of WIPO bodies and committees, based on the principles of equity, a balanced representation and clarity. In conclusion, the Group thanked all delegates for their very active, determined and constructive participation during the Assemblies, and urged delegates to continue in the same positive and consensual spirit which had produced positive outcome for all.

282. The Delegation of Slovenia, speaking on behalf of the Group of Central European and Baltic States (CEBS), thanked the Chair and the Vice Chairs for leading the Assemblies in a well organized way. The Group highlighted that the 49th meetings of the Assemblies were very well prepared and that it was one of the most efficient and productive meetings ever held. The Group was looking forward to contributing to discussions regarding the establishment of procedures for the selection of chairs in various WIPO bodies under the honorable guidance of the Chair, with the aim to reach an acceptable outcome. The Delegation, in its capacity as regional coordinator, thanked all the other officers who contributed to a successful conclusion of the Assemblies. The Group stated that Member States had proved in the last 10 days that the successful outcome of the Assemblies was due to their joint forces. Finally, the Group extended its gratitude to the Director General and the Secretariat for their support in preparing valuable documents and for all other related efforts to bring to a successful end this important gathering. In conclusion, it stated that the Group will continue to work with other regional groups and Member States, in a constructive and sincere manner, in order to achieve substantive progress by the 50th General Assemblies.

283. The Delegation of the United States of America, speaking on behalf of Group B, thanked the Chair for conducting the General Assembly in such a fast and logical process, as well as the Director General, the Secretariat, Member States and the interpreters. Group B was pleased with the positive and expeditious outcome of this General Assembly as well as with the results achieved this past year, notably the renewal of the IGC mandate, the approval of the 2012-13 Program and Budget with modifications. Group B also looked forward to the resumption of the diplomatic conference on audio visual performances.

284. The Delegation of South Africa, speaking on behalf of the African Group, expressed its sincere thanks to the Director General and his entire team for steering the organization in an efficient manner, as evidenced by the success of the Assemblies. The Group also thanked Member States for their constructive engagement in the past year and during the Assemblies. In its opening statement, the Group attributed the success of the past year to an enhanced dialogue amongst Member States and between Member States and the Secretariat. The Group wished for this constructive dialogue to continue advancing throughout the 2011-2012 busy work program, which *inter alia*, included a number of norm-setting activities, the review of the WIPO oversight bodies, the continuation of the implementation of the SRP and the mainstreaming of the DA. It hoped that Member States will replicate the success of the past year by resolving all substantive issues in the relevant WIPO bodies, and thereby enable the General Assembly to serve as a platform to adopt decisions recommended by those bodies. The African Group remained committed to contribute constructively to the future work of WIPO. In conclusion, the Group congratulated the Chair for the excellent chairing of the Assemblies.

285. The Delegation of China stated that it appreciated the leadership of the Chair, the two Vice Chairs, as well as the participation of Member States during the Assemblies. The latter had showed flexibility and inclusiveness, which had resulted in good and successful discussions, major agreements and important outcomes. The Delegation was also pleased to note that the Organization had made progress in the mainstreaming of the DA recommendations. Moreover, the Delegation welcomed, in particular the consensual agreement to resume the CDIP sessions in November, the adoption of the Program and Budget for the next biennium, the development issues to be considered as priority for the next two years and the increase of the overall development expenditures. The Delegation appreciated these

efforts since, as a developing country, China had always given priority to progress of the DA. It also wished that development be incorporated in the mainstreaming of WIPO's work in order to achieve effective implementation of the recommendations of the DA. The Delegation concluded by thanking the Director General and the Secretariat for their efforts in ensuring the smooth proceedings of the Assemblies.

286. The Delegation of India, speaking on behalf of the DAG, thanked the Chair, the Director General, the Secretariat, all delegations and the interpreters for ensuring a smooth and successful conclusion of the 49th meetings of the Assemblies. The DAG stated that the smooth proceedings and harmonious conclusions of these Assemblies was a testimony of the growing understanding between Member States, of each others' point of view, mutual respect and a shared willingness to find an agreeable middle ground, with the common objective of making progress on various issues under discussion in WIPO. The DAG believed that this augurs well for the future and paved the way for continued advancement in the discussions at WIPO on important issues. The DAG welcomed, in particular the consensual agreement on the important issue of the renewal of the IGC's mandate, the positive resolution of the CWS' mandate, the agreed outcomes of the SCCR and also the adoption of the Program and Budget. The DAG looked forward to further progress on all substantive issues in the year ahead and hoped to see forward movement also in the area of governance, through the discussions in the Working Group and the PBC, as outlined in the way forward. The DAG appreciated the spirit of openness and constructive cooperation that characterized the discussions among Member States on these and other issues. The DAG trusted that this spirit of open minded engagement will continue to strengthen in the days to come. The DAG reiterated its commitment and willingness to engage in a frank, constructive and open dialogue on all issues in the years ahead. Before concluding, the DAG wished to once again thank the Chair, for facilitating a smooth and efficient session through his able leadership and timely initiatives for informal consultations among Member States, where necessary. The DAG also thanked the Director General and his Senior Management Team for their responsiveness to Member States' concerns and for effectively facilitating the sessions of the Assemblies.

