

SUMMARY MINUTES OF THE DIPLOMATIC CONFERENCE

PLENARY OF THE DIPLOMATIC CONFERENCE TO CONCLUDE AN
INTERNATIONAL LEGAL INSTRUMENT RELATING TO INTELLECTUAL PROPERTY,
GENETIC RESOURCES AND TRADITIONAL KNOWLEDGE ASSOCIATED WITH
GENETIC RESOURCES

President of the Diplomatic Conference: H. E. Ambassador Guilherme Patriota (Brazil)

Secretary of the Diplomatic Conference: Mr. Edward Kwakwa (WIPO)

First Meeting Monday, May 13, 2024 Morning
--

Agenda Item 1 - Opening of the Conference by the Director General of WIPO

1. Mr. DAREN TANG, the Director General of WIPO, opened the Diplomatic Conference to Conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources (the Diplomatic Conference). He expressed his honor in welcoming all participants to the historic event. This day marked the culmination of a long, intense journey spanning 25 years. To understand its significance, he suggested looking back not just 25 years but 550 years to 1474, when the Republic of Venice established the world's first formal patent system to protect "new and ingenious devices". While innovation had always been part of human history, that development had changed what had previously been an unpredictable, *ad hoc* and arbitrary process, introducing concepts like a requirement for novelty and a legal right backed by the State, which remained the cornerstone of the global intellectual property system to this day. More importantly, the development of the intellectual property system had fundamentally changed who could be an inventor or creator. With that the fate of an idea had depended not just on the whimsical support of feudal lords or monarchs, but on the power of the idea to engage with people, markets and society through intellectual property. Intellectual property had become a bridge connecting an idea with the world. Since then, the intellectual property system had been evolving from national laws to an international system through the Paris and Berne Conventions. By taking the long view of 550 years, it would become clear that, like innovation itself, intellectual property had always been evolving. The story of WIPO and the global intellectual property system was therefore not one of stasis, or of rigidly adhering to the *status quo*, but one of adjustment, change and dynamism, of responding and adapting to an ever-changing world and meeting the evolving expectations of the Member States and their peoples. He recalled that the story of WIPO had been sometimes driven by technological revolution, such as in the late 1990s when WIPO had successfully addressed the arrival of digital technologies through the WIPO Internet Treaties. At other times, that had been to be more inclusive and to take care of specific beneficiaries, like in the 2010s with the Beijing and Marrakech Treaties for performers and those who were visually impaired. In the following two weeks, the participants would have a precious and rare opportunity to continue that great tradition of ensuring that the global intellectual property system would be capable of a considered and balanced evolution. As the predecessors had done, the task would

be to thread the needle and use the opportunity to move the intellectual property system forward, together as one family. A successful outcome would deliver on three fronts. First, it would better reflect the pivotal role played by genetic resources and innovation. Although humanity had long utilized genetic resources for sustenance, medicine and technological advancements, those connections would be becoming deeper and more consequential, driven by bold new advances in digital technologies and life sciences. For instance, taking some of the most pressing challenges, genetic resources would help to bolster the global food supply, increase crop yields, and fortify agriculture against the stresses and strains of a warming planet. Genetic resources were indelibly linked to economic development, serving as a vital source of jobs, income and opportunity, especially for remote communities in developing and least developed countries. Furthermore, genetic resources supported a healthier world by aiding the creation of medicines and therapies. Against that backdrop, further enhancing the efficacy, transparency and quality of the patent system was in the common interest and an issue whose time had come. Second, a positive outcome would help strengthen the global compact WIPO had with Member States that intellectual property was there to deliver for the good of all. Day in and day out, WIPO not only supported Member States in establishing legal and regulatory frameworks for intellectual property, but also helped them to use intellectual property as a powerful catalyst for growth and development. Strong and robust intellectual property systems enabled innovators and creators to prosper, and their success would benefit all. However, there were many others whose great ideas never saw the light of day or who remained underserved by intellectual property. Just over three years before, the Director General had pledged to build a dynamic, inclusive and forward-looking intellectual property system – one that worked for everyone, everywhere. Since then, WIPO had worked tirelessly to make that a reality – strengthening global intellectual property frameworks, demystifying intellectual property, and demonstrating concretely how it delivered for innovators and creators in all parts of the world. At the Diplomatic Conference, it could be shown that there was no contradiction between a robust and predictable intellectual property regime – one that incentivized innovation, attracted investments, and drove game-changing research – and one that responded to the needs of all countries and their communities everywhere, including those from Indigenous Peoples as well as from local communities. A more inclusive and diverse intellectual property system was not just a more dynamic intellectual property system, it was a stronger intellectual property system. Aligning with that principle, the Director General expressed his commitment to ensure that the negotiating process itself be inclusive and transparent. He was delighted to see the participation of Indigenous Peoples as well as local community members from different parts of the world, and was grateful to the Governments of Australia, Germany, Mexico and Spain for their recent contributions to WIPO's Voluntary Fund, which had been supporting the participation of representatives of Indigenous People as well as local communities. He warmly welcomed all NGOs, industry representatives, and other observers in attendance, emphasizing that their engagement was critical and would strengthen the work that was being done. Thirdly, a favorable outcome would deliver a strong boost to multilateralism. Over the next two weeks, the responsibility would extend not just to WIPO and the intellectual property community, but also to the world whose eyes were upon the Diplomatic Conference. He candidly acknowledged that negotiations would not be easy, as negotiations dealing with significant and important topics rarely were. He called on everyone to marry passion with pragmatism and to channel the same spirit of flexibility, accommodation and consensus that had brought them to the cusp of a truly landmark agreement. To help reach that goal, the Secretariat was committed to providing the best environment to help arrive at the best possible outcome. The Director General thanked all delegations for the hard work leading up to the Diplomatic Conference and gave a special mention to the Governments of Uruguay, Indonesia, Algeria, Poland, China and

Namibia for hosting and co-organizing a series of regional and cross-regional meetings. Those efforts contributed to the constructive atmosphere needed for multilateralism to prosper and deliver. Concluding his remarks, he reflected on the historic breakthrough achieved two years before, built on mutual understanding, trust and flexibility, with a desire for consensus. He urged everyone to call upon that same spirit over the following two weeks to cross the finish line together. He inspired them once again to make history as one WIPO family, for the world.

2. The Indigenous blessing was given by two Indigenous representatives.

Agenda Item 2 - Consideration and adoption of the Rules of Procedure

3. The LEGAL COUNSEL drew the attention of the Diplomatic Conference to document GRATK/DC/2, which contained the Draft Rules of Procedure of the Diplomatic Conference. She recalled that the Draft Rules of Procedure had been considered and approved by the Preparatory Committee of the Diplomatic Conference for adoption by the Diplomatic Conference.

4. Seeing no objections, the DIRECTOR GENERAL declared that the Diplomatic Conference, meeting in plenary, adopted by consensus the Rules of Procedure as contained in document GRATK/DC/2.

Agenda Item 3 - Election of the President of the Conference

5. The LEGAL COUNSEL announced that following informal consultations among WIPO Groups, delegations had reached a consensus regarding the President of the Diplomatic Conference to be elected. The Secretariat had received the nomination of His Excellency Mr. Guilherme de Aguiar Patriota, Ambassador and Permanent Representative of Brazil to the World Trade Organization and other Economic Organizations in Geneva, as President of the Diplomatic Conference.

6. The DIRECTOR GENERAL declared that the Diplomatic Conference, meeting in plenary, elected His Excellency Mr. Guilherme de Aguiar Patriota, Ambassador and Permanent Representative of Brazil to the World Trade Organisation and Other Economic Organizations in Geneva, as President of the Diplomatic Conference (President). The Director General warmly congratulated Ambassador Patriota on his election.

7. The PRESIDENT thanked the Director General and thanked all delegations for the honour of receiving the votes of confidence to preside over the Diplomatic Conference. He emphasized that the Diplomatic Conference was a historic opportunity for progress on a subject of interest, not only to holders of intellectual property rights, but also to a broader constituency composed of Indigenous Peoples, holders and providers of traditional knowledge, mega-biodiverse countries, and users of the patent system. A successful Diplomatic Conference would introduce a new WIPO instrument establishing a disclosure of origin requirement for genetic resources and associated traditional knowledge. With the constructive engagement of all participants, the President expressed his commitment to achieving this through an inclusive working methodology focused on consensus building. He noted that participants had before them the Basic Proposal for an International Legal Instrument Relating to Intellectual Property,

Genetic Resources and Traditional Knowledge Associated with Genetic Resources (the Basic Proposal), document GRATK/DC/3, which had been positively considered, known and discussed since 2019. As President-designate, he had held informal conversations with Groups, emphasizing that they should treat the Basic Proposal with care and due consideration. He reflected on the discussions of the Intergovernmental Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore (the IGC), which had been ongoing for a quarter of a century and paved the way towards the Diplomatic Conference. It seemed fair to say that the IGC process had obtained a degree of maturity, which should allow the finalization and adoption of an international instrument, as per the mission entrusted to the Diplomatic Conference by the decision of the WIPO General Assembly in 2022. He acknowledged the long journey that brought all participants here and the cornerstone provided by the Delegation of Colombia 25 years ago with its proposal during negotiations related to the Patent Law Treaty. He also recognized many other delegations and regions, including his own Delegation of Brazil, that had added their voices and contributions to enrich discussions and move that proposal forward since then. The President highlighted the leadership of the Director General, who had made every effort to provide the best conditions for the Diplomatic Conference, and the support of the WIPO Secretariat, which had sustained the momentum. He noted that the IGC had been created to harbour discussions on genetic resources and associated traditional knowledge and had witnessed intense debates during its existence. The Group of Latin American and Caribbean Countries (GRULAC) and the African Group had been particularly active supporters of an international instrument, noting that they were not the only ones. As of May 13, 2024, more than 30 Member States had enacted legislation on a disclosure requirement for genetic resources and associated traditional knowledge. All participants needed to make sure that the instrument finalized and adopted would accommodate existing national legal realities, would be technically sound, and would achieve a high degree of universal support and understanding to be effective and functional. The President expressed special thanks to the former IGC Chair, Mr. Ian Goss, who had presented the text in 2019 that became the Basic Proposal. As President of the Diplomatic Conference, he committed to open, transparent and inclusive discussions, while making concrete steps towards a consensual text derived from the Basic Proposal. To utilize available experience and diplomatic wisdom, he decided to informally draw from a group of “Friends of the Chair” as needed, including Ambassadors and specialists who were well-versed in the subject matter under consideration. Those informal helpers, who had been involved in the IGC process for many years, could be called on for advice, guidance and background information. With those initial words, the President invited all participants to contribute to a successful outcome with the adoption by consensus of an internationally legally binding instrument.

Agenda Item 4 - Consideration and Adoption of the Agenda

8. The PRESIDENT opened Agenda Item 4. He noted that the Revised Draft Agenda for the Diplomatic Conference was set forth in document GRATK/DC/1 Prov. 3.

9. Seeing no objections, the PRESIDENT announced that the Diplomatic Conference, meeting in plenary, adopted the Revised Draft Agenda as contained in document GRATK/DC/1 Prov. 3.

Agenda Item 5 - Election of the Vice-Presidents of the Diplomatic Conference; of the members of the Credentials Committee; of the members of the Drafting Committee; and of the officers of the Credentials Committee, the Main Committees and the Drafting Committee

10. The LEGAL COUNSEL explained that following informal consultations among WIPO Groups, Member Delegations had reached consensus regarding the individuals to be elected for the vacant officer positions of the Diplomatic Conference, the Credentials Committee, the Main Committees and the Drafting Committee, as well as the States to be elected for the vacant membership positions in the Credentials Committee and Drafting Committee respectively, as set forth in document GRATK/DC/INF/3.

11. Seeing no objections, the PRESIDENT announced that the Diplomatic Conference, meeting in plenary, elected the nominees for the positions of the Vice-Presidents of the Diplomatic Conference, officers of the Credentials Committee, the Main Committees and the Drafting Committee, and the members of the Drafting Committee and Credentials Committee respectively, as indicated in document GRATK/DC/INF/3.

