

South Centre Statement to the 64th WIPO General Assembly (2023)

Thank you, Chairperson.

The South Centre, the intergovernmental organization of developing countries, actively promotes balancing public and private interests in the IP system. In accordance with the mandate of the 2007 Development Agenda (DA) and the Sustainable Development Goals (SDGs), which WIPO as a UN specialized agency must contribute to, **development, sustainability and human rights should be at the core of WIPO's activities**. WIPO should remain a Member State-driven, development-oriented organization.

In 2024, a major expected upcoming milestone in WIPO will be the successful conclusion of a diplomatic conference for adoption of an international legal instrument relating to intellectual property (IP), genetic resources and traditional knowledge associated with genetic resources. The success of this diplomatic conference in effectively protecting against misappropriation of such resources and knowledge, notably through an obligation to disclose their origin, will contribute to align WIPO with the developmental needs of the Global South. We appreciate the flexibility of some Member States on this topic and urge others to support a successful outcome. A disclosure requirement in IP applications is an important transparency measure that will render the global IP system more consistent with international obligations on access and benefit sharing in respect of such resources. We urge Member States to approve the allocation of WIPO's budget for the participation of indigenous peoples and local communities throughout all informal and formal processes related to this topic.

The Covid-19 pandemic has highlighted the pressing and urgent need for technology transfer and timely access to medical technologies. In the field of IP and public health, the existing system has been inequitable for developing countries, even during the biggest pandemic in 100 years. The South Centre continues to support national policymakers, patent offices, and judicial and regulatory authorities on the full use of TRIPS flexibilities for public health (see: <https://ipaccessmeds.southcentre.int/>) with bespoke technical assistance for developing countries in that respect. The South Centre is also organizing on Tuesday 11 July 2023, at 1pm, a side event on how 'Good Patent Examination leads to Access to Medicines'. We cordially invite all participants in these Assemblies to this event.

We strongly support and commend the approval of the work program on limitations and exceptions (L&Es) at the Standing Committee on Copyrights and Related Rights (SCCR), originally tabled by the African Group. We equally support the most recent communication by Group of Latin America and the Caribbean (GRULAC) on a fair remuneration for authors and creators in the digital environment. We also welcome the upcoming study on how new business models such as streaming platforms affect revenues for creators in its competition policy aspects. The WIPO General Assembly should provide a clear direction to the SCCR to achieve a balanced copyright system that promotes a robust public domain and supports education, research, preservation and creativity.

While acknowledging the high importance of emerging digital issues related to IP, including artificial intelligence (AI) and data governance, we remain concerned about the lack of accountability to Member States of the IP and Frontier Technologies Division. The activities on these issues would benefit from being more closely aligned with the Development Agenda (DA) recommendations, such as focusing on access to technologies, and to be discussed in

an appropriate standing committee, rather than *ad hoc* meetings, to receive and be able to elaborate on Member States' inputs.

The South Centre remains available to all developing countries' delegations to provide further information and support on these matters, during and after the Assemblies.

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