287. The Delegation of Nepal, speaking on behalf of the Group of LDCs, thanked the Chair for his excellent presidency of the Assemblies, the successful stewardship of the entire proceedings which was conducted in a smooth, systematic and well-organized manner. It also congratulated the Chair for the timely conclusion of the Assemblies. The Delegation commended the Director General for his informed and constructive engagement throughout the sessions, as well as the Senior Management Team, the professional team and the entire Secretariat for their excellent work in preparing the documents and providing support that ensured the smooth sailing of the 49th meetings of the Assemblies. The Delegation was encouraged by WIPO's increased focus on the development of an IP base in the LDCs. It had been recognized that LDCs were lagging behind in the 21st century race of technological breakthrough and this, amongst others had limited the overall developmental aspiration of the most vulnerable countries worldwide. The Delegation added that the transfer of appropriate and productive technology and the creation of knowledge infrastructures, occupy a pivotal place in the implementation of the IPoA goals. The Delegation was pleased to see greater scale of accommodation of LDCs' interests and concerns in WIPO under the current leadership and thanked the Director General for his unremitting attention. The Delegation emphasized that 2011 remained an important year for the LDCs, both within WIPO and beyond. The Fourth United Nations Conference on LDCs, held in May 2011 - the once a decade event, adopted the comprehensive IPoA, spelled out ambitious yet achievable goals and clearly-set priorities. The international community expressed renewed commitment to offer augmented support to LDCs to help overcome structural impediment and development challenges. The Delegation was glad that the Assemblies endorsed a resolution to mainstream the IPoA in WIPO's work program. The Delegation thanked the Member States, the Chair of the General Assembly, the Director General and his entire team for this important undertaking. As underlined in its opening statement, there were a number of priority areas of the IPoA where

WIPO could contribute. The Delegation wished to see an effective and comprehensive involvement of WIPO in the areas of productive capacity, agriculture, food security, technology and rural development, human and social development, trade and other emerging challenges. The Delegation availed this opportunity to once again acknowledge WIPO's active and constructive role in the preparatory process of the UN LDC's IV, as well as the organization of the High Level Forum on Building a Comprehensive Framework for Promoting Development in LDCs through Innovation and Creativity in Istanbul. The Forum discussed how overall development could be ensured through adequate, appropriate and viable use of IP. It adopted seven WIPO deliverables for LDCs. The Delegation expressed its deep appreciation to WIPO's leadership for this offer of deliverables that range from knowledge and technology transformation, human and institutional capacity building, building knowledge infrastructure to building ability to commercialize the vast wealth of IP for LDCs. These deliverables were crucial for LDCs as their implementation aim at contributing to the goals of IPoA, by developing and using the IP system to promote economic, social and cultural development. The Delegation looked forward to the early and effective implementation of the deliverables, which are inherently and inseparably linked to realizing the overarching goal of enabling half of the 48 LDCs to graduate by 2020. Follow up actions were needed immediately to make it a convincingly achievable goal. The Delegation indicated the two crucial factors that had great bearing on the success of the implementation: the availability of resources and the commitment to convert the resources into results. The Delegation recognized that the political declarations and the Assemblies' decisions were only a step in the process of achieving desirable goals. It noted that the full, timely and effective implementation called for enhanced, predictable and targeted support to LDCs, as well as appropriate and timely follow-up and assessment. The Delegation highlighted that WIPO had a special role to play in the implementation of the IPoA and that it was confident that, under the leadership of the Director General, top priority will be given to its implementation in areas of WIPO's competence by earmarking adequate resources and making efforts with the multi-stakeholder approach. In this context, the Delegation wished to put on record its proposal to include as an agenda item at the next Assemblies, the topic related to the implementation of relevant portions of the IPoA by WIPO, as well as the implementation of WIPO deliverables. In addition, the Delegation invited the Director General to present a report on this agenda item at the next Assemblies.

288. The Delegation of Poland, speaking on behalf of the EU and its member states, congratulated the Chair on the work accomplished during the Assemblies and stated that his able leadership allowed Member States to be extremely productive. The Delegation was particularly pleased to see an Ambassador from the CEBS Group, conduct the work in such a professional and smooth manner. As current President of the Council of the European Union, and also as a CEBS Member, the Delegation stated that Ambassador Zvekić's chairmanship was truly appreciated and deserved the warmest compliments. The Delegation wished him every success in the performance of his duties as the Chair of the General Assembly and said that he could count on its full support. The Delegation also took this opportunity to express its satisfaction and thanks to the Director General, the WIPO Senior Management Staff, the International Bureau, interpreters and all staff for the exemplary preparation of the sessions and for all the commitment they had shown during the Assemblies.

289. The Delegation of Bangladesh expressed its deepest appreciation to the Chair and his team for their excellent leadership to reach such a successful and productive conclusion of the 49th meetings of the Assemblies. His able leadership and his efforts had set a unique benchmark for others to emulate. Referring to the statement made by the Delegation of Nepal on behalf of the LDCs, the Delegation recalled that there was no need to evoke what IP has brought to human progress, innovation, investment, economic growth and social prosperity. However, due to distorted processes of globalization, developing countries, especially the LDCs, hardly benefited from the development of IP. For the LDCs in particular, the growth of their assets in the IP sector was a priority for socio-economic development. Protection of IP was very important but even more important was the development of IP in a country which

would ensure growth and sustainable development. All the LDCs suffer from a lack of IP regime in protecting and exploiting their valuable assets and in developing their own IP regime. The Delegation was happy to observe that WIPO was engaged in helping to develop national IP strategies in LDCs, and provided necessary technical assistance to implement these strategies. The decisions reached at the 49th sessions of the Assemblies confirm the efforts of WIPO to contribute in this regard. During the past years, LDCs were the hardest hit by the multiple global crisis, though they had not contributed in causing them. Moreover, the LDCs still suffer from the damages inflicted on them. The Delegation noted that IP might be the tool to rescue the LDCs out of this crisis, through a process of efficient innovation and meeting the indigenous peoples requirements in particular countries. Failure to do so would result into further widening of the IP divide. The Delegation was satisfied to see that Member States had taken seriously the recently concluded IPoA for the LDCs, and hoped that the suggested actions would be simultaneously implemented along the DA recommendations. The Delegation also took this opportunity to thank the Director General and the Secretariat for organizing a High Level Forum in Istanbul with the outcome of seven deliverables. Successful implementation of these deliverables would ensure significant progress for LDCs in the critical areas of transformation of knowledge and technology, human and institutional capacity building, building knowledge infrastructure to building ability to commercialize the vast wealth of IP for such a society. WIPO deliverables would further assist to commercialize the existing IP assets in the developing countries, especially in the LDCs. Agriculture, food security and rural development were the other priority sectors which needed immediate establishment for a favorable IP regime in the LDCs. The Delegation considered that, although a favorable IP regime with exceptions and limitations was extremely important for the LDCs, technology was equally an important area where LDCs needed to step up their efforts. The Delegation hoped that developed countries will adopt a measurable, transparent, tangible and predictable policy regarding transfer of technology to complement efforts of the indigenous peoples in the LDCs. An effective process of review and follow-up might also be considered. In that context, the Delegation supported the proposal of the Delegation of Nepal of having an agenda item at the next Assemblies on the IPoA and the implementation of the WIPO deliverables. The Delegation was confident that this proposal would enjoy the full support of the Member States. It hoped that the Director General would provide to the Member States, an update on the status of the implementation of these recommendations at the next session of the Assemblies. In conclusion, the Delegation thanked the Chair, the Director General, the Bureaus and the Secretariat for the excellent work and the successful conclusions of the Assemblies.