12. The Delegation of the REPUBLIC OF MOLDOVA, speaking on behalf of the Central European and Baltic States (CEBS), wished the President a successful and impactful leadership tenure. The Delegation noted that the Russian Federation, with the assistance of Belarus, had continued, for the third year, its unprovoked and unjustifiable war of aggression against Ukraine. In that regard, the consideration of the Russian and Belarusian nominees for the Drafting Committee had raised serious concerns. It could not ignore the contradiction of supporting the nominations of those delegates, whose State authorities had been blatantly violating international law and the UN Charter. Beyond the immediate humanitarian crisis, the war had had a profound negative impact on the Ukrainian intellectual property ecosystem and its users. Allowing those nominees to participate in shaping policies relating to genetic resources and associated traditional knowledge would be a legitimization and appeasement of behaviour that fundamentally undermined the fabric of the international rules-based order the Group sought to uphold. The purpose of the Diplomatic Conference was to adopt a new legal instrument to protect genetic resources and traditional knowledge. It was inconceivable that a State, that had deliberately occupied and destroyed such traditional knowledge on a daily basis, claimed the right to guide the work of the Diplomatic Conference. Intellectual property is a vivid symbol of the rules-based international order. A State, that systematically violated norms and principles of international law in the most severe form, had no right to lead the work on an international legal instrument. Therefore, while continuing military aggression against Ukraine, the Russian Federation could not serve as an example of a responsible partner in WIPO, and business as usual with the Russian Federation and Belarus was not an option for rule-abiding countries. The Group did not intend to block the nomination process, but strongly disassociated from the candidatures of the Russian Federation and Belarus, as well as from any consensus in that regard. It reiterated a demand that the Russian Federation immediately stop the war of aggression against Ukraine, and, in that regard, reaffirmed the UN General Assembly's resolutions condemning the attempted annexation of Ukraine's territories: no territorial acquisition resulting from Russia's armed invasion of Ukraine and the threat or use of force in Ukraine, shall be recognized as legal. The legal status of the UN General Assembly's resolution should be recognized.

13. The Delegation of the KINGDOM OF THE NETHERLANDS, speaking on behalf of Group B, thanked the President and the Director General for their opening remarks. It had been

more than two years since the Russian Federation had launched its illegal war of aggression against Ukraine and 10 years since the purported annexation of Crimea. The Group was in full and unwavering solidarity with the people of Ukraine. Since the brutal war of aggression had started, the 30 Member States of Group B had consistently chosen not to accept Russian and Belarusian representatives to be elected or appointed to UN bodies and Committees. That would be standing practice as long as troops had not been withdrawn from Ukraine. There must be full accountability for Russia's war of aggression, violations of international law, and the extensive damage done. That included the well-documented damage to the intellectual property system of Ukraine. It demanded the Russian Federation completely withdraw its troops from the whole territory of Ukraine and fully respect Ukraine's territorial integrity, sovereignty, and independence within its internationally recognised borders. Group B wished for a successful Diplomatic Conference, of which the outcome should be carefully translated into all six WIPO languages. The Drafting Committee should ensure sound translation. It was determined to effectively work towards a consensual outcome of the Diplomatic Conference. Group B did not oppose the Russian Federation and Belarusian candidates, but the 30 Member States dissociated from the decision on their appointment.

14. The Delegation of the UNITED STATES OF AMERICA expressed its support for the statement delivered by the Delegation of the Kingdom of the Netherlands, on behalf of Group B. It disassociated from the decision to elect the Islamic Republic of Iran as Vice-President of the Diplomatic Conference. It strongly opposed the Islamic Republic of Iran's leadership and role in international organizations, given the threat it posed to international security.

15. The Delegation of BELGIUM, speaking on behalf of the European Union and its Member States, stated that two years into the war of aggression that the Russian Federation had launched against Ukraine, and 10 years after the Russian Federation's illegal annexation of Crimea and Sevastopol, both in manifest violation of its obligations under the UN Charter and international law, the European Union was even more steadfast in its support for Ukraine's independence, sovereignty and territorial integrity within its internationally recognized borders. The European Union and its Member States strongly condemned the Russian Federation's continued air and missile attacks against Ukraine's civilians and critical infrastructure, which strongly affected the Ukrainian intellectual property ecosystem as well as Ukraine's innovative and creative sectors, as reported by WIPO in document A/64/8. The Delegation recognized the importance of WIPO's assistance and support for Ukraine's innovation and creativity sector and intellectual property system. Therefore, it welcomed the decision of the 64th Series of Meetings of the Assemblies of WIPO Member States to continue those activities, hoping for a prompt and efficient recovery process of the Ukrainian intellectual property ecosystem. The Russian Federation and its leadership had to be held fully accountable for waging a war of aggression against Ukraine, and for the most serious crimes under international law, as well as for the massive damage caused by its war. The European Union remained committed to supporting Ukraine's repair, recovery and reconstruction in coordination with international partners. Regarding the Diplomatic Conference, with the objective of agreeing on an international legal instrument, it was critical to foster a constructive spirit and adopt a progress-oriented attitude while putting into practice rules-based multilateralism and promoting respect for the international legal order at the very basis of the UN. Consequently, the European Union and its Member States could not accept the representatives of States which blatantly disregarded the founding charter of the UN by facilitating an illegal war of aggression against Ukraine. The European Union and its Member States disassociated themselves from the appointment of the Russian Federation and Belarusian candidates to the Drafting Committee. Business as usual was no

longer possible with those members at the UN and other multilateral fora.

16. The Delegation of BELARUS wished to exercise its right of reply regarding the statements made by the Delegation of the Republic of Moldova on behalf of the CEBS Group, the Delegation of the Kingdom of the Netherlands on behalf of Group B, and the Delegation of Belgium on behalf of the European Union and its Member States. Those statements were politically motivated and were inappropriate when it came to the subject and goals of the Diplomatic Conference and distracted the Diplomatic Conference from its work. It categorically repudiated the false accusations and noted that Belarusians were peaceful people, who had, for the past 10 years, been doing everything they could to ensure peace in the friendly, brotherly nation of Ukraine. The complaints against the Delegation of Belarus undermined the spirit of cooperation they expected to see at the Diplomatic Conference. The Delegation expressed its commitment to ensuring the professional quality of work at the Diplomatic Conference, inclusive conversation around the future of the international legal instrument and the fair geographic and linguistic representation in the bodies of the Diplomatic Conference. It also committed to creating conditions for the appropriate and efficient work by the bodies of the Diplomatic Conference and their functions that had been mandated to them. It reminded participants that Belarus had a population of native speakers of the Russian language, which would be one of the future official languages of the Treaty. The Russian language would be needed in the Drafting Committee. The Delegation reaffirmed its commitment to engaging in constructive cooperation with other delegations to facilitate the successful conclusion of the Diplomatic Conference. The Delegation wished to dissociate from the consensus regarding the elected officers of the Diplomatic Conference, in particular, from Poland, Slovenia, Lithuania, Switzerland, Germany, Japan, Australia, United States of America, France and Spain.

17. The Delegation of the RUSSIAN FEDERATION stated that it was forced to exercise its right of reply. It believed that the Diplomatic Conference was an inappropriate platform for such blatantly unfriendly and confrontational statements. The main goal of the Diplomatic Conference, which had been decided by the 2022 WIPO General Assembly, had been the discussion and adoption of a future legal instrument aimed at improving the efficiency, transparency, and quality of the patent system as well as preventing the erroneous granting of patents for inventions that were not novel or inventive regarding genetic resources and associated traditional knowledge. The Treaty had nothing to do with the issues of war and peace. The Diplomatic Conference had ambitious goals and at the same time, the Delegation acknowledged the very restricted time for that work. Despite that, certain delegations that had been following exclusively political motivations had wasted priceless minutes by artificially politicizing the work of the forum. The Delegation noted that the CEBS Group's and Group B's disrespect of the fragile consensus achieved had been disappointing. Considering the statements made by the Delegation of the Republic of Moldova on behalf of the CEBS Group, and the Delegation of the Kingdom of the Netherlands on behalf of Group B, the Delegation would no longer support the candidacies of Poland, Slovenia, Lithuania, Germany, Japan, Australia, United States of America, France, Switzerland and Spain for the relevant posts. Nevertheless, in the spirit of compromise and constructive cooperation, the Delegation wished to disassociate itself from the consensus on those candidacies. The Drafting Committee was a body that would be handling and looking at the text for the future legal instrument on the six languages, including the Russian language. It was entirely clear that the preparation of a high-quality text in Russian would be only possible if the Drafting Committee would have the participation of Russian language experts. The Delegation emphasized its constructive approach on the work of the text of the future international instrument and its commitment to

adopting, as a final document, a high-quality text that would meet the need of developing countries.

18. The Delegation of KAZAKHSTAN congratulated the President on his appointment. It expressed determination that, under his able leadership, there would be a successful outcome of the Diplomatic Conference. Taking into account the objectives of the Drafting Committee, which it believed to be technical, and ensuring professional translation into the UN languages, including Russian, it expressed its support for the candidacies of the Russian Federation and Belarus and for their membership in the Drafting Committee.

19. The Delegation of the SYRIAN ARAB REPUBLIC congratulated the President on his nomination and election. It also thanked the Director General and the Secretariat for the excellent preparation of the Diplomatic Conference. The Delegation hoped that the work would end successfully. It wished for this forum not to be politicized, which would take the Diplomatic Conference further from its goals. The previous statements had been unfounded. The Delegation supported the candidacies of the Russian Federation and Belarus for the Drafting Committee.

20. The Delegation of the ISLAMIC REPUBLIC OF IRAN thanked the President and categorically rejected the unfounded accusation made by the Delegation of the United States of America, and wished to disassociate from the nomination of the United States of America.

21. La Delegación de CUBA comenzó su intervención felicitando al Presidente, por su elección. Reiteró su posición expresada en otras reuniones de la organización a favor de preservar el carácter técnico de la organización y evitar la politización y los dobles raseros.

22. The Delegation of the DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA congratulated the President and expressed its appreciation to the Director General and the Secretariat for their efforts. The Delegation hoped that the Diplomatic Conference would bring a fruitful outcome that would meet the needs of the developing countries. It had been more than two decades that the discussion for the adoption of the instrument had been on the table. Everyone knew the objective of the meeting. However, it was disappointed at the discussions, and it believed that it was not a favourable environment to begin the Diplomatic Conference. The Delegation hoped that every delegation would have the flexibility to help the Diplomatic Conference move forward and would consider all the efforts made by the Secretariat. It supported the delegates from the Russian Federation and Belarus that had been nominated as members of the Drafting Committee.

23. La Delegación de NICARAGUA comenzó su intervención agradeciendo al Presidente felicitándolo por su elección y deseándole éxito. Lamentó la politización del trabajo técnico de esta Conferencia Diplomática que perseguía el beneficio de los Pueblos Originarios. Reconociendo que el ruso es uno de los idiomas oficiales de las Naciones Unidas y debido al trabajo técnico de este Comité, expresó su respaldo a la nominación de Rusia y Bielorrusia al Comité de Redacción.

24. The Delegation of ISRAEL wished to dissociate from the nomination of the Islamic Republic of Iran as a Vice-President of the Diplomatic Conference.

25. The PRESIDENT congratulated all the elected officials for the Committees and the Vice-

Presidents of the Diplomatic Conference, and noted that Agenda Item 5 stood closed.

Agenda Item 6 - Accreditation of Observers of the Conference

26. The LEGAL COUNSEL drew the attention of delegations to document GRATK/DC/4. She explained that the Diplomatic Conference had been invited to take a decision on the invitation of three non-governmental organizations, as listed in paragraph 1 of document GRATK/DC/4, to the Diplomatic Conference. The organizations concerned were the International Seed Federation, the University of Aberdeen, and the University of New South Wales.

27. Seeing no objections, the PRESIDENT announced that the Diplomatic Conference, meeting in plenary, accredited the organizations listed in document GRATK/DC/4, as observers to the Diplomatic Conference.

Agenda Item 7 - Opening declarations by Delegations and by Representatives of Observers

28. The PRESIDENT opened the floor for opening statements.

29. The Delegation of KENYA, speaking on behalf of the African Group, congratulated the President, Vice-Presidents, and the other Officers of the Diplomatic Conference for their election. The Group expressed its confidence in the President of the Diplomatic Conference and the other Officers in steering the affairs of the Diplomatic Conference. The President could count on its full support. The African continent continued to advocate for the urgent need for a legally binding international legal instrument on intellectual property related to genetic resources and associated traditional knowledge. Africa was home to a rich diversity of traditional knowledge and genetic resources that had been passed down through generations and were integral to the cultural, social and economic fabric of its societies. Traditional knowledge, including traditional medicine, agricultural practices and indigenous technologies, had been the foundation of sustainability and resilience in African communities for centuries; the African continent was blessed with a wealth of genetic resources, including diverse plant and animal species which had contributed to the global pool of biodiversity; and the African continent had the potential to address global challenges, such as food security, climate change, and public health. The Group emphasized, however, that the unauthorized exploitation or misappropriation of those resources had been an issue of major concern. The African Group was acutely aware of how African communities had often been marginalised and excluded from the benefits derived from the commercialization and use of their knowledge and resources, adding that not only had that resulted in inequitable outcomes, but it had led to the loss of biodiversity, erosion of traditional practices, threatening the very foundation of the cultural heritage and sustainable development of the African continent. The African Group strongly advocated for an international treaty that recognized and protected the sovereign rights of Member States over their traditional knowledge and associated genetic resources. In that regard, the future instrument should comprise a mandatory disclosure requirement of the origin or source of genetic resources and associated traditional knowledge and ensure mutual supportiveness with other international treaties and access and benefit-sharing regimes. The Group supported adequate sanctions to ensure the Treaty be enforced. It encouraged

all Member States and Observers to approach the deliberations with open minds, deep respect and firm commitment to consensus building and advised that the shared goal of the Diplomatic Conference should be to create an enabling environment that nurtured creativity, supported innovation and recognized the crucial role that Indigenous Peoples and local communities played in shaping the world. The Group expressed its fervent hope that the Diplomatic Conference would mark a pivotal milestone in the collective journey towards a more just and inclusive future for all.

