

Opening Statement of Uganda
on behalf of the African Group
59th Series of the Meetings of the Assemblies of the Member States of the
World Intellectual Property Organization (Agenda item 5)
30 September 2019

Uganda has the honor to deliver this opening statement on behalf of the African Group.

Mr. Chairman,

1. The African Group is once again pleased to see you and your vice Chairs, presiding over the General Assembly. We renew our confidence in your professionalism and enduring dedication to guide our deliberations to achieve positive results.
2. We would like to take this opportunity to renew our compliments and gratitude to the Director General Dr. Francis Gurry and all WIPO staff in their respective capacities, for their dedication and invaluable contribution to the delivery of the mandate of the Organization. We equally thank them for the excellent organization of the Assemblies and preparation of all documents that will guide our discussions.

Mr. Chairman,

3. Since the conclusion of the 2018 Assemblies, Member states have intensified efforts to resolve a number longstanding issues on WIPO's work program.
4. However, progress remains slow on a range of issues of great importance to the Group. This is mainly occasioned by three factors: (i), the inability of members to acknowledge that all Member States have diverse but legitimate interests in the organization; (ii) lack of political flexibility by member states and, (iii) inability to fully comply with the tenets of the 2007 WIPO Development Agenda (DA).

Mr. Chairman,

5. Until all member states are prepared to engage in a constructive and balanced manner, taking into account the interests of all members and stakeholders, it is going to be much more difficult to achieve concrete outcomes – and to progressively improve the IP system and governance of the Organization.

Mr. Chairman,

6. The African Group wishes to stress that the WIPO Development Agenda was intended to change the culture of this organization from its primary focus on supporting and protecting intellectual property. It requires

integration of development concerns into all WIPO's programs to enable developing countries to use the intellectual property (IP) system to drive innovation, competitiveness and creativity needed to achieve sustainable development. The organization should also enhance its role in implementing SDGs by providing sufficient funding and mainstreaming of DARs and SDGs in the program and activities of all its Bodies.

Mr. Chairman,

7. Turning to some issues of critical importance to the Group, we strongly support negotiations for a binding international legal instrument or instruments for relating to IP for the effective protection of traditional knowledge, traditional cultural expressions and genetic resources within the context of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). We are pleased with the constructive engagement by a large majority of member States across all regions, and the diligent effort of the Committee's Chair and vice Chairs and facilitators, in the 2018/2019 biennium. It is now overwhelmingly clear that the three texts of the draft legal instrument(s) are significantly mature and can be submitted for discussion at a Diplomatic Conference. We hope that this GA will give concrete guidance to the Committee to finalize one or more instruments in the 2020/2021 biennium.
8. Turning to Matters Concerning the Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty (DLT), we regret that three (03) previous Assemblies were unable to find a solution to this matter. The African Group has consistently approached DLT negotiations with pragmatism, flexibility, and open engagement to find a mutually acceptable outcome. However, our openness is without prejudice to our position that the final treaty must take into account the diverse interests of all member states, in a balanced manner. It must also be responsive to the challenges that developing and least developed countries will potentially face in implementing the Treaty and other related-substantive design laws. The Group remains ready to engage constructively to find a mutually agreeable outcome.
9. Regarding the Draft Program and Budget for the 2020/2021 biennium, we stress the need for appropriate and sustainable levels of funding for development activities. Only through sufficient funding to development activities will it be possible for the organization to assist Developing and Least Developed countries to use IP as a tool for development. Therefore, the Group regrets that the Program and Budget Committee was unable to achieve consensus on the Organization's Budget for 2020/21 - due to a proposal to change the long-applied allocation methodology for income and expenses of unions. The Group remains convinced, that the current allocation methodology, which proved effective in previous biennia, should be maintained.

10. On other issues of interest to the African Group, mention should be made of the copyright exceptions and limitations for libraries and archives, museums, educational and research institutions as well as for persons with other disabilities - which have been the subject of discussions in the Standing Committee on Copyright and Related Rights (SCCR) since 2004. We call upon the GA to mandate the SCCR to conclusively determine what action should be taken at the international level in the area of copyright exceptions and limitations. The Group also reiterates its strong support for the proposal by Congo and Senegal to include discussions on Artists Resale Royalty Rights, on the SCCR work program.
11. On Governance issues the Group strongly supports principle of proportionate and equitable geographical representation of WIPO members in the Organization's governing bodies - Coordination Committee and the Program and Budget Committee. The Group would therefore like to see informal consultations launched to continue discussions on this issue.
12. In concluding Mr. Chair, the African Group firmly believes that WIPO should remain the epicenter for international IP Rule making.
13. The Group reaffirms its commitment to constructively participate with open and full engagement in discussions on all items on the agenda of these assemblies to achieve positive results.

I thank you.