290. The Delegation of the Democratic Republic of the Congo thanked the Chair for the excellent chairing of the Assemblies and paid tribute to the work done by the Director General and the Secretariat. The Delegation also thanked the Secretariat for its active support and efforts made to boost capacity building in LDCs and developing countries, to enable them to more effectively participate in the IP system under the auspices of WIPO. The Delegation, speaking on behalf of its Government, through its Ministry of Industry, recognized that the world today was evolving at a rapid pace, given the scientific and technological developments that have pushed mankind to deal with several major challenges. The Delegation also stated that its country had appealed to Congolese scientists, inventors and researchers to do their best to meet these technological challenges, as well as to promote sustainable development based on knowledge economy. In that context, its Government proposes the following actions to help attain this goal: improve the regulatory and institutional framework so as to foster creativity, provide access to new technologies and strengthen cooperation with WIPO. The Delegation indicated that its Government, through the Ministry of Industry was strengthening cooperation with WIPO in order to get the Organization's support to develop a national IP policy. The Delegation was satisfied with this cooperation which had led to WIPO organizing an evaluation mission in September 2010, as well as enabling the signing of the TISCs service level agreement in February 2010. It was with pride and gratitude that the Delegation welcomed the launch of the activities of the TISC. The first workshop organized for 120 Congolese trainers in respect of research strategies and techniques relating to the issuing of patents, was held from

April 18 to 20, 2011. A second training was held on August 26 to 27, 2011 with WIPO's support. The Delegation reported that work was about to start on a national IP development plan, and that projects have been set up to encourage Congolese inventors. In addition, July 1 had been designated as the Congolese Inventors Day. Moreover, a competition was organized for this occasion and a prize was awarded to the best inventor. The Delegation stated that the Ministry of Industry had associated the Ministry of Culture and the Ministry of Scientific Research to the celebration of IP Day. In that context, its Government had become aware of the role of IP on growth and national development, and that it was a *sine qua non* commodity of an economy based on knowledge and driven by innovation to become more competitive in the world economy. In conclusion, the Delegation expressed its satisfaction with the work of WIPO and hoped that the recommendations adopted at these Assemblies would further benefit its country, particularly those relating to GRs and TK.

291. The Delegation of Egypt, speaking on behalf of the Arab Group, congratulated the Chair and WIPO Secretariat for the efficient organization of the WIPO 49th General Assembly, under the leadership of the Director General. The Delegation also appreciated the quality of the documentation and welcomed the consensus reached on the various agenda items. The WIPO General Assembly had approved various important decisions and recommendations concerning the future work of WIPO's bodies, committees and Secretariat, including, the approval of the 2012/2013 proposed Program and Budget with increased budgetary development share; the approval of the WIPO Language Policy, including the Arabic language; the renewal of the IGC mandate; the convening of the Diplomatic Conference on the Protection of Audiovisual Performances in 2012; and the furthering of work on limitations and exceptions for the visually impaired and libraries. Such an ambitious agenda required from Member States to work together and cooperate in a positive and constructive manner with a view to achieve specific outcomes that prioritized and focused on the social well-being and economic growth of developing countries and LDCs. Such an agenda would therefore enhance WIPO's credibility and efficiency while helping Member States achieve national policy objectives, including economic, social and cultural development; promotion of creativity and innovation; and fostering technological progress. The Arab Group reaffirmed its full cooperation and active participation towards the successful achievement of those objectives.

292. The Delegation of Angola congratulated the Chair on his successful steering of the work of the 49th sessions of the Assemblies. These Assemblies had demonstrated certain measure of flexibility, mutual understanding and consensus building. It noted that that was the tone featured in the discussions and exchanges of opinion which took place between delegations. The Delegation added that this had contributed to an early conclusion of the sessions and the renewal of the composition of WIPO bodies. It welcomed the extension of the mandate of the IGC, the development of additional work programs for committees, particularly with regard to audio-visual performances and exceptions and limitations in the SCCR. The Delegation hoped that the diplomatic conference on audio-visual performances would be held soon. Given the importance of the decision taken, the Delegation considered that the diplomatic conference will illustrate the progress being made by WIPO in the normative sector of the Organization. In conclusion, the Delegation thanked the Secretariat and the interpreters for the good work they had done in the last ten days.

293. The Delegation of Nigeria congratulated the Chair and the Vice Chairs on the successful conduct of the 49th sessions of the Assemblies. The Delegation also extended its appreciation to the Director General and his team for the excellent service and role which had greatly contributed to the success of the Assemblies, making it the most peaceful one. It highly appreciated the report that had been presented, which once again reechoed the priority areas that required attention facing developing countries in the use of IP for development. The Delegation acknowledged the various programs, activities and projects that had been lined up for implementation in the 2012-2013 biennium, and called for renewed action in their implementation. The Delegation was glad to note the remarkable achievements recorded in the

CDIP, and the impact that such programs would have on trade, investment, employment and national economic development activities. In conclusion, the Delegation wished to acknowledge the invaluable bilateral support from Member States, regional organizations and national offices in collaboration with the International Bureau. In that context, the Delegation thanked the Republic of Korea, Sida, USPTO and the WIPO Academy.