30. The Delegation of the ISLAMIC REPUBLIC OF IRAN, speaking on behalf of the Asia and the Pacific Group (APG), congratulated the President of the Diplomatic Conference and expressed its delight to see the President leading the Diplomatic Conference. It thanked the President and all other elected Officers and assured its full support and cooperation during the course of deliberations at this very important meeting. The Group expressed its appreciation of the Director General and the Secretariat for all the preparations leading up to the Diplomatic Conference. After many years of negotiations, the Diplomatic Conference took place at a critical juncture. Collective efforts made should consolidate and set the stage for a successful Diplomatic Conference to finalize a legal instrument on genetic resources and traditional knowledge associated with genetic resources. The Group reminded that Member States had come a long way and had made progress in narrowing gaps and building a common understanding on core issues relating to genetic resources and associated traditional knowledge. It believed that the working methodology and negotiations based on that methodology should aim for an effective, flexible and inclusive process, as it had been the case in the previous sessions of the IGC, that led up to that significant juncture. The Group had actively participated in the deliberations leading up to that significant juncture for more than 23 years and had tried to continue to build on common understanding regarding issues relating to intellectual property, genetic resources and associated traditional knowledge, with the view of achieving a successful outcome. The Group considered the Basic Proposal as a compromise solution to reach common ground and converge on different positions. The Group looked forward to further engagement with other groups on moving the discussion forward. It emphasized that at the latest stage of intensive negotiations on a really important legally binding instrument, in order to advance the discussions toward reaching a final destination, all Member States should show upmost flexibility and political will. It urged not to let differences prevent the Diplomatic Conference from reaching an agreement that effectively protect and promoted the efficiency of the patent system and genetic resources and associated traditional knowledge in a balanced and adequate manner. It hoped that under the able guidance of the President, the Diplomatic Conference could further expedite its work towards that common goal. The Group would remain committed to constructively engage with all parties in advancing a mutually acceptable outcome at this very important Diplomatic Conference.

31. The Delegation of TAJIKISTAN, speaking on behalf of the Central Asian, Caucasus and Eastern European Countries Group (CACEEC), congratulated the President and all the Officers of the Diplomatic Conference on their election. The Group was confident that under the able leadership and impartial professional approach of the President, the work of the Diplomatic Conference would be productive and gather results for all parties. The Group thanked the Secretariat for its tireless work for the preparation and dissemination of the documents. It recalled that in 2022 the historic decision had been taken to convene the Diplomatic Conference no later than 2024 to conclude an international legal instrument related to intellectual property, genetic resources and traditional knowledge associated with

genetic resources. It complimented the able leadership of the Chairs of the IGC and the dedication of the Member States in narrowing gaps and moving closer to consensus after two decades of long negotiations. Convening the Diplomatic Conference had proved worthy of the multilateralism principle which was of vital importance to the international community in all time. Concluding such legal instrument was important for recognizing the rights for Indigenous Peoples, local communities, ethnic groups and other stakeholders as well as for promoting sustainable development, innovation and well-being, not only among Central Asian and Eastern European countries, but in the entire world. Noting the substantive agenda before the Diplomatic Conference, the Group would remain engaged and contribute in a constructive manner to a successful completion of the work of the Diplomatic Conference.

32. The Delegation of HUNGARY, speaking on behalf of the CEBS Group, recognized the extraordinary significance of the Diplomatic Conference. It trusted that a tangible outcome would eventually emerge from highly complex text-based negotiations that had started 12 years ago. The Group had been supportive of the Chair's text by the former IGC Chair, Mr. Ian Goss from Australia, since its conception in 2019. It believed that the current Basic Proposal, with its clear focus and streamlined format, set the right frame for an international instrument to address the interface between the intellectual property system and the system established by the Convention on Biological Diversity (CBD) and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity (Nagoya Protocol). The Group was convinced that a patent disclosure requirement as envisaged in the Basic Proposal would create a transparency measure that dealt with that interface in an adequate and balanced manner with due regard to all interests at stake. While recognizing the existence of over 30 national or regional patent disclosure requirements across the globe, the Group noted the considerable differences in the scope, triggers and sanctions attached. At the same time, no such requirement existed in most jurisdictions to date. A treaty adopted in the global intellectual property forum would promote international harmonisation in that critical field. The disclosure requirement introduced in the new instrument should be effective, practical, easily implementable, and not result in over burdensome transaction costs. Consequently, it was crucial to establish a clear and focused trigger for disclosure. Another key aspect was that the sanctions for non-compliance should reflect the nature of a transparency measure as a formality requirement. The Group thanked the Government of China and the Government of Namibia, as well as the Secretariat, for organizing two cross-regional events to pave the way to a new treaty, noting that the informal technical meetings in Beijing last July and in Swakopmund last March had been well appreciated opportunities to discuss outstanding issues about the text of the Basic Proposal. While many such issues remained to be tackled, the Group was hopeful that guided by the President of the Diplomatic Conference and the eminent Officers, and assisted by the excellent IGC Secretariat, the Diplomatic Conference could travel the final miles and achieve a consensual outcome in the upcoming two weeks. The Group reiterated its commitment to participate in the Diplomatic Conference in a spirit of cooperation, constructive engagement and compromise.

33. The Delegation of CHINA congratulated the President of the Conference, the Vice-Presidents, and other Committee Officers on their election. The Delegation expressed its appreciation for the diligent efforts of the Director General and the Secretariat in preparing the Diplomatic Conference. The Diplomatic Conference was convened in accordance with

the decision of the 2022 WIPO General Assembly and served as a culmination of the deliberations at the IGC of the past 25 years. The Delegation referred to an ancient Chinese saying that: “The last leg of a journey just marks the halfway point”, meaning that the closer success is approached, the more difficult things become, and more perseverance is needed. Therefore, while expressing gratitude and paying tribute to the work of predecessors, the Diplomatic Conference should also uphold the spirit of unity and cooperation, continue to strive for success, avoid politicizing technical issues, and aim to reach the finish line. The Delegation noted that genetic resources possessed significant scientific and commercial value. While they were effectively utilized, they should also be protected through appropriate means. The Diplomatic Conference had been convened for exactly that purpose. The Delegation believed that the current text had a solid foundation, noting though, that consensus needed to be sought on issues such as triggers, relevant traditional knowledge holders, sanctions and remedies. Additionally, there was a need to refer to and respect similar provisions in other WIPO treaties and established practices of UN regarding the administrative and final clauses. The Delegation would constructively participate in the negotiations, and was committed to consensus. As the President of China, Mr. Xi Jinping, had pointed out, mankind, by living in the same global village, had increasingly emerged as a community of common destiny in which everyone had in himself/herself a little bit of others. Facing global challenges, no country could stay immune to them or emerge as a solitary excellence. That required all countries to work in the same boat and unite in adversity, taking into account the legitimate concerns of other countries while pursuing their own interests. The Delegation also urged all countries to promote a common development while pursuing their own national development in order to enhance the common interests of mankind. The Delegation called upon all parties to work together during the historic Diplomatic Conference to bridge differences and build consensus. It believed that under the able leadership of the President of the Diplomatic Conference and the joint effort of all parties, the Diplomatic Conference would surely conclude a meaningful international legal instrument to promote the proper protection and better use of genetic resources and related traditional knowledge globally.

34. The Delegation of the KINGDOM OF THE NETHERLANDS, speaking on behalf of Group B, congratulated the President on his election and thanked him for his willingness to take up the challenging and demanding task. Group B was confident that under his able guidance, a balanced and consensual outcome of the important Diplomatic Conference could be achieved. It equally conveyed congratulations to other Officers who had been elected for the Diplomatic Conference and wished them every success with the important tasks that they had been entrusted with. It thanked the Secretariat for all its hard work involved in hosting and preparing the Diplomatic Conference at the WIPO premises. Group B looked forward to working with all groups. It encouraged all delegations to remain focused on those amendments that were needed and to show the flexibility and constructive spirit that was necessary in order to achieve the consensual outcome that could then be supported by all delegations. It was high time to adopt an instrument after more than 20 years of discussions. In particular, the instrument should recognize Indigenous Peoples’ and local communities’ knowledge in the patent system through a workable transparency measure. In the view of Group B, the instrument should clearly set appropriate standards for a disclosure requirement at the international level with a high level of harmonization to provide greater legal certainty, including establishing the appropriate floors and ceilings. The disclosure requirement should be drafted as a transparency measure. The trigger of and the content for disclosure should be clear,

reasonable and workable for applicants, and easily implementable by intellectual property Offices and meaningful in a patent context. Measures in case of non-compliance must be balanced and should consider practical implications for innovation. Those measures should in principle not provide a basis for revoking patents or otherwise interfering with the established patent rights on the basis of a failure to meet disclosure requirements. It was crucial to preserve the integrity of the patent system and innovators, particularly of small and medium-sized enterprises, should navigate national requirements without additional legal uncertainty or financial burden. The instrument should not affect and should not be interpreted as affecting in any way the rights and obligations of the parties under other international agreements relevant to this instrument, while the instrument should be consistent with other international agreements. The Delegation assured the President of the Diplomatic Conference of the active and constructive participation of all members of Group B in the Diplomatic Conference and wished success to all delegations in the two weeks ahead.

35. The Delegation of BRAZIL, speaking on behalf of GRULAC, stated that all delegations stood at a key moment in the evolution of the global intellectual property system. The Delegation was honoured to speak about a future of sustainability and reconciliation, where the rich tapestry of the collective heritage was recognized, respected, and responsibly shared. GRULAC advocated for the establishment of a legally binding treaty on intellectual property, genetic resources and associated traditional knowledge, as a commitment to safeguarding the wisdom passed down through generations as well as biodiversity, and as a beacon that would guide everyone towards mutual respect and equity, leaving to future generations not only a legacy of transparency, efficiency and quality, but also of respect and protection of genetic resources. Moreover, it was crucial that the treaty be flexible, allowing contracting parties to implement or enhance measures according to their regional and national needs. Member States that took the responsibility of protecting genetic resources and associated traditional knowledge should be able to retain the key elements of their legislative framework, that reflected such responsibility. GRULAC believed in the power of local action to achieve global goals, enabling each nation and region to contribute to a balanced and effective global intellectual property system. It also recognized the interaction of international frameworks dealing with biodiversity, human rights and trade. It emphasized the importance of the treaty being implemented in a manner that supported and reinforced the spirit and objectives of other relevant international agreements, ensuring that no goal undermined another. To enhance transparency and trust among all stakeholders, GRULAC called for establishing a mandatory disclosure requirement regarding the country of origin and/or the source of genetic resources and associated traditional knowledge. Such clarity would not only prevent misappropriation but also promote the legal certainty needed by the intellectual property system. Correspondingly, it was imperative that sound provisions and sanctions and remedies for non-compliance with such requirements should be included. Those measures could serve as the bedrock of a more legitimate, reliable and enforceable intellectual property system that benefitted both innovators and creators and holders of genetic resources and associated traditional knowledge, honouring the global shared values. GRULAC extended its congratulations to the President of the Diplomatic Conference on his election and wished him all the luck in a successful adoption of the treaty. It called upon all delegations not to lose sight of the broader picture, namely the promotion of the intellectual property system intertwined with the recognition of the UN Sustainable Development Goals as well as the rights of Indigenous Peoples' and local communities' rights, so that all efforts

contributed to a world where innovation thrived alongside cultural diversity and environmental stewardship, and to the intellectual property system as a truly horizontal enabler of prosperity. GRULAC, from which the historic demand had been born, was ready to move forward with the spirit of reconciliation, cooperation, dedication and vision. It assured that all delegations could count on GRULAC's proactive and constructive participation.

36. The Delegation of INDONESIA, speaking on behalf of the Like-Minded Countries (LMCs), extended its congratulations to the President of the Diplomatic Conference and the elected Officers to lead the historical conference. It expressed its utmost confidence that under the able leadership of the President, the long-awaited treaty on genetic resources and associated traditional knowledge might finally come to fruition. It thanked the Secretariat for the excellent preparations and arrangements, including the convening of consultations, meetings and information sessions in the lead up to the Diplomatic Conference. The LMCs had waited a long time for the convening of the Diplomatic Conference. Decades of discussions, hard work, and compromises had paved the way for the present deliberations. The LMCs had every intention to engage constructively towards the successful adoption of a treaty. As demanders of the treaty, the LMCs saw this gathering as a historic opportunity to address the imbalance of the intellectual property system in general and the patent system in particular. It looked forward to adopting a treaty which provided a policy framework of possible minimum standards, aiming to enhance transparency of the patent system and preventing misuse of genetic resources and traditional knowledge. It recognized the importance of acknowledging the rights of Indigenous Peoples and local communities in the proposed agreement. The LMCs reiterated that that could only be done through the establishment of a mandatory disclosure requirement, along with adequate sanctions and remedies in case of non-compliance. The LMCs believed that such instrument must also be implemented in a mutually supportive manner with other relevant international agreements. The LMCs were united in the belief that those elements must constitute the core of the proposed treaty on intellectual property, genetic resources and associated traditional knowledge. The LMCs called on all parties to exercise flexibility, good faith and political will, and seize the historic opportunity to work collaboratively and constructively towards a treaty that promoted transparency, compliance, and equitable use of genetic resources and associated traditional knowledge. The LMCs counted on the impartial leadership of the President of the Diplomatic Conference to lead all delegations towards the finish line. The LMCs assured the President of its full support and cooperation in rendering the Diplomatic Conference a success.

