

Agenda Item 9 (iv)**Matters Concerning the Convening of a Diplomatic Conference for the adoption of Design Law Treaty (DLT)
Doc. WO/GA/55/4**

Madam Chair,

1. The EU and its Member States note the importance of the proposal made by the delegation of the United States of America regarding the agenda of the last SCT session, as contained in document SCT/45/4. We recall that already at the 2021 General Assembly the delegation of the United States of America highlighted the appropriateness of draft DLT discussions continuing in the SCT to enable the SCT to come to a recommendation. Nevertheless, we are not in favour of re-locating discussions on the DLT within the SCT.
2. We note that no solution has been found on the two remaining open issues – namely the proposal for a disclosure requirement to be included in Article 3 of the Treaty, and the specific nature of the instrument on technical assistance and capacity building in implementing the Treaty. As regards the first outstanding issue, with reference to the various proposals discussed at the 2017, 2018 and 2019 General Assemblies, the EU and its Member States recall our active engagement in efforts to agree on appropriate wording in the context of Article 3, having come a long way from our initial position.
3. It is a regrettable fact that the General Assembly has not been able to reach a positive decision to convene a diplomatic conference for the adoption of the DLT in recent years. Considering the benefits of harmonising and simplifying design registration procedures for users and WIPO Members across the spectrum of development, the continued delay in its adoption is unfortunate. The basic text of the DLT has been stable since 2014. We therefore see the risk that the text becomes outdated.
4. At the 2021 General Assembly, we appreciated the efforts of the GA Chair and Friends of the Chair, and the committed endeavours of the Facilitator, Ambassador Socorro Flores Liera of Mexico, in conducting informal consultations with Regional Coordinators on the DLT and we noted the circulation of a new proposal. However, we found that some questions raised would call for substantive exchanges with the originators of the proposal, which were not possible during the last GA session given its hybrid format.

5. At this juncture, we refer to recent developments in WIPO as to challenges relating to conducting normative negotiations in hybrid format. In our view, the 2022 General Assembly may be in a much better position to continue discussions on the DLT as compared to the General Assembly last year.
6. Madam Chair, the EU and its Member States stand ready to discuss and explore constructive solutions on the two remaining open issues at this General Assembly.

Thank you.