294. The Representative of Incomindios thanked the Assemblies of the Member States of WIPO for the demonstration of political will and progressive development in their attempt to make it amenable for indigenous peoples to participate more equally in the development of the international instrument(s) on TK, TCEs and GRs, and this had been seen as a positive effort to allow for equal participation. He noted that that effort was the first step toward providing indigenous peoples the opportunity to protect their interests and to give them a historic elevation of status as peoples recognized with the right to self-determination at WIPO. He called upon States to work more closely and to recognize and respect fully indigenous peoples' rights to protect their property rights in all phases and levels of development of the international instrument(s).

295. The Director General stated that the Assemblies had been extremely successful for the Organization and that success was due, in the first place and predominantly, to the extremely constructive engagement of all the Member States. He mentioned, as an example of the extent of engagement of Member States, the remarkable participation of delegations at the report adoption session. He observed that, in addition to the presence of many Heads of Offices, a number of Ambassadors were present, and believed that their engagement, in particular in the course of the last 12 months, had helped the Organization move forward constructively. He reiterated the important decisions approved at these Assemblies, notably the ambitious Program and Budget, as noted by the Delegation of Egypt. Recalling the words of the Delegation of South Africa, speaking on behalf of the African Group, the Director General stated that it will require the continuation of enhanced dialogue that had been perceived in the Organization in the course of the last 12 months. He stated that the results achieved in WIPO global IP system would be carefully monitored in the course of the next two years, in order to check whether they were on course, and Member States would be updated accordingly. He applauded the excellent decision taken to convene a diplomatic conference on audiovisual performances, and thanked the Delegations of China, Mexico and Morocco who had offered to host the diplomatic conference. Noting that the IGC had had its mandate renewed on very clear terms, he stressed that a very busy year awaited the IGC, which would also need to report to the Assemblies next year. Considering the other activities that were in store for the Organization in the coming three months, the Director General pointed out that the SCCR will revisit the question of exceptions for visually impaired persons and persons with print disabilities, the question of exceptions and limitations for libraries and the question of broadcasting, the SCT would revisit the work that had been done on the possibility of a design law treaty, the CDIP will meet in November, the SCP will meet in December, as well as the CWS, thanks to the very positive decision taken in its respect at these Assemblies. The Director General indicated that the next three months and the year to come will be very busy, and he looked forward to the enhanced dialogue continuing amongst the Member States and the Secretariat. Finally, the Director General extended his thanks to the Chair for the extraordinary job he had done over the last 10 days, for the very expeditious and efficient way he had conducted these Assemblies, which had accomplished positive decisions. The Director General also extended his thanks to all WIPO colleagues of the International Bureau involved in the preparation of the Assemblies, as well as to the interpreters for their excellent work for the last 10 days.

296. The Chair delivered his closing remarks stating that it had been a great honor and pleasure for him, as well as for his Vice Chairs to preside over the 49th sessions of the Assemblies. The Chair noted that Member States had gone through an enormous amount of issues and taken many decisions that will guide the work of WIPO for the coming months and

for the year to come. The Program and Budget of the Organization had been approved, a very important decision to launch a new diplomatic conference was taken, the work of one of the committees was unblocked, the mandate of another committee was renewed, ongoing discussions and negotiations on patents, trademarks and copyrights were reviewed and overall policy guidelines discussed, including one on the implementation of the DA. In all of these, there was a common thread which was the innovation in a common vehicle progress and the well being for the mankind. The Chair indicated that many housekeeping small issues that featured less prominently, but were the organizational backbone that kept WIPO running and functioning well, were also addressed. He was pleased to note that the Member States had been able to manage all these issues diligently and most importantly within a good atmosphere and spirit of cooperation. He stressed that he was not the only one that had remarked that the important decisions taken within the process, had been exceptionally fluid and most fruitful. The Chair thanked all delegations, and in particular the regional coordinators, for the good spirit and sense of cooperation deployed over the past months, and especially over the past few days. He highlighted that this had made the job of presiding the General Assembly much easier, and expressed profound gratitude to his Vice Chairs and other officers of the Assemblies. Finally, the Chair thanked the Director General for his work over the years as Head of WIPO, and for the 2011 General Assemblies, as well as all the staff of the Secretariat for the excellent preparations both in substance, logistics and organization of the Assemblies. Their efforts and cooperation was the key of the success of the Assemblies. He also extended his gratitude to the Senior Management Team, the Secretary of the Assemblies and the Director of the Assemblies Affairs and Documentation Division, the staff in charge of conference services as well as the interpreters. The Chair indicated that, as Chair of the WIPO General Assembly, his work did not finish here but had just begun. He informed delegations that his doors and those of his Vice Chairs would be always open, that he will continue consultations on all open issues and, if need be, open consultations on all new challenges that might emerge in the future. The Chair concluded by thanking all the delegations for their participation in the Assemblies.

297. The Forty Ninth 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.

[Annexes follow]

REPORT OF THE DIRECTOR GENERAL TO THE 2011 WIPO ASSEMBLIES
SEPTEMBER 2011

1. I am pleased to report on the main developments in the Organization in the 12 months since the last meeting of the Assemblies of the Member States in September 2010. Overall it has been a good year for the Organization, with progress in a large number of areas.

Global IP Systems¹

2. The last year has seen demand within the Organization's global systems return to pre-crisis levels and start to advance beyond them. Despite the summer turbulence in financial markets and the uneven nature of the recovery, we believe that this growth will continue in the new biennium of 2012-2013, where our projections indicate that the income of the Organization should rise by 4.7%. Three enduring trends underlie these projections: growing recognition of the systems' benefits, the higher rate of increase in investment in intangibles than in tangible assets in major economies and the multipolar nature of growth in the global economy. We shall, nevertheless, continue to monitor carefully the evolution of the global economic situation and its impact on our global systems and, if necessary, adjust both our projections and our expenditure patterns.

3. **Patent Cooperation Treaty (PCT).** In 2010, 164,300 international applications were filed under the PCT, an increase of 5.7% compared to 2009. The first six months of 2011 saw a continuation of growth, the number of international applications received being 9.58% more than in the equivalent period in 2010. Revenue did not increase by a commensurate amount, however, because of the adverse impact of the sharp appreciation of the Swiss franc.