37. The Delegation of the European Union, speaking on behalf of the European Union and its Member States, congratulated the President of the Diplomatic Conference, the Vice-Presidents as well as the rest of the elected Officers on their election. The Delegation was confident that under the able guidance of the President, the Diplomatic Conference would reach a successful outcome. The Delegation thanked the Director General and the Secretariat for the work done in support of the preparation of the Diplomatic Conference since its convocation in 2022, and especially for the intense work over the last few months. The Delegation was aware of the importance of the event after more than 20 years of discussions. Throughout all those years, the European Union had always taken an active and constructive approach, notably by submitting in 2005 a proposal to the IGC. In that proposal, the European Union had outlined their support for a binding disclosure requirement applicable to all patent applications. Some of the features of that proposal

were reflected in the Basic Proposal. The European Union believed that the international legal instrument would establish an important transparency measure within the patent system, and considered that the instrument should introduce a balanced and effective approach in order to be sustainable and effective. The disclosure requirement being applied in a more uniform manner would create a level playing field for industry and the commercial management of patents. Nevertheless, legal certainty and consistency could only be achieved by establishing a clear trigger that was understandable to applicants and patent officers, as well as by respecting the established rights of a patent once granted. On that last point, sanctions should be balanced with the transparency nature of the instrument. The European Union was happy to see that delegations were approaching the final steps of the long journey with the start of the Diplomatic Conference. The European Union remained committed to engaging constructively in the negotiations during the two weeks. The President of the Diplomatic Conference could count on its active participation in the different bodies of the Diplomatic Conference to allow the Diplomatic Conference to be a success.

38. The representative of the TEBTEBBA FOUNDATION – INDIGENOUS PEOPLES' INTERNATIONAL CENTRE FOR POLICY RESEARCH AND EDUCATION (TEBTEBBA FOUNDATION), speaking on behalf of the Indigenous Caucus, reminded that since time immemorial, the planet's biological and genetic diversity had thrived under Indigenous Peoples' stewardship and within their sacred lands and waters. Indigenous Peoples had long known the importance of maintaining balance with the natural world and ensuring that future generations had access to genetic resources essential for their survival. The Indigenous Caucus carried the significant responsibility of advocacy for the 476 million Indigenous Peoples worldwide. The Diplomatic Conference was taking place because a significant amount of the world's wealth, both private and public, had been generated from their genetic resources and associated traditional knowledge, often to their detriment. At the start of the Diplomatic Conference, the Indigenous Peoples' right to full and effective participation must be insured, as the matters at hand impacted their peoples and their futures. The Diplomatic Conference was to strengthen protection for their genetic resources and associated traditional knowledge, and not to further strengthen an already strong patent system that had been a tool of dispossession. Indigenous Peoples needed positive protection. The time had come to adopt a binding treaty. Article 31 of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) provided that Indigenous Peoples had the right to maintain, control, protect and develop their genetic resources and traditional knowledge, adding that the UNDRIP also provided that States should take effective measures to recognize and protect the exercise of those rights in conjunction with Indigenous Peoples. Whenever Indigenous Peoples' genetic resources and associated traditional knowledge were impacted, their free, prior and informed consent would be essential in the implementation of the legal regime. The Indigenous Caucus was aware that there were competing interests in those negotiations and was grateful for those Member States who had made efforts to recognize and uphold the rights of Indigenous Peoples. The instrument should enshrine its implementation in conjunction with Indigenous Peoples, and provide that the Indigenous Peoples who were the origin or source of genetic resources and associated traditional knowledge must be disclosed. Those principles were fundamental to the legitimacy of the instrument. Without them, the instrument would not be fair or effective in protecting, respecting and promoting Indigenous Peoples' rights regarding genetic resources and traditional knowledge. The Indigenous Caucus acknowledged with gratitude that participation of Indigenous representatives at the

Diplomatic Conference had been enabled through funding from the WIPO core budget and looked forward to the continuation of that practice throughout the implementation and administration of the legally binding instrument that the Diplomatic Conference would adopt.

39. The Delegation of INDONESIA congratulated the President of the Diplomatic Conference and the other Officers. It expressed its full confidence in the President's ability to steer the Diplomatic Conference towards the finish line. It supported the statement made by the Delegation of the Islamic Republic of Iran, on behalf of the APG. It had long recognized the importance of safeguarding genetic resources and associated traditional knowledge. All Member States stood at the threshold of a new era in intellectual property rights. The proposed legal instruments were of paramount importance for many reasons: (1) a treaty represented a significant milestone in the collective efforts to ensure that the rights of all stakeholders, particularly those of Indigenous Peoples and local communities, as well as of countries rich in genetic resources, be recognized and protected; (2) a treaty should bring not only enhanced transparency and prevent erroneous granting of patents but also include the promotion of minimum standards for responsible use of genetic resources and associated traditional knowledge; and (3) WIPO and its intellectual property system could significantly contribute to those efforts by including the areas of related intellectual property that had not been covered by other international organizations. The Delegation believed that a mandatory disclosure requirement must be a cornerstone of the treaty to ensure transparency and accountability. Indonesia had taken significant strides to implement national disclosure requirements within its patent system to ensure that the origin of genetic resources and traditional knowledge were properly documented and respected. Through Law No. 13 of 2016 on Patents as well as the Decree No. 38 of 2018 adopted by the Minister for Law and Human Rights governing the requirements and procedures for submissions of patent applications, the Government of Indonesia ensured the protection of genetic resources and associated traditional knowledge as well as disclosure requirements within Indonesia's patent system. As all Member States were in the final phase of their endeavour, the Delegation urged them to engage in constructive deliberations and put their greatest efforts to bridge differences and achieve consensus for a balanced outcome.

40. The Delegation of KIRIBATI conveyed its gratitude to the Director General and to the Secretariat for the invitation and opportunity to participate in the important Diplomatic Conference to conclude an historical international legal instrument on intellectual property, genetic resources and associated traditional knowledge. The Delegation extended its congratulations and best wishes to the President of the Diplomatic Conference as well as to all elected Officers whose roles were pivotal in facilitating the collective endeavour towards a successful outcome. The Delegation recognized the crucial role that WIPO could play in contributing to international efforts to safeguard traditional knowledge and genetic resources from misappropriation while fostering innovation and sustainable development. Therefore, the Delegation acknowledged the numerous years of negotiations within the IGC that had led to the Diplomatic Conference. It appreciated the Basic Proposal that was before the Diplomatic Conference, which included key elements. Yet, the Delegation emphasized that the Diplomatic Conference must also confront the challenges faced by small developing countries in the Pacific such as Kiribati in effectively protecting and utilizing genetic resources and associated traditional knowledge. There was no law or legal mechanism for the protection of genetic resources and traditional knowledge in Kiribati. As part of the Kiribati's long-term development plan for 20 years, known as KV20, the Ministry of Tourism,

Commerce, Industry and Cooperatives had worked together with WIPO on the formulation and development of legislative stages in the reform of its outdated patent law. The new Patent Act of 2022 of Kiribati had been framed to factor in the latest development at international level. Technical assistance and cooperation were essential pillars to bridge the capacity gaps and would enable Kiribati to fully implement the instrument that would emerge from the Diplomatic Conference. The Delegation urged all delegations to consider the inclusion of an appropriate provision in that regard. It aligned its position with the statement made by the Delegation of the Islamic Republic of Iran on behalf of the APG, which was also featured in the Pacific Islands Group's statement. The Delegation reaffirmed its commitment to the negotiations and stood ready to contribute constructively towards finalizing an instrument that reflected the collective aspiration for a substantive outcome.

41. La Delegación de COLOMBIA recordó que Colombia propuso a la OMPI hacía 25 años debatir sobre los recursos genéticos y los conocimientos tradicionales. Ese interés era aún mayor hoy en día por el compromiso de su gobierno con los derechos de las poblaciones vulnerables, incluidos especialmente los Pueblos Indígenas y afrodescendientes. La conferencia era fruto del esfuerzo y compromiso de los países allí reunidos. Se han encontrado diferencias significativas en ese proceso, pero tenía plena confianza en que se podría adoptar un instrumento internacional efectivo y complementario a las normativas nacionales de los estados. El valor que los recursos genéticos y los conocimientos tradicionales poseían para el desarrollo humano era incalculable. Su gobierno reconocía su potencial para lograr nuevas soluciones sostenibles para las múltiples crisis globales que afectaban actualmente a la humanidad. Señaló que la Comunidad Andina y Colombia, como miembro de ella, habían adoptado en las últimas décadas decisiones que les habían permitido construir un sistema robusto de propiedad industrial y recursos genéticos. Puso al servicio de la conferencia su experiencia en esa materia para fortalecer los resultados de las negociaciones que se estaban por abordar. Resaltó que el instrumento internacional resultante de esas negociaciones sería fundamental para garantizar el buen aprovechamiento de la propiedad intelectual, promover un desarrollo tecnológico y científico al servicio de todas y todos, sin excepción, y garantizar los derechos que tenían los Pueblos Indígenas y afrodescendientes sobre sus conocimientos, innovaciones y prácticas tradicionales. Deseó los mejores éxitos al Presidente en sus gestiones al frente de la Conferencia. Señaló que confiaba en sus excelentes cualidades para llevar la Conferencia a buen puerto al finalizar las sesiones de trabajo. Ofreció el apoyo, la experiencia y la buena voluntad de la Delegación de Colombia para adoptar un instrumento internacional capaz de alcanzar el mayor consenso y la acogida de los participantes.

42. La Delegación de NICARAGUA lamentó la politización del trabajo técnico de la conferencia diplomática, la cual perseguía el beneficio de los pueblos originarios. Destacó que el ruso era uno de los idiomas oficiales de Naciones Unidas. Debido al trabajo técnico de ese comité, Nicaragua respaldó la nominación de Rusia y Bielorrusia al Comité de redacción.

43. The Delegation of KUWAIT expressed its support for the statement made by the Delegation of the Islamic Republic of Iran, on behalf of the APG. It thanked the Director General and the Secretariat for their efforts in organizing the Diplomatic Conference. The instrument would be a further addition to the WIPO treaties and would bolster intellectual

property. The Delegation conveyed its wishes of best success to the President of the Diplomatic Conference and to the Officers. The Diplomatic Conference came after years of discussions and negotiations, and it had been proposed by Colombia in 1999. The Delegation hoped that all delegations would be able to negotiate a final version of the document to protect genetic resources and associated traditional knowledge. The treaty could be an important step towards enhancing measures protecting intellectual property and furthering its association with existing international agreements which framed access to genetic resources and traditional knowledge. The treaty would contribute to the protection of genetic resources and traditional knowledge for all Member States, be beneficial to patents and those who used them, and help recognize the role of intellectual property in creativity, the transfer of knowledge and support in economic development. Due to the importance that the Delegation attached to the matter and its determination to support legislation, it had supported the proposal to convene a diplomatic conference to conclude a treaty regarding genetic resources and traditional knowledge. It hoped that the Diplomatic Conference, which was the culminating step in the process, would lead to the adoption of a treaty that enabled the intellectual property system to work effectively to protect genetic resources and traditional knowledge.

44. La Delegación de PERU señaló que los participantes en la Conferencia se encontraban en un momento histórico y que tenían delante suyo la oportunidad de que la OMPI contribuyera, a través de las normas de propiedad intelectual, a la protección de la riqueza biológica y de los saberes ancestrales de sus Pueblos Indígenas y comunidades locales, sumándose a los esfuerzos globales de lucha contra la pérdida de la biodiversidad y a la justa inclusión en los beneficios económicos de dichos grupos. Ello permitiría recuperar las esperanzas en el multilateralismo en un momento en que venía siendo cuestionado. El Perú, como país megadiverso y multicultural, había asumido desde muy temprano, junto con los demás países andinos, la responsabilidad de velar por la protección de sus recursos genéticos y conocimientos tradicionales asociados. Para ello, había establecido marcos legislativos robustos para su salvaguardia y les había otorgado el carácter de supranacional en el marco de la Comunidad Andina. Esos marcos legislativos no solo protegían sus recursos genéticos y conocimientos tradicionales, sino que también garantizaban la equidad y el acceso justo a sus beneficios para sus comunidades. Para el Perú era crucial que el instrumento que resulte de la Conferencia respetase y preservase esos esfuerzos que se iniciaron hacía 28 años, y que reflejaban la importancia y centralidad que le asignaba a ese tema. Durante muchos años habían sido testigos de la apropiación indebida de su biodiversidad. Frente a esa realidad, el 2004 el Perú había creado una Comisión Nacional contra la Biopiratería, pionera en su tipo, la cual había permitido identificar varias centenas de casos de apropiación indebida. Su país abordaba las negociaciones con un alto sentido de responsabilidad basado en el peso de más de 20 años de negociación, en su riqueza biológica y en la necesidad de saldar deudas históricas con sus Pueblos Indígenas y comunidades locales. Exhortó a todos a proceder de buena fe para adoptar un texto apropiado que constituyese un paso significativo para alcanzar un sistema de propiedad intelectual más transparente, más justo, más equitativo, más inclusivo y más responsable.

45. La Delegación de PARAGUAY, como país demandante de un instrumento jurídico internacional relativo a la propiedad intelectual, los recursos genéticos y los conocimientos tradicionales asociados a los recursos genéticos, se congratuló ante el momento histórico en el cual se encontraban, luego de un largo recorrido que se había iniciado en 1999 con

la presentación de la primera propuesta relacionada al tema por parte de un país hermano y amigo de su región. Destacó los esfuerzos realizados por los países miembros y la Secretaría a lo largo de todo ese recorrido, así como el acompañamiento, la guía y luz que había recibido durante todo ese tiempo por parte de sus Pueblos Indígenas y comunidades locales. Saludó la creación del grupo de amigos del Presidente para asesorarlo en la conferencia diplomática. El instrumento no apuntaba a crear nuevos derechos, sino a reconocer los derechos ancestrales de los Pueblos Indígenas y comunidades locales, lo cual era una cuestión de honor. La República de Paraguay reiteró su compromiso y su firme voluntad en trabajar durante esos 15 días, así como lo había venido trabajando durante todos esos años para lograr alcanzar un acuerdo equilibrado, balanceado, siempre sobre la base del consenso, que era la mejor manera de mostrar al mundo que los miembros de la organización estaban listos a cumplir con el mandato recibido en el 2022.

46. La Delegación de URUGUAY señaló que asistía al presente desafío histórico con el compromiso de lograr un resultado positivo en la Conferencia Diplomática, la cual constituía la culminación de un largo recorrido que, desde el punto de vista de la negociación internacional, se inició en la Cumbre de Rio de Janeiro de 1992, así como de demostrar que la diplomacia multilateral seguía siendo un instrumento útil para llegar a consensos que impulsasen la cooperación internacional. Reconoció los valiosos antecedentes que habían tenido lugar tanto en el seno de la OMPI, fundamentalmente a través de las deliberaciones del Comité Intergubernamental de Propiedad Intelectual y Recursos Genéticos, Conocimientos Tradicionales y Folclore, como a través de la negociación de distintos instrumentos como las directrices de Bonn y el Protocolo de Nagoya, que en conjunto habían permitido culminar con un texto de posible Tratado, oportunamente circulado por la Secretaria de OMPI, que sin duda iba a facilitar las discusiones. Destacó que esperaba superar los importantes desafíos técnicos que se enfrentaban para contemplar un largo anhelo de las distintas comunidades originarias existentes en la mayoría de los estados que formaban parte de la Conferencia, los cuales con justicia entendían que el sistema de la propiedad intelectual debía contemplar la protección positiva de los recursos genéticos, los conocimientos y las expresiones culturales tradicionales, como forma de superar una situación desigual que generaba perjuicios fundamentalmente a aquellos estados que eran los mayores detentores de los mismos. La experiencia ha demostrado que la aceptación de las distintas fórmulas técnicas que se vayan a discutir con la finalidad de poder llegar a un texto equilibrado que contemple los distintos intereses existentes y que por lo tanto permita una rápida e importante ratificación del Tratado que se pueda aprobar, solamente sería posible a través de la existencia de una voluntad política que lo permita. Estaba dispuesta a trabajar en forma incansable hacia dicho objetivo, que serviría como prueba fehaciente de que el sistema multilateral, a pesar de algunos contratiempos, continuaba siendo una herramienta imprescindible para la comunidad internacional, que ayudaría a preservar el patrimonio biológico de la humanidad permitiendo mayores y equilibrados avances de la industria farmacéutica, alimentaria e incluso cosmética.

47. La Délégation de la FRANCE, s'exprimant au nom de son pays, a félicité le Président de la Conférence pour son élection, l'a assuré de sa confiance et a remercié le Directeur général de l'OMPI ainsi que le Secrétariat. La Délégation a affirmé qu'elle souscrivait pleinement et naturellement aux déclarations déjà prononcées par la Délégation du Royaume des Pays-Bas au nom du Groupe B et par la Délégation de l'Union Européenne au nom de l'Union Européenne et de ses États membres et a souhaité le plein

succès de la Conférence diplomatique. La Délégation a ajouté qu'il était grand temps, après plus de vingt ans de discussions, d'adopter un instrument acceptable par tous dans le domaine des brevets sur la divulgation de l'origine des ressources génétiques et des savoirs traditionnels associés. La Délégation a souligné que pour y parvenir chaque pays et chaque groupe régional devaient faire un pas dans la direction de l'autre, ajoutant qu'il y avait peu de valeur à adopter un instrument s'il ne contribuait pas à faire converger les normes. La Délégation a invité chacun à modérer par conséquent ses exigences et à accepter des compromis, soulignant qu'un succès contribuera à renforcer la confiance dans le système des brevets dans l'intérêt de tous. La Délégation a rappelé que les innovations dans le domaine des biotechnologies étaient cruciales pour atteindre les objectifs de développement durable et améliorer la sécurité alimentaire, la santé et le bien-être et qu'un succès contribuerait aussi à la protection des ressources génétiques et des savoirs traditionnels, lesquels constituent un réservoir inestimable de connaissances pour les générations futures. La Délégation a indiqué que la France, qui héberge une grande variété d'écosystèmes sur son territoire - forêt amazoniennes, récifs coralliens - était un pays modèle pour la mise en œuvre du protocole de Nagoya et qu'à ce titre elle protégeait les savoirs traditionnels de ses populations d'Outre-mer dans la grande diversité de leurs statuts, en Guyane, à Wallis et Futuna, en Nouvelle-Calédonie et en Polynésie française. La Délégation a indiqué que la France soutenait pleinement la Déclaration des Nations Unies sur les droits des Peuples autochtones et agissait en leur faveur, comme l'a rappelé le Président de la République française Emmanuel Macron, lors de sa visite au Brésil en avril 2024. La Délégation a souligné qu'elle serait donc une force de proposition pour parvenir au consensus lors de la Conférence diplomatique, invitant chacun à y travailler.

48. La Delegación de MEXICO señaló que asistía a la Conferencia Diplomática convencida de la gran relevancia que tenía la adopción de un tratado que, de la mano de la propiedad intelectual, proteja los recursos genéticos y los conocimientos tradicionales de los Pueblos Indígenas asociados a los recursos genéticos. El tratado que se adopte debía tener en cuenta, cuando menos, los siguientes elementos principales: Establecer como uno de los objetivos la protección de los recursos genéticos y los conocimientos tradicionales de los Pueblos Indígenas asociados a los recursos genéticos; los derechos de los Pueblos Indígenas debían ser reconocidos por su vínculo con los conocimientos tradicionales asociados a los recursos genéticos de los que fueran titulares, por lo que se debía obtener su consentimiento libre, previo e informado; incluir la referencia al acceso y la participación justa y equitativa de los beneficios; prever un requisito de divulgación claro y detallado que evite interpretaciones e incluya el país de origen y la fuente de los recursos genéticos y de los conocimientos tradicionales; tener un firme esquema de sanciones que garantice la observancia y el cumplimiento y dé espacio político a las partes contratantes; reconocer la interrelación con otros instrumentos internacionales como la Declaración de la ONU sobre los derechos de los Pueblos Indígenas, el Protocolo de Nagoya y la Convención sobre Diversidad Biológica; disponer que el tratado sea un piso mínimo y no un techo que limite el ejercicio de la soberanía de cada parte contratante. Reafirmó su compromiso con el anhelo de acordar un tratado que confirme la convicción de hacer de la propiedad intelectual una herramienta que cumpla con el objetivo de beneficiar a todas las personas. Ofreció su apoyo para participar en la construcción de consensos que satisfagan a todos.

49. The Delegation of the PHILIPPINES congratulated the newly elected President of the Diplomatic Conference and Officers of the different Committees of the much-anticipated

Diplomatic Conference on genetic resources and associated traditional knowledge. The Delegation reassured its participation, as it trusted in the inspired leadership of the President of the Diplomatic Conference. The Delegation thanked the coordinators of the past and present APG, who had swiftly carried the members of the Group through regional discussions. It recalled that the members of the APG had exercised flexibility and understanding, given their differences. The Delegation thanked the Director General and the Secretariat for the excellent arrangements of the Diplomatic Conference. The Delegation had always believed in the IGC process, as it had been rooted in a transparent and sound multilateral platform to address the imbalances in the intellectual property system, and in particular the patent system, through the introduction of measures to prevent erroneous granting of patents and ensure the efficiency of the patent system, yet mindful not to unduly burden the applicants and patent offices. The Delegation aligned itself with the statement made by the Delegation of the Islamic Republic of Iran, on behalf of the APG. A mandatory patent disclosure requirement was critical in the pursuit of a common objective against misappropriation of genetic resources and associated traditional knowledge. The Delegation was supportive of the current formulation of Article 3 as drafted, subject to refining the language regarding the trigger to cover the appropriate circumstances, subject matter of protection, yet supportive to research and development. The Delegation believed in the promotion of inclusivity in the instrument, through the recognition of the rights of Indigenous Peoples and local communities over their genetic resources and associated traditional knowledge, considered to be national cultural treasures by many countries. The Delegation also believed that the parties to the treaty should be given sufficient policy space, based on national circumstances, in their domestic legislation to implement treaty provisions. In that context, it wished to advocate for a balanced approach in promoting the aims of the treaty and pursuing the ends of diversity in the treaty. The draft treaty represented the national and cultural aspirations of many delegations to seek recognition and address grievances. The Delegation hoped that the treaty could exceed expectations, noting that the treaty would be a testimony of the collaborative spirit empowering the marginalized sectors beyond national borders, while upholding a balanced intellectual property system.

50. The Delegation of AUSTRALIA acknowledged and welcomed the Indigenous Caucus and Indigenous Peoples from across the world. It commended the work of many Aboriginal and Torres Strait Islander Australians and other members of the Caucus over many years, whose efforts had helped the participants to arrive at the present stage of a diplomatic conference. The objectives of the instrument that all delegations were seeking to conclude at the Diplomatic Conference were simple, namely, to enhance the transparency and quality of patent systems and to reduce the risk of patents being granted that were not novel. The instrument would achieve those objectives by mandating disclosure when First Nations peoples' genetic resources and associated traditional knowledge formed a significant component of a patent application. Recognizing traditional knowledge and genetic resources in that way would be meaningful for First Nations peoples everywhere and would represent a step forward towards a more inclusive intellectual property system. That recognition was long overdue. Indigenous Peoples had been innovating for millennia but their contributions had been largely unacknowledged in international rules. By creating greater transparency within the patent system, the Diplomatic Conference could move towards addressing the lack of recognition and respect for that contribution. Recognition of genetic resources and associated traditional knowledge was a priority for Aboriginal and Torres Strait Islander people of Australia and their interest

had underpinned the priority the Australian Government attached to achieving the First Nations foreign policy objective. A new instrument would not just be a landmark outcome for Indigenous Peoples and the intellectual property system. The new instrument would also support the development of domestic disclosure frameworks to improve the overall quality of intellectual property systems, and in doing so, would foster inclusivity, connectivity and collaboration across the world. To achieve that objective, the Delegation called upon all delegations to come to the negotiating table with an open mind and willingness to make compromises – the approach the Delegation itself would take.