4. The shift in the geography of demand in the PCT also continued. In 2010, international applications from China, the Republic of Korea and Japan increased by 55%, 20.3% and 8%, respectively, compared to the previous year. From 2002 to 2010, the average annual growth rate from the three countries was 15.1%, compared to 1.1% for North America and 3.1% for Western Europe. In addition, last year, PCT filings from Asia overtook those from Europe, so that Asia became the region from which the highest number of international applications under the PCT was filed. This shift has increased the linguistic diversity of technology or, in technical terms, of the prior art, a development that has an impact on the capacity of patent offices to do universal novelty searches, as well as on the capacity of enterprises, especially small and medium enterprises to evaluate what rights may be opposed to them in markets in which they wish to operate. It underlines the importance of the translation work done by WIPO in the PCT², the ongoing development of a terminology database within the PCT and the development of machine assisted translation tools³.

5. The membership of the PCT Union, 144 States, has remained largely static, having increased by two in the period since the last Assemblies, with the accessions of Qatar and Rwanda. The three areas of the world where significant numbers of countries have not yet joined the PCT are the Arab region, South East Asia and South America.

¹ The Report is organized by reference to the nine Strategic Goals of the Organization. This section corresponds to Strategic Goal II: The Provision of Premier Global IP Services.

² Under the PCT, the International Bureau prepares English and French language abstracts or summaries of every international application and an English language version of every International Preliminary Report on Patentability.

³ See PATENTSCOPE Translation Assistant (<http://www.wipo.int/patentscope/translate/translate.jsf>) and WIPO's cooperation activities in making available PATENTSCOPE's Corpus of Parallel Patent Applications to the scientific and research communities.

6. Progress was made in the PCT Working Group with the adoption of recommendations for the implementation of the PCT Road Map for the improvement of the functioning of the PCT. A recent feature of the patent landscape internationally that has implications for the PCT is the Patent Prosecution Highway (PPH), a network of bilateral agreements under which a patent application which has been the subject of a first substantive review and report in the country of first filing will receive accelerated processing in the country of second filing. Bilateral PPH arrangements exist between some 20 countries now⁴. Over the past two years, 18 PPH arrangements have been concluded that allow for the international search and international preliminary report on patentability under the PCT to be used as a basis for accelerated processing between the parties to a PPH arrangement. We welcome this rapprochement of the PPH and the PCT. We believe that the PCT should be the vehicle for building further improvements in the international patent system, as the PCT Road Map envisages. The inclusion of the PCT within PPH arrangements adds an interesting dimension and choice for applicants under the PCT.

7. The use of information technology (IT) within the PCT system as a whole, both within the International Bureau and between the various actors of the PCT system (applicants, the Receiving Offices, the International Authorities and the Designated Offices) continues to advance extremely well. In 2010, 83% of all international applications were filed electronically. The electronic dossier and other IT tools and systems have enabled enormous productivity gains to be made, in particular in the areas of formalities examination and publication preparation. In 2010, the International Bureau processed over 164,000 international applications with approximately 16% less staff in PCT Operations than we had in the year 2000, when only 90,000 international applications were processed. The accompanying growing translation workloads were absorbed through outsourcing, rather than large-scale recruitment of translation staff. The growing number of filings from China, Japan and the Republic of Korea, which are significantly more expensive to translate, is causing long-term upward pressure on the International Bureau's cost structure. This is being mitigated by the introduction of more competition in the outsourcing arrangements for translation, as well as more reliance on technology in the translation process.

8. An exciting new IT system, called ePCT, is currently in a restricted production phase with a small number of representative users of the PCT. At the end of 2011, the system will start to be deployed to a wider number of users in an incremental fashion with a view to it becoming fully available in the course of 2012. ePCT provides a secure electronic environment that allows applicants to consult and interact with their international applications online (including before international publication) in order to monitor and check the status of actions and to upload electronic documents directly into their dossiers as an alternative to posting or faxing them. The suite of ePCT online services will gradually be extended to include additional features, such as, for example, a new web filing service for the online filing of PCT applications. In addition to an enhanced user experience, we expect further improvements in productivity to result from the deployment of ePCT. We believe that ePCT will represent the state of the art and be as good as, if not better than, any equivalent system available elsewhere worldwide (of which there are few).

9. **Madrid System for Marks.** In 2010, 39,687 international applications were filed under the Madrid System for the international registration of marks, an increase of 12.8% compared to 2009. In 2011, the increase continued, but at the lower rate of growth of 7.4% for the period until the end of August 2011. Nevertheless, we expect a record number of international applications to be filed in 2011, taking us past the 2008 total for the first time.

⁴ See <http://www.jpo.go.jp/ppph-portal/index.htm>.

10. The Madrid System is essential to the efficient protection of brands worldwide. At the end of 2010, over half a million (526,674) international registrations were active, containing some 5.5 million active designations (effectively, 5.5 million trademark registrations in the various Contracting Parties). Those registrations belonged to some 175,000 right-holders, many of them small and medium enterprises. The real potential of the System is limited, however, by the restricted geographical coverage of the System. Despite the age of the Madrid System, which started 120 years ago with the conclusion of the Madrid Agreement in 1891, the membership still comprises only 85 Contracting Parties. There are encouraging signs that this will change and that the System is on the verge of a significant expansion. The Indian Parliament has approved legislation to facilitate accession to the Madrid Protocol, those ASEAN countries that are not yet members are preparing to join, as is New Zealand, and several Latin American countries, as well as Tunisia, are also well advanced in their preparations for joining.

11. A major effort is underway to simplify the Madrid System, which has suffered from the complexity of two parallel systems, the Madrid Agreement and the Madrid Protocol. Considerable progress was made in the last year towards a unitary system, with two of the three countries that were party to the Madrid Agreement, without being party to the Madrid Protocol, acceding to the Madrid Protocol. When the third of these three countries also accedes to the Madrid Protocol, a single system will exist, which will greatly simplify life for all concerned with the Madrid System.