51. La Délégation du BURKINA FASO, s'exprimant au nom de son pays, a félicité le Président de la Conférence pour son élection et lui a exprimé tout le soutien dans le cadre de son mandat. La Délégation s'est dite convaincue que sous son magistère la Conférence diplomatique serait couronnée de succès au terme de ses discussions. Tout particulièrement, la Délégation a relevé avec satisfaction les efforts remarquables déployés par l'IGC qui a élaboré de manière inclusive et transparente la Proposition de Base ainsi que les documents connexes. La Délégation a salué enfin le Comité préparatoire de la Conférence diplomatique pour l'excellente organisation de ses assises. La Délégation a souligné que le Burkina Faso, riche de sa biodiversité et de ses traditions ancestrales, accordait une grande importance à la préservation de ce patrimoine naturel et culturel inestimable détenu par les Peuples autochtones et les communautés locales. La Délégation a fait observer que ces précieuses ressources avaient très souvent fait l'objet d'une exploitation inéquitable sans justes retombées pour leur dépositaire légitime, ajoutant qu'une telle situation était regrettable et avait pu éroder la confiance envers le système de propriété intellectuelle. La Délégation s'est félicitée par conséquent de la tenue de Conférence diplomatique visant à établir un cadre juridique international promouvant la transparence, contribuant à la prévention des appropriations illicites et introduisant des obligations de divulgation claire sur l'origine des ressources génériques et savoirs traditionnels utilisées dans les demandes des brevets. La Délégation a estimé qu'un tel instrument ancré dans le respect des droits des Peuples autochtones et des communautés locales renforcerait la crédibilité du système des brevets et permettrait d'en partager équitablement les avantages pour tous. La Délégation s'est engagée pour sa part à œuvrer aux côtés des autres délégations pour un aboutissement heureux de la Conférence diplomatique, afin de renforcer la protection des ressources génétiques et des savoirs traditionnels associés, dans un esprit de complémentarité avec les autres accords pertinents. Pour conclure, la Délégation s'est associée à l'intervention prononcée par la Délégation du Kenya au nom du Groupe africain.

52. La Delegación de COSTA RICA se alineó con la declaración hecha por la Delegación de Brasil a nombre del GRULAC. Señaló que se complacía en participar del presente momento histórico en el que luego de dos décadas se había llegado al trayecto final de negociaciones en la Conferencia Diplomática sobre Propiedad Intelectual, Recursos Genéticos y Conocimientos Tradicionales Asociados, la cual se erigía como un espacio de diálogo crucial para el futuro sostenible de las culturas, la biodiversidad y la economía global. Indicó que apoyaba la creación de un instrumento que busque aportar eficacia, transparencia y calidad al sistema de patentes y salvaguardar que la propiedad intelectual se maneje de manera tal que haya una participación justa y equitativa de los beneficios que se deriven para todas las personas involucradas. Consideraba indispensable que ese posible instrumento reconozca y proteja los derechos de los Pueblos Indígenas y las comunidades locales, que eran una fuente invaluable de sabiduría

y práctica en campos tan variados como la medicina, la agricultura, y la ecología, entre otros. Ese instrumento no debía invalidar los procedimientos nacionales en materia legal relacionados con los temas de propiedad intelectual y protección de los conocimientos tradicionales de los Pueblos Indígenas y comunidades locales sobre recursos genéticos y sus derivados de la biodiversidad tanto silvestre como domesticada. Abogó para que ese punto sea reflejado de manera explícita en el instrumento. Ofreció participar de forma activa y colaborativa durante la Conferencia, confiando en que, luego de dos semanas de negociación, se obtenga un resultado satisfactorio que sea alcanzado por consenso.

53. The Delegation of TUNISIA congratulated the President of the Diplomatic Conference for his election, and expressed its full trust in his able leadership. The Delegation recalled that Tunisia had a great civilization and a wealth of biological diversity, and it made great effort to protect that diversity and that heritage. Its traditional knowledge went back many generations, and diversity was a great wealth for the Tunisian people and part of its identity. The Diplomatic Conference addressed resources that contributed to the socio-economic development of the country, and to food. In order to deal with the challenges posed by climate change, countries, including Tunisia, must be better at protecting traditional knowledge in order to protect the biodiversity and preserve genetic resources. The Diplomatic Conference constituted the crowning of a 20-year long process and itself was a success for multilateralism. All delegations had a duty and a common responsibility to make every effort to agree upon an international legal instrument regulating the protection of genetic resources and associated traditional knowledge and improving the global patent system by including greater transparency and a disclosure requirement of the source of those resources, which provided full information and equitable benefit sharing. The Delegation concluded by stressing its full and continued support to the Palestinian people facing genocide in its land and the destruction of its traditional knowledge and biological diversity.

54. The Delegation of IRAQ extended its warm congratulations to the President of the Diplomatic Conference on his well-deserved election to preside over the work of the Diplomatic Conference. It trusted that his experience would help the participants to reach a successful outcome. The Delegation fully supported the UNDRIP, including the rights of Indigenous Peoples to protect their interests, intellectual property and ancestral cultural heritage. The Delegation recalled that all delegations had worked tirelessly over the long negotiations to provide better protection for genetic resources and associated traditional knowledge. A successful Diplomatic Conference would have a positive outcome and influence on the intellectual property system as a whole. Iraq had a wealth of traditional knowledge and cultures because of its geographic location. The Iraqi people were extremely diverse and had a 7000-year-old culture and civilization. The present work on traditional knowledge, which was under threat with extinction because of misappropriation and misuse of biological diversity, was vital. It was therefore incumbent on Member States to take every necessary measure to protect genetic resources and associated traditional knowledge. Those resources were the very basis of life on the planet. The Delegation drew the attention of the Diplomatic Conference to the importance of the disclosure requirement in the intellectual property system that would protect biodiversity and creativity, strengthen the system, and ensure that genetic resources and associated traditional knowledge could continue to play a key role in technological development through the patent system. The Delegation underscored the importance of disclosure in ensuring better effectiveness of the system and guaranteeing a fairer use of genetic resources and associated traditional

knowledge for holders and users. The Delegation invited all delegations to play a constructive and effective role in the process in order to find solutions to those vital issues that still needed to be resolved. The Delegation thanked the WIPO Traditional Knowledge Division for all the technical support that had been provided to Member States and was grateful for WIPO's efforts. The Delegation acknowledged that WIPO had been making every effort possible to ensure that Member States had a balanced intellectual property system encouraging creativity and innovation to build up a better and more sustainable future for all. It wished every success to the President of the Conference and expressed its hope that the outcome would meet the high expectations.

55. The Delegation of SOUTH AFRICA aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group. It congratulated the President of the Diplomatic Conference and the Officers and wished them all the success. It expressed its gratitude to the Director General and the Secretariat for the excellent arrangements in hosting that historic, once-in-a-generation Diplomatic Conference, which aimed to conclude an international legally binding instrument related to intellectual property, genetic resources and traditional knowledge associated with genetic resources. The Delegation believed that the moment had arrived for a transformative developmental intellectual property system which was fair and equitable, which required balancing a complex set of imperatives such as protecting biodiversity, responding to concerns by Indigenous communities of exploitation and misappropriation, while ensuring the benefits derived from such resources were shared equitably. Like many African countries and those of the Global South, South Africa was in a phase of development and its prospect for improved competitiveness and economic growth hinged entirely on science, innovation, technology and traditional knowledge where the benefits for creativity and innovation had to be shared fairly. The outcome text would need to specify the substantive and procedural triggers for making required disclosure, the types and timings of evaluations of disclosed information, the mandatory or facultative consequences of various types of disclosure failures. The Delegation insisted on mandatory disclosure of origin and of compliance with access and benefit sharing provisions in intellectual property applications as a way of providing legal certainty and creating a level playing field for innovators. That also implied supporting an international certificate of origin and compliance with a tracking feature that was updated as research and commercialization progressed, as well as a system of check points. The Delegation said that anything less than this would render the instrument meaningless. The Delegation underscored the significance of the Chair's Text as the only route to guide and bring parties together on the substantive articles of the Basic Proposal. It called for a balanced and equitable global intellectual property system that accommodated the interests of Member States and served as a catalyst for socio-economic growth and development, in line with the Development Agenda of WIPO and the UN Sustainable Development Goals. Progress in finalizing the legally binding instrument would strengthen WIPO's credentials as a truly transparent and equitable forum for the attainment of legitimate aspirations of both the developed and developing countries for a better world for all. The Delegation believed that the philosophy of Ubuntu should be the guiding principle to ensure inclusion and empowerment, thus ending marginalization, when the Diplomatic Conference eventually adopted a once-in-a-generation international legally binding instrument to protect intellectual property, genetic resources and associated traditional knowledge. Consistent with its international obligations, the Delegation committed itself to engaging in a constructive dialogue and invited other delegations to do the same to ensure a meaningful and fruitful outcome in the form of a legally binding instrument.

56. The Delegation of ALGERIA congratulated the President of the Diplomatic Conference and all the Officers. It thanked the Director General and the Secretariat for the very able preparation of the Diplomatic Conference and facilitating the efforts of all delegations. It expressed its support for the statements made by the Delegation of Kenya, on behalf of the African Group, and the Delegation of Indonesia, on behalf of the LMCs. The Diplomatic Conference came as a result of strenuous and hard efforts undertaken by the Member States in order to establish a more flexible and comprehensive intellectual property system, which was liable to contribute to protecting innovation and invention and that relied directly or indirectly on genetic resources and associated traditional knowledge. The negotiated international instrument had to enshrine an obligation for the patent applicants to disclose the origin of genetic resources and traditional knowledge, while supporting such obligation with the appropriate deterring mechanisms that would guarantee its enforcement. The instrument had to stipulate the complementarity of the forthcoming instrument with the other international conventions with regards to fair utilization and benefit sharing. The Delegation reaffirmed the advantages of the adoption of such an instrument to protect intellectual property, genetic resources and associated traditional knowledge, especially through the coordination of the different national systems, promotion of sustainable development of local communities and economies, and provision of legal certainty for enterprises, as well as promotion of equality, efficiency and transparency in the patent system. During the preparatory period of the Diplomatic Conference, Algeria had been honoured in June 2023 to host a regional preparatory meeting for the African countries that had allowed them to coordinate the African position with regards to the negotiations around the international instrument and to facilitate the achievement of a common understanding and consensus around it. The Delegation looked forward to participating constructively in an open spirit to make the Diplomatic Conference a success. The Delegation trusted that a success would form a new building block in the path towards promoting multilateralism and developing a more balanced and fair intellectual property system. Before concluding, the Delegation drew the Diplomatic Conference's kind attention to the Palestinian people's plight of illegitimate looting of their wealth and their tangible and intangible heritage as a result of the illegitimate practices of the Israeli occupation of Palestine.

57. The Delegation of INDIA congratulated the President of the Diplomatic Conference and the Officers on their election to lead the historic Diplomatic Conference. The Delegation expressed its gratitude to the Director General and the Secretariat for their diligent preparations and arrangements leading up to the Diplomatic Conference. After over two decades of negotiations, the Diplomatic Conference served as a pivotal moment in the collective efforts of the Member States towards concluding an international legal instrument for the protection, preservation and rightful utilization of their shared heritage and resources within the intellectual property system. To achieve collective growth and deliver the promise of a sustainable future, it was imperative that Member States came together to address the challenges and opportunities presented by the intersection of intellectual property rights, biodiversity protection and traditional knowledge. The Delegation reaffirmed its unwavering support for the ongoing efforts and was committed to playing a constructive and proactive role in those deliberations. As a nation steeped in rich cultural heritage, biodiversity and traditional wisdom, India carried a profound responsibility to advocate for the preservation, protection and rightful utilization of those invaluable assets while recognizing the value of innovation and research and its translation for public good.

In alignment with its commitment to constructive engagement, the Delegation had submitted proposals and textual modifications to the draft international legal instrument, indicating that those suggestions aimed to enhance clarity, purpose and effectiveness while acknowledging the diverse perspectives of Member States and stakeholders, and especially issues that were of priority to the countries of the Global South. The Delegation emphasized the need for the establishment of a clear disclosure obligation for patent applications concerning genetic resources and associated traditional knowledge, with the supporting and enabling framework of sanctions and remedies to ensure meaningful compliance. The Delegation urged all delegations to approach the discussions with the spirit of collaboration and mutual respect, emphasizing that only through open dialogue and shared understanding, delegations could develop optimal solutions that were inclusive and effective. The Delegation reaffirmed its commitment to work together with all delegations to seize that historic opportunity.

58. The Delegation of the UNITED ARAB EMIRATES stated that the Diplomatic Conference represented a new and important platform to enshrine the protection of intellectual property rights and their application through the adoption of an international legally binding instrument related to intellectual property, genetic resources and traditional knowledge associated with genetic resources to protect and upgrade the patent system and make it more efficient and transparent through the protection of patents that were based on such elements. The Delegation thanked the Director General for hosting the leading landmark event, the Secretariat, as well as the IGC for all their efforts undertaken to raise awareness with regards to genetic resources and their associated traditional knowledge and to achieve the final stage of negotiations. The Delegation congratulated the President of the Diplomatic Conference for his election, as well as all Officers. It reassured the President of its entire availability and cooperation to make the Diplomatic Conference a success. The United Arab Emirates, thanks to the decisions taken by its leadership, had enshrined intellectual property and its role in the country, especially through the protection of innovation and invention. It had come up with a new and overarching legislation that was flexible, effective and fast-paced, and that could protect the latest technological innovations and protect industrial designs and property in all their forms, including patents and industrial designs. That new legislation aimed at fostering the enterprises' efforts in promoting and protecting innovation according to best practices, contributing to the promotion of the further sharing of knowledge and innovation, supporting research, technology and entrepreneurship, and attracting innovators and talents in the most strategic fields of the new economy sectors. The Delegation looked forward to fruitful discussions during the Diplomatic Conference, to achieving the aspired for positive outcome and working on the promotion of all the efforts and synergies of the Member States to achieve the better protection of intellectual property.

59. The Delegation of QATAR supported the statement made by the Delegation of the Islamic Republic of Iran, on behalf of the APG. It expressed its appreciation to the President of the Diplomatic Conference, all elected Officers as well as the Director General and the Secretariat for their efforts leading up to the Diplomatic Conference. The Delegation upheld the importance of the negotiations which had been taking place for a very lengthy period. The success of the Diplomatic Conference would enshrine the importance of the international intellectual property system and its role in protecting the rights holders in a fair and balanced manner. In that regard, the Delegation saw the Basic Proposal as highly balanced, taking into account all the different interests of the negotiating

parties, and aiming to cover all the grounds and loopholes to make the Diplomatic Conference a success. The Delegation reaffirmed the importance of the disclosure provision for patent applications based on genetic resources and associated traditional knowledge. The Delegation agreed that the disclosure provision had to be practical and did not involve high costs. Balancing the interests of the service providers and the applicants was necessary to achieve the best possible outcomes for all parties and to provide for legal certainty to the intellectual property protection, given the role undertaken by intellectual property to uphold innovation and stimulate invention. On the other hand, implementation was of high importance in achieving the development aspirations of countries and especially the communities where such knowledge and resources were originated. The Delegation would cooperate and participate constructively in the Diplomatic Conference.

60. La Delegación de ARGENTINA expresó su satisfacción por estar presente para la conclusión de un instrumento jurídico sobre propiedad intelectual, recursos genéticos y conocimientos tradicionales asociados, esperando, al finalizar la Conferencia, tener un documento que refleje las expectativas de las Partes. Luego de más de dos décadas de negociaciones, se había llegado a esa instancia porque los miembros habían reconocido la importancia de promover la transparencia en el sistema de patentes y prevenir la apropiación indebida de los recursos genéticos y los conocimientos tradicionales asociados a éstos. Esa oportunidad representaba un paso significativo hacia un sistema de propiedad intelectual balanceado y en pos de un marco legal internacional más equitativo y transparente. La delegación reafirmó la soberanía de los estados sobre sus recursos naturales, incluidos los recursos genéticos, en línea con la resolución 1.803 de la Asamblea General de las Naciones Unidas. Entendía que la distribución de beneficios monetarios y no monetarios, y el desembolso de fondos, debían dar prioridad a los países en desarrollo, ya que eran los principales proveedores de recursos genéticos, incluida la información digital sobre secuencias de recursos genéticos (DSI). El instrumento producto de la Conferencia debía ser lo suficientemente flexible como para permitir que sea implementado y adaptado conforme a la legislación y prioridades nacionales y regionales. Argentina era un activo participante en otras instancias que involucraban el uso de recursos genéticos, incluyendo el Consejo de los ADPIC en la OMC, las negociaciones en curso en el marco de la OMS sobre el Tratado sobre la Prevención y Preparación para Futuras Pandemias, el Convenio sobre Diversidad Biológica y el TIRFA, y esperaba que el documento resultante de la Conferencia fuese un exponente de los esfuerzos de los Miembros para defender y proteger los recursos genéticos y los conocimientos tradicionales asociados y la diversidad de fuentes que los originaban. Confiaba en la buena voluntad de todos los Miembros para lograr resultados acordes con lo expresado y para que al finalizar la conferencia se tenga un documento que refleje sus expectativas.

61. The Delegation of MALAYSIA extended its congratulations to the President of the Diplomatic Conference and the other elected Officers for their leadership of the historic Diplomatic Conference. It was confident that under his leadership and guidance, the President would steer the Diplomatic Conference towards success. The Delegation thanked the Director General and the Secretariat for the excellent preparations and arrangements leading up to the Diplomatic Conference. The Delegation associated itself with the statements delivered by the Delegation of the Islamic Republic of Iran, on behalf of the APG, and the Delegation of Indonesia, on behalf of the LMCs. After years of negotiations, hard work and compromises, the Diplomatic Conference presented an important opportunity to secure vital protection for genetic resources and traditional

knowledge associated with genetic resources. The instrument would not only enhance the quality and efficacy of the patent system, but also help redress cases of misappropriation of resources and prevent related patents from being granted erroneously. In that context, the Delegation was supportive of the introduction of a disclosure requirement and relevant compliance measures in the instrument, which would significantly contribute to greater transparency concerning the use of resources and protect them more effectively. As delegations were embarking on negotiations, it was imperative for all Member States to work based on mutual respect with the aim of resolving differences to reach a mutually acceptable outcome for all parties. It was important for all Member States to exercise their utmost flexibility and demonstrate a strong political will. Such political will would be key in rendering the Diplomatic Conference a success. The Delegation looked forward to engaging actively and constructively in the deliberations and negotiations towards a successful conclusion of the Diplomatic Conference.

62. The Delegation of BRAZIL congratulated the President of the Diplomatic Conference on his election. It thanked the Director General and the Secretariat for their tremendous effort to make the Diplomatic Conference happen. It expressed its support for the statement made by the Delegation of Brazil, on behalf of GRULAC. Like the other GRULAC countries, the Delegation was strongly committed to a successful Diplomatic Conference and had advocated it for over two decades. The treaty which the Diplomatic Conference was negotiating should include a mandatory disclosure requirement, should support other international agreements and should deal with non-compliance effectively. The Delegation could not overstress how the two weeks ahead presented a real chance to make history for the intellectual property system, incorporating ancestral knowledge and genetic resources to the benefit of innovation, biodiversity conservation and respect for human rights. A mandatory disclosure requirement would contribute to enhancing the effectiveness, transparency and quality of the patent system. It would certainly reinforce the underlying trade-off of patent rights, namely the obligation of the inventor to review how a product or a process was obtained in exchange for protection. The Delegation was confident that the adoption of the disclosure requirement would stimulate deeper collaboration of holders of traditional knowledge with researchers and industry, while in turn, would promote innovation based on their accumulated expertise. The Delegation reminded that that kind of knowledge was held by Indigenous Peoples and communities whose lifestyles were integrated with the national environment, so that its protection would create spillover effects that contributed to endeavours to conserve biodiversity. A successful Diplomatic Conference would certainly rank as one of the greatest achievements for multilateral cooperation. The Delegation urged all delegations to seize the opportunity, and send a strong signal that the international community at WIPO was ready to provide answers and that the decisions taken at the Diplomatic Conference would impact the efforts made to address other pressing global challenges.

63. The Delegation of TRINIDAD AND TOBAGO congratulated the President of the Diplomatic Conference on his election and commended him for his willingness to take on the critical role. The Delegation aligned itself with the statement made by the Delegation of Brazil, on behalf of GRULAC. It highlighted the leadership and initiative shown by Colombia some 25 years ago, applauded the tireless work of the IGC over the last decades, and recognized the invaluable contribution of the past and present Chairs and Vice-Chairs of the IGC, the indispensable support of the Secretariat, as well as the commitment and compromise demonstrated by all Member States, all of which had

combined to lead to the Diplomatic Conference. The Delegation was cautiously optimistic that the astute guidance of the work of the Diplomatic Conference provided by the President and the constructive engagement of all delegations would lead to a favourable outcome, namely a treaty that ultimately yielded an equitable system and allowed Member States to take a giant step towards recognizing and valuing the contributions and innovations of all creative sectors. The Delegation attributed much importance to the effort to cover the contribution and discoveries made by predecessors and communities who were seeking protection and commercialization under a modern intellectual property system. The Diplomatic Conference provided great potential to create an equitable system for the apportioning of the outcome of the exploitation of such resources and knowledge. The focus over the next two weeks would be on a very specific technical issue. The negotiations and decision-making in such multilateral context would necessarily be influenced by domestic considerations and the global context. The Delegation hoped that through good faith engagement, pragmatism, and necessary political will, all delegations would emerge with an outcome that reaffirmed the value and importance of multilateralism while strengthening WIPO and facilitating the necessary evolution of the global intellectual property system.

64. The PRESIDENT adjourned the session.

Second Meeting Monday, May 13, 2024 Afternoon

Agenda Item 7 - Opening declarations by Delegations and by Representatives of Observers (continuation)

65. The Delegation of JAMAICA congratulated the President of the Diplomatic Conference on his election and expressed its full support and confidence in his able leadership. The Delegation wished at the outset to associate itself with the statement made by the Delegation of Brazil, on behalf of GRULAC. After more than two decades of negotiations and discussions, the convening of the Diplomatic Conference represented an important milestone and an opportunity to send a clear message to the international community of the high priority accorded to genetic resources and associated traditional knowledge. The Delegation had been heavily invested in the process and had demonstrated strong leadership, having previously served as the Chair of the IGC. The genesis of the IGC had been rooted in the recognition of the need to ensure a balanced and effective protection of genetic resources, traditional knowledge and traditional cultural expressions within the intellectual property ecosystem, especially for developing countries. That need remained undoubtedly both relevant and urgent. Genetic resources were of vital importance to Jamaica, serving as a foundation for traditional medicine, agricultural practices, and cultural expressions. From the healing properties of Jamaica's endemic plants to Jamaica's rich marine biodiversity, genetic resources were embedded in the social and economic fabric of the country. The Delegation was confident that the outcome of the deliberations over the next two weeks would result in an instrument that recognized and

safeguarded the sovereignty of nations over their genetic resources, while fostering cooperation and collaboration at a global level. By establishing mandatory disclosure requirements, the Diplomatic Conference could ensure that the extraction and utilization of genetic resources were conducted in a transparent, ethical, and sustainable manner. The Delegation urged all delegations to approach the negotiations with a high level of pragmatism, and a genuine commitment to finding a common ground to conclude an international legal instrument. It reiterated its unwavering commitment to the process and stood ready to contribute its expertise and to work collaboratively towards a successful outcome.

66. The Delegation of THAILAND congratulated the President of the Diplomatic Conference, the Vice-Presidents and all the Officers on their elections. It was sure that the Diplomatic Conference was in good hands. The Delegation thanked the Director General who had worked tirelessly in making the Diplomatic Conference a reality and in good shape. The Delegation associated itself with the statement made by the Delegation of the Islamic Republic of Iran, on behalf of the APG, as well as with the statement made by the Delegation of Indonesia, on behalf of the LMCs. Like many delegations who had spoken before, the Diplomatic Conference came at a crucial stage of the Member States' common endeavour to conclude an international legal instrument relating to intellectual property, genetic resources and traditional knowledge associated with genetic resources, recalling that Member States had been doing so for over 20 years. The Delegation was therefore of the view that the time had come for all delegations to conclude such instrument within the next two weeks, under the able leadership of the President. Thailand was one of those countries that was rich in biodiversity and genetic resources. The Delegation highly hoped that the Diplomatic Conference would result in finalizing an international legally binding instrument for the effective protection of genetic resources and traditional knowledge associated with genetic resources in a balanced manner to prevent misuse or misappropriation of genetic resources, which it believed was the co-objective of the instrument. On the substance, the Delegation emphasized two elements, echoing what many delegations had already said. A mandatory disclosure requirement was an extremely important mechanism to ensure the appropriate protection of genetic resources, and traditional knowledge associated with genetic resources. That mechanism would promote transparency in the use of genetic resources and associated traditional knowledge and would generate mutual benefits for all. Appropriate sanctions were important to ensure the implementation of the mandatory disclosure requirements, while allowing Member States to maintain policy space. The Delegation reassured its full support to see the meeting coming to a successful conclusion.

67. La Delegación de GUATEMALA apoyó lo expresado por la Delegación de Brasil en nombre del GRULAC. Ese día se iniciaba la fase final de un proceso de negociación de larga data con el único propósito de lograr la aprobación de un instrumento internacional balanceado que permita fortalecer la eficiencia, transparencia y calidad del sistema de patentes, a fin de evitar la concesión errónea de patentes relacionadas a esa materia. Siendo Guatemala un país megadiverso, su aspiración era llegar a concluir un instrumento vinculante que recoja principios como el de la divulgación de origen y la fuente como requisitos primordiales de las solicitudes de patente relacionadas directamente con recursos genéticos y conocimientos tradicionales asociados a fin de reconocer los intereses legítimos de los Pueblos Indígenas y las comunidades locales como titulares o poseedores de los mismos. El camino había sido largo y se había tenido que superar

muchos años de debate, por lo que era el momento de concluir ese extenso recorrido. Instó a todas las delegaciones a centrar sus esfuerzos en contribuir positivamente en ese proceso, haciendo propuestas constructivas y facilitando el diálogo. Solo de esa manera se lograría cumplir con el objetivo de concluir un instrumento internacional que sea de beneficio para todos.