12. Major improvements in the IT environment of the Madrid System are being developed through an IT Modernization Program that is being undertaken in two phases. The first phase consists of the design and pilot deployment of a new technical architecture that will permit Offices and applicants to consult and to interact securely with dossiers with the aid of various Internet-based client communication tools. The second phase of the Program will be the deployment in full production mode of the new architecture by an external company. Phase I Modernization activities are nearing completion, whilst the procurement procedure for Phase II will be concluded in October of this year.

13. A new product, the Madrid Goods and Services Manager was made available in early 2011. It is an electronic search, classification and translation tool that has been developed by the International Bureau. It provides user-friendly access to a database which, at that time, contained 30,000 terms in English, French, Russian and Spanish

that are acceptable for use in applications. Work is continuing on increasing the linguistic range of the tool through cooperation agreements with Member States for the translation of the database into Arabic, Chinese, Dutch, German, Hebrew, Italian, and Portuguese. The Goods and Services Manager will enter full production mode at the end of 2011, at which time it will include some 40,000 terms in eleven different languages.

14. **Hague System for Designs.** The Hague System for the international registration of industrial designs has also experienced significant growth, although from a relatively much lower base. In 2010, international applications increased by 32.6% over the previous year, with a total of 2,382 applications being filed. In the first six months of 2011, the growth rate in applications was 21.5%.

15. The Hague System, in its latest version of the Geneva Act of 1999, is still relatively young. We are making considerable efforts to expand its geographical coverage. Forty-two Contracting parties are now party to the Geneva Act, four having acceded in the past year (Azerbaijan, Finland, Monaco and Rwanda). We are working closely with a number of States that are considering joining the System and are confident that the next three years will see a significant expansion in the membership.

16. The IT environment of the Hague System is also undergoing renovation through the same IT Modernization Program mentioned in paragraph 12 in relation to the Madrid system. In addition to the progress mentioned above, a new electronic filing tool, based on new technical architecture, is being developed and will be made available to filers in the Hague System before the end of 2011. Work is also well advanced on the IT support for a transition to a weekly Hague publication cycle in place of the current monthly cycle. The weekly publication cycle for the Hague System will commence from the beginning of 2012.

17. **Lisbon System for the International Registration of Appellations of Origin.** While the Lisbon System is now over 50 years old, it has never managed to attract widespread participation, only 27 States being party to the underlying treaty. A major effort to review the System, with a view to broadening participation in it, is underway in the Working Group on the Development of the Lisbon System. Following substantive discussions at three sessions of the Working Group, a draft of a revised text of the treaty and its regulations has been prepared for consideration by the Working Group at its next session in December 2011. The focus of the Working Group is on improving the Lisbon System so as to allow for the international registration of geographical indications, in addition to appellations of origin, and for the participation in the System of eligible intergovernmental organizations.

18. Good progress has been made with the use of electronic tools under the procedures of the Lisbon system, notably for the automation of the notification and registration procedures and the on-line publication of data from the International Register. Electronic communication of notifications has been established with over 50% of the membership. In addition, the official publication of the Lisbon system, the Bulletin "Appellations of Origin", will be available in the future exclusively in electronic form.

19. **WIPO Arbitration and Mediation Center.** The Center remains the pre-eminent service provider for Internet domain name disputes. In 2010, the Center received 2,696 cyber squatting cases covering 4,370 domain names under procedures based on the Uniform Domain Name Dispute Resolution Policy (UDRP), an increase of 28% over the 2009 level. Since the UDRP's launch in December 1999, the WIPO Center has received over 21,000 UDRP-based cases, covering some 35,000 domain names in both generic and country code Top Level Domains (gTLDs and ccTLDs). WIPO cases in 2010 involved parties from 112 countries. These cases were decided by 327 panelists from 49 countries in 13 different languages.

20. The Center continues to contribute to the development of uniform international policy for dealing with trademark abuse by cyber squatting through widely used reference tools, including an Overview of WIPO Panel Views and a Legal Index of WIPO UDRP Decisions, as well as by providing trademark-based domain name policy input to stakeholders of the Internet Corporation for Assigned Names and Numbers (ICANN), especially in the context of ICANN's plans to roll out high numbers of new generic Top Level Domains, possibly as of late 2012. While the UDRP will apply to such new domains as well, there are concerns in many quarters about the possibility of an ICANN UDRP review adversely affecting this globally proven mechanism.

21. The Center's case load of mediations and arbitrations for general IP disputes continues to grow steadily. The Center has now administered over 250 mediation and arbitration cases. It has also developed specialized procedures for particular industry sectors, including film and media, collective management of audiovisual works and art and cultural heritage. These specialized procedures enable the specific needs and characteristics of different economic sectors to be taken into account in the design of the dispute-resolution procedure.

International Normative Framework⁵

⁵ Strategic Goal I: Balanced Evolution of the International Normative Framework for IP.

22. The past year has seen positive outcomes in a number of areas of the Organization's normative program. These outcomes have included:

- (i) A recommendation of the Standing Committee on Copyright and Related Rights (SCCR) to the Assemblies to convene a diplomatic conference on the protection of audiovisual performances in 2012, a breakthrough after 11 years of stalemate following the unsuccessful diplomatic conference on this subject in 2000;
- (ii) Great progress in the SCCR towards agreement on the content of an international instrument on limitations and exceptions with respect to persons with print and other reading disabilities;
- (iii) Agreement in the SCCR on a new work plan for the protection of broadcasting organizations;
- (iv) Agreement in the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) on a recommendation to the General Assembly of the terms of a renewed mandate for the IGC in 2012-2013;
- (v) Progress in the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) on the development of an international instrument on design law formalities; and
- (vi) Adoption of a substantive work program in the Standing Committee on the Law of Patents (SCP).

23. These outcomes were made possible by the active engagement of Member States in addressing the issues before the various Committees, as well as by the cooperative and constructive atmosphere that prevailed in the Committee meetings, which contributed greatly to achieving agreement.

Development⁶

24. The Organization's development cooperation program continues to be guided by a strategic needs-based approach, organized around four themes – the development of national IP and innovation strategies; the development or updating of legal and institutional frameworks; the development of infrastructure, usually through office automation and modernization programs; and capacity building.

25. A large number of countries have commenced processes for the development of national IP and innovation strategies that are aimed at matching the use of IP to national economic circumstances and objectives. At the same time, work has been undertaken on the design of an improved methodology for preparing such strategies and for their better integration into national development plans.

26. We have continued to "mainstream" activities for improving the capacity of developing countries and the LDCs to participate in and use the intellectual property system. This approach is aimed at ensuring that all the programs of the Organization consider the improvement of the capacity of the developing countries and the LDCs to participate in, and benefit from, the intellectual property system in delivering the outcomes that they are expected to achieve. It relies on greater cooperation between the various program managers and more coherence in planning, both of which are being realized.

⁶ Strategic Goal III: Facilitating the Use of IP for Development.

27. The WIPO Academy is a primary instrument for capacity building. Its Distance Learning Program continues to be appreciated. In 2010, a total of 54,533 persons from 195 countries benefited from WIPO Academy programs (53,522 of them through the Distance Learning Program). Ten summer schools were conducted in different locations around the world, attracting numerous (302) participants. Progress was made in implementing the Development Agenda project for establishing Start-Up Academies, with plans for such Academies progressing in 11 countries.

28. The implementation of the recommendations of the Development Agenda continued to be a priority. There are now 20 projects and other activities underway to implement those recommendations. They cover a broad range of issues, including IP and Technology Transfer, IP and the Public Domain, IP and Socio-Economic Development, IP and Competition Policy, Product Branding and projects to address transparency and governance issues by enhancing the Organization's Results-Based Management (RBM) Framework to support the monitoring and evaluation of development activities and by providing information on WIPO's technical assistance through a database available on the Organization's website.

Global Infrastructure⁷

29. A large number of advances have been made in the Global Infrastructure Sector in providing databases, platforms and services for the IP system globally and in building the capacity of the developing countries and the least developed countries to participate in and use that infrastructure.

30. **Global Databases.** The patent system has produced the most comprehensive, systematic and accessible record of humanity's technology available. WIPO's PATENTSCOPE database expanded over the past year to contain over eight million technology disclosures or patent documents, covering 27 national and three regional collections with an interface that is available in nine languages. As noted above, machine assisted translation for abstracts has been developed in three languages and cross-lingual search in nine languages.

31. In March 2011, we launched a new global brand database that incorporates data on marks from the Madrid System and data on notifications of State emblems under Article 6*ter* of the Paris Convention and registrations under the Lisbon System. In the last quarter of 2011, the database will expand to include collections of data on registrations of marks in three countries.

32. **Technical Infrastructure.** The Intellectual Property Automation System (IPAS) developed by the International Bureau for office modernization is in heavy demand. In 2010, 51 countries were assisted in the deployment or use of IPAS. Forty more countries have requested assistance, which will be extended when time and resources permit. The assistance provided extends beyond the simple deployment of an electronic system to the re-engineering of work flow processes, business solutions and the digitization of data, making a significant contribution to the e-government initiatives of Member States.

33. Several platforms are being developed and deployed to make available opportunities for cooperation or work-sharing between offices. WIPO CASE (Centralized Access to Search and Examination), a platform for sharing search and examination results, has become operational between the Vancouver Group (Australia, Canada and the United Kingdom) and is under preparation for implementation amongst the countries participating in PROSUR (Argentina, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Suriname and Uruguay). WIPO DAS (Digital Access Service), which provides online access to priority documents, has been expanded to cover trademarks, industrial designs and utility models, in addition to patents.

⁷ Strategic Goal IV: Coordination and Development of Global IP Infrastructure.

34. **Tools.** Improvements have been made in the international classifications managed by WIPO. A new, simplified structure for the International Patent Classification (IPC), and a corresponding publication platform, entered into operation in January 2011. To help identify existing and emerging green technologies, an on-line tool based on the IPC was established that will facilitate searches for patent information relating to Environmentally Sound Technologies (ESTs). A reform of the Nice Classification of goods and services for marks, which will facilitate more timely and dynamic revisions of the Classification, was agreed in the Nice Committee of Experts. A new edition of the Nice Classification was published for entry into force in January 2012.

35. **Services for Access to Knowledge.** The Organization assists in establishing Technology and Innovation Support Centers (TISCs) to improve the capacity of the developing and least developed countries to use the technology disclosures of the patent system and to have access to scientific and technical literature. TISCs have been launched in 18 countries.

36. Two programs have been developed, with the assistance and generous contributions of publishers and patent information providers, for making scientific and technical periodicals and data available for free (for anyone in a least developed country) or at very favorable preferential rates (for persons or institutions in other developing countries). The Access to Research for Development and Innovation (aRD_i) program provides access to leading scientific periodicals, while the Access to Specialized Patent Information (ASPI) program enables patent offices and academic and research institutions in developing countries to receive free or low-cost access to sophisticated tools and services for retrieving and analyzing patent data. In the last year, aRD_i became a full partner in the Research4Life (R4L) public-private partnership that includes similar programs from the Food and Agriculture Organisation (the AGORA program), United Nations Environment Programme (the OARE program) and the World Health Organisation (HINARI program). Over 150 of the world's leading publishers contribute more than 8,000 peer-reviewed journals to these programs.⁸

Global Reference Resource⁹

37. Major strides have been taken towards achieving the goal of establishing the Organization as the world reference source for IP information and analysis. The portal WIPO GOLD¹⁰ was opened as a central access point to the various databases and other reference collections of the Organization. WIPO Lex¹¹ has been developed in close cooperation with Member States to the point of being the single most content-rich legal database available on IP. It makes available online some 7,600 legal texts from nearly 200 jurisdictions in over 50 languages in a well organized and highly accessible form.

⁸ See www.research4life.org.

⁹ Strategic Goal V: World Reference Source for IP Information and Analysis.

¹⁰ <http://www.wipo.int/wipogold/en/>.

¹¹ <http://www.wipo.int/wipolex/en/>.

38. A number of important economic and statistical studies were published, including:

- (i) World Intellectual Property Indicators 2010;
- (ii) Yearly reviews of the PCT, Madrid System and Hague System;
- (iii) World IP Facts and Figures 2011 (published last week); and
- (iv) Statistical Country Profiles¹².

We joined Alcatel-Lucent, Booz & Company and the Confederation of Indian Industry (CII) as a knowledge partner of INSEAD to produce the Global Innovation Index 2011. And we will publish in the next month a major report on The Changing Nature of Innovation and the Role of Intellectual Property.

Building Respect for IP¹³

39. The thrust of the Organization's program on building respect for IP continues to be capacity-building, legislative and policy advice, awareness-raising and exchange of information. Within the Advisory Committee on Enforcement, important work has been undertaken to advance understanding of the methodology for the economic analysis and quantification of piracy and counterfeiting. WIPO hosted, in collaboration with INTERPOL and the World Customs Organization (WCO), the Sixth Global Congress on Combating Counterfeiting and Piracy in Paris in February 2011.

Global Policy Issues¹⁴

40. Two platforms that seek to leverage the use of IP for addressing global policy challenges have progressed well towards launch later this year. The first is WIPO Re:Search, a platform for sharing innovation in the fight against neglected tropical diseases, tuberculosis and malaria. A broad group of pharmaceutical companies and national research institutions from a diverse range of countries have signaled their willingness to participate, the World Health Organisation (WHO) has agreed to serve as technical adviser and BIO Ventures for Global Health (BVGH) has agreed to act as administrator of the Partnership Hub. The second is WIPO Green, a technology exchange for environmentally sustainable technologies, which aims to improve the availability and accessibility of such technologies.

Communications¹⁵

41. A Customer Service Center was established in October 2010, aiming to bring more coherence and responsiveness to the Organization's interface with the external world. Under the tutelage of the Customer Service Center, customer service units have been established in the areas administering our Global IP Systems. We are also developing the capacity to service calls on a 24-hour basis, with the use of our External Offices. We are starting the process of developing a single, integrated database of client contacts, which will bring efficiencies to our mailing and expedition services, as well as enable us to serve better the needs of our stakeholders.

42. We are preparing to undertake a major renovation of our website, with the objective of rendering it more simple, economical and user-friendly with, over time, expanded coverage of content in all official languages of the United Nations.

¹² http://www.wipo.int/ipstats/en/statistics/country_profile/.

¹³ Strategic Goal VI: International Cooperation on Building respect for IP.

¹⁴ Strategic Goal VII: Addressing IP in relation to Global Policy Issues.

¹⁵ Strategic Goal VIII: A Responsive Communications Interface between WIPO, its Member States and all Stakeholders.

43. As part of the Strategic Realignment Program (SRP), an initiative to strengthen internal communications has advanced, with over 130 staff volunteering to participate in discussions and workshops to identify strengths and weaknesses in WIPO internal communications channels and to help develop concrete proposals for improvements.

Finance and Management¹⁶

44. The finances of the Organization remain healthy. While demand for the Organization's services in the Global IP Systems is expected to meet budget predictions in the current (2010-2011) biennium, income will not, as a consequence of the sharp and rapid appreciation of the Swiss franc. We have managed this situation through a package of internal efficiency measures and expect to end the biennium without a deficit. In the course of the biennium, we have also achieved compliance with International Public Service Accounting Standards (IPSAS) in our financial statements.

45. Great progress has been achieved in our various building and premises projects. The new building ("New Construction Project") has been completed and some 500 staff have been re-located from rented premises to the new building. It is a beautiful facility and the staff response to working in it is very positive. Work is well underway on the New Conference Hall. With the assistance of Member States, the general contractor has been selected and a contract concluded. The construction will involve inconvenience for the next year and a half. We hope to commission the New Conference Hall in time for the meetings of the Assemblies in 2013. The new perimeter security project for the WIPO campus has been approved by the relevant authorities and work is about to commence on it. In this area, our life has been greatly facilitated by the help, as well as the generosity, of the Host State, particularly through the amiable and efficient services of the Permanent Mission of Switzerland in facilitating relations with the cantonal and municipal authorities.

46. Throughout 2011, the various initiatives of the SRP moved from the design to the implementation stage. A large number of initiatives are grouped under the SRP. I have already made mention of internal communications. Other prominent initiatives include the achievement of a results-based management framework, for the first time, in the presentation of the draft Program and Budget for the 2012-2013 Biennium; the completion of the first full cycle of the new Performance Management and Staff Development System, which was commenced in 2009; the establishment of an Ethics Office, a declaration of interest policy for officials at the Director level and above (as well as those in sensitive positions, such as those working in procurement) and draft work on a whistle-blower policy and a financial disclosure policy.

47. The new Independent Advisory and Oversight Committee (IAOC) has been working throughout 2011 and providing invaluable assistance to the International Bureau, especially through its risk-based approach.

¹⁶ Strategic Goal IX: An Efficient Administrative and Financial Support Structure to enable WIPO to deliver its Programs.

48. We are nearing the end of the mandate of our Externals Auditors, the Federal Department of Finance of the Swiss Confederation. This has been a long and fruitful relationship, dating back to the nineteenth century, when the predecessor of WIPO was under the High Authority of the Swiss Federal Government. The Federal Department of Finance has performed these services for over a century free of charge. The Organization is indebted to it.

In continuation of the theme of gratitude, let me conclude by expressing my thanks to all my colleagues in the International Bureau for their dedication, hard work and professionalism throughout the past year. I believe that we have achieved a great deal. This has been their achievement

Francis Gurry
Director General

[Annex II follows]

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- 1 On behalf of the Arab Group
2 On behalf of the Development Agenda Group (DAG)
3 On behalf of the Group of Least Developed Countries (LDCs)
4 On behalf of the Asian Group
5 On behalf of the Group of Latin American and Caribbean Countries (GRULAC)
6 On behalf of the EU and its member States
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