68. The Delegation of the RUSSIAN FEDERATION congratulated the President of the Diplomatic Conference on his election. It seized the occasion to express its gratitude to the Governments of China and Namibia for having organized cross regional meetings, which had provided an opportunity to make significant progress in aligning positions on the text of the instrument. The Delegation welcomed the historic decision of the General Assembly to hold the Diplomatic Conference. As the President of the Russian Federation, Mr. Vladimir Putin, had noted, preservation of biodiversity was an absolute priority for the Russian Federation. More than 193 groups lived in the Russian Federation and the term that was used in law to apply to them was Indigenous small-numbered peoples. The law provided the guarantee of a special status for 47 peoples with a population of less than 50,000 people, while 40 peoples of those were Indigenous small-numbered peoples in the North Siberia and the Far East of the Russian Federation, residing in a total of 28 entities of the Russian territory. The Russian Federation had great diversity of landscape, natural habitats, plants and animals and Russian territories were spread across four connected zones, arctic, subarctic, temperate and subtropical, contributing to the preservation and use of genetic resources and traditional knowledge, including the traditional practice of using natural biological resources. A legal instrument being developed would allow Indigenous Peoples, local communities and other representatives of ethnic groups to harmoniously integrate and fully participate in the global mechanism for the protection of intellectual property rights, to preserve their traditional knowledge and receive compensation for using genetic resources and associated traditional knowledge for inventions. The Delegation reassured that it was ready to work positively at the Diplomatic Conference, so that the global intellectual property system could serve the interests of all.

69. The Delegation of EGYPT congratulated the President of the Diplomatic Conference on his election. It affirmed its support in trying to ensure that the Diplomatic Conference reached a successful outcome. The Delegation paid tribute to all the Officers and thanked the Director General and the Secretariat for their efforts in ensuring that the Diplomatic Conference could take place. The Delegation fully aligned itself with the statements delivered by the Delegation of Kenya, on behalf of the African Group, and by the Delegation of Indonesia, on behalf of the LMCs. The Delegation had played a very active role in the negotiation process, which had lasted over 20 years, and which had led to the present draft treaty. It was of importance that a legally binding instrument which would contribute to the protection of genetic resources and associated traditional knowledge introduced a mandatory disclosure requirement of those resources and knowledge, created greater legal certainty, and improve the effectiveness and transparency of the intellectual property system, in particular the patent system. Such instrument would be beneficial for rights holders and the users of genetic resources and traditional knowledge. Egypt had been one of the very first countries to introduce a disclosure requirement. The Egyptian Law on the Protection of Intellectual Property Rights of 2002 provided that inventors must be legitimate holders of resources and knowledge contained in their application, and that they must also disclose any microorganisms contained in the invention. A condition of prior informed consent for using genetic resources and associated traditional knowledge and

equitable benefit sharing was also applicable. The Delegation wished to play an active role in the work of the Diplomatic Conference to reach a successful outcome and adopt an international legal instrument, that would contribute to a more balanced and a fairer intellectual property system and guarantee the legitimate use of genetic resources and traditional knowledge associated with those resources. Such instrument would also promote creativity, the transfer and dissemination of knowledge and support the socio-economic and environmental development of all countries.

70. The Delegation of YEMEN congratulated the President of the Diplomatic Conference on his election. It thanked the Director General for his tireless efforts in the organization of such an important Diplomatic Conference. The Diplomatic Conference came after many years of discussions and negotiations that addressed a vital issue for societies, namely, intellectual property, genetic resources and associated traditional knowledge. The Delegation reminded that all delegations were assembled to ensure that those years of tireless negotiations be crowned with success and that a legal instrument protecting those vital resources be adopted, setting the basis for enhanced international cooperation in that respect. Genetic resources and associated traditional knowledge were a major cultural legacy in Yemen, as a key part of its national identity. That was the reality for every country, and that was why the protection of those resources should not be up to individual States. It was a challenge for all countries to collectively address the issue in the international framework. The world was facing many challenges, in particular the misappropriation of traditional knowledge and biopiracy, that denied the legitimate holders and their rights. That was the reason why an international legally binding instrument was needed to govern the issue of intellectual property, genetic resources, and associated traditional knowledge. The adoption of the instrument would be a key step in guaranteeing the continuity and the sustainable development of such wealth for the benefit of all. The Delegation urged all countries to cooperate and to exchange information and knowledge to protect intellectual property, genetic resources and associated traditional knowledge. The Delegation expressed its sincere hope that the Diplomatic Conference would reach a successful outcome over the next two weeks and thanked WIPO for its efforts in coordinating the international negotiation process.

71. The Delegation of PAKISTAN congratulated the President of the Diplomatic Conference and the Officers on their election to facilitate the negotiations at the Diplomatic Conference. It trusted in the President's stewardship and assured the President of its full cooperation. The Delegation thanked the Director General and his team who had helped Member States for hosting the Diplomatic Conference and for the excellent arrangements. It aligned itself with the statements delivered by the Delegation of Indonesia, on behalf of the LMCs, and by the Delegation of the Islamic Republic of Iran, on behalf of the APG. Over two decades of hard work and deliberation had culminated in the historic Diplomatic Conference. Member States had an unprecedented opportunity to redress the imbalances in the global intellectual property system. Pakistan had a rich pool of diverse genetic resources and traditional knowledge and was therefore sensitive to the normative gap in that area. An instrument that protected Indigenous Peoples and local communities from misappropriation of their rights was necessary to equitably extend the benefits of the global intellectual property architecture. The Delegation highlighted the following core elements for adopting a balanced and effective treaty: (1) the Diplomatic Conference must work towards a minimum standards treaty that enhanced the transparency of the patent system; (2) an unambiguous mandatory disclosure requirement must be backed by clear sanctions and

remedies; (3) limitations and exceptions should be narrow in scope as any exception to those collective rights had consequences for entire communities; and (4) the treaty must be in line with a growing global momentum towards equitable access and benefit sharing. Together with a collaborative approach to fostering genuine understanding, delegations should utilize the historic opportunity to build the norms that many had waited to see for so long. To that end, the Delegation expressed its commitment to engage constructively towards the success of the Diplomatic Conference.

72. The Delegation of the LAO PEOPLE'S DEMOCRATIC REPUBLIC congratulated the President of the Diplomatic Conference, Vice-Presidents, and all Officers for their election. It thanked the Director General for his contribution and support of the legal instrument on genetic resources and traditional knowledge under his leadership. The Delegation expressed its full support for the legal instrument and was enthusiastic to see that the instrument was about to be concluded after decades of negotiations. It shared the view of all delegations that the legal instrument was very important in terms of supporting Indigenous Peoples' and communities' talents, heritage, and ideas, which were seen and heard from the past to present, as well as created from a decade to another. The Delegation recalled that its country had been exploring various avenues for the protection and commercialization of traditional cultural expressions. Traditional knowledge and traditional cultural expressions, which were significant for identity and beliefs, were an important source of income, particularly for ethnic minority women. A legal instrument was needed to enhance the efficacy, transparency, and quality of the patent system as well as to recognize Indigenous Peoples' talents. The instrument that would guide the granting of patents could help the communities to promote their heritage in order to benefit the communities. The Delegation fully supported the conclusion of the instrument for sustainable development.

73. The Delegation of SRI LANKA aligned itself with the statements made by the Delegation of the Islamic Republic of Iran, on behalf of the APG, and by the Delegation of Indonesia, on behalf of the LMCs. It warmly welcomed the convening of the long-awaited Diplomatic Conference to negotiate and adopt a treaty on genetic resources and associated traditional knowledge, following the important work done over 25 years. The Delegation congratulated the President of the Diplomatic Conference, as well as all the Officers on their election. On the historic occasion, the Delegation recalled the remarkable journey, which had led Member States to the Diplomatic Conference and acknowledged the perseverance and hard work of the IGC. It further recognized the crucial role played by the Secretariat, since the inception of the IGC, for its constant support and expertise throughout the process. Traditional wisdom and Indigenous lifestyles performed a vital role in sustainable development and the conservation of nature. As a country blessed with rich biodiversity and a wealth of traditional knowledge and genetic resources, the Delegation supported the draft treaty which had been presented to the Diplomatic Conference. Most importantly, it reiterated the significance of the mandatory disclosure requirement envisaged in the draft treaty, which would provide greater transparency and efficiency to the patent system. It looked forward to successful deliberations in the following two weeks.

74. The Delegation of CAMBODIA congratulated the President of the Diplomatic Conference on his election, as well as all the Officers. It trusted that the President would guide all participants to success during the historical occasion. The Delegation thanked the Director General for his able leadership, commitment, and comprehensive opening remarks. It thanked the Secretariat for the excellent preparation of the Diplomatic

Conference. The Delegation aligned itself with the statements made by the Delegation of the Islamic Republic of Iran, on behalf of the APG, and by the Delegation of Indonesia, on behalf of the LMCs. It was imperative to recognize the significance of the discussion ahead and its potential impact, as well as the significance of the outcome on the future of intellectual property, genetic resources, and traditional knowledge associated with genetic resources. The Delegation aligned itself with the noble objective of the conference, which sought to enhance the efficacy, transparency and quality of the patent system, as well as to prevent patents from being granted erroneously for inventions that were not novel or inventive with regard to genetic resources and traditional knowledge associated with genetic resources. The protection of genetic resources and traditional knowledge associated with genetic resources was of utmost importance. Those resources were not only valuable in terms of biodiversity, but they were of cultural and economic significance for local communities. The Delegation believed that it was imperative to adopt an international legal instrument that provided effective protection for those resources. For developing countries like Cambodia, the benefits of the international treaty in that sphere were profound. Such a treaty held the promise of protecting the rich genetic resources and traditional knowledge associated with genetic resources of its country, ensuring that they were not exploited or misappropriated without due recognition and compensation. The Delegation urged all delegations to work collectively in an open mind and a pragmatic, creative and flexible manner to ensure that the Diplomatic Conference reached a successful and balanced outcome and resolve issues through constructive deliberations. The Delegation reaffirmed its unwavering commitment to engage and collaborate constructively towards the success of the Diplomatic Conference.

75. La Delegación de ECUADOR manifestó su interés en la consecución de un tratado vinculante que contribuya a la protección de los recursos genéticos y conocimientos tradicionales asociados desde el ámbito de la propiedad intelectual. Expresó su reconocimiento por las significativas jornadas de trabajo a lo largo de los años por parte de las delegaciones de los Estados miembros y de la OMPI, y con la valiosa participación de los representantes de los Pueblos Indígenas y comunidades locales y de los distintos observadores, las cuales han permitido llegar a la realización de esa histórica Conferencia Diplomática. Destacó que el Ecuador era uno de los países que contaba con más especies de plantas por unidad de área. Influenciado por la cordillera de los Andes, las corrientes oceánicas, el neotrópico, la región amazónica, y las islas galápagos, era un territorio que contaba con una amplia variedad de flora y fauna que lo posicionaban como uno de los países más megadiversos del planeta. Esa cualidad se reflejaba en la presencia de 18 pueblos y 14 nacionalidades indígenas en las zonas de alta densidad de biodiversidad, poseedores de un valioso acervo cognitivo íntimamente vinculado con los recursos naturales que los rodeaban. Manifestó su compromiso de trabajar de manera constructiva, velando por la transparencia de un régimen de propiedad intelectual en sintonía con normativas internacionales ambientales de larga data, en especial con el régimen de acceso a recursos genéticos y conocimientos tradicionales asociados. Esperaba que un requisito obligatorio de divulgación en el sistema de propiedad intelectual y los mecanismos para su efectiva implementación fuesen balanceados para armonizar los intereses de los estados, los Pueblos Indígenas, las comunidades locales y el sector de la innovación, los cuales, en la práctica, eran actores que no se encontraban en disonancia, sino más bien con el vivo interés de tener un apoyo mutuo en aras de alcanzar el anhelado desarrollo sostenible para la humanidad.

76. The Delegation of JAPAN congratulated the President of the Diplomatic Conference on his election, as well as the Vice-Presidents, and other Committee Officers. It extended its sincere gratitude to the Director General and the Secretariat for their hard work in organizing the Diplomatic Conference. The Delegation aligned itself with the statement made by the Kingdom of the Netherlands, on behalf of Group B. The Delegation hoped that the outcome of the Diplomatic Conference would be clear, reasonable, and practically implementable. All delegations should look again at the WIPO Convention that stated that the objectives of the organization are to promote the protection of intellectual property throughout the world. The Convention also provided that the organization should encourage the conclusion of international agreements designed to promote the protection of intellectual property. To that end, in seeking the conclusion of negotiations, the Delegation was of the view that it was essential to ensure the legal certainty and predictability of the patent system for users, so as not to impede the protection of patent rights and to promote innovative activity. If the patent system became unattractive to users, it would not be used and would no longer function. All delegations should recall once again the fundamental objective of the organization when negotiations reached a difficult point. The Delegation urged all delegations to also bear in mind that the process of holding the Diplomatic Conference was to close the gaps among Member States and finalize an international instrument. Additional ambitions would only widen those gaps and prevent the Diplomatic Conference from reaching agreement. The Delegation stood ready to engage in constructive discussions during the Diplomatic Conference.

77. La Delegación de CHILE apoyó lo expresado por la coordinación del GRULAC y subrayó la importancia de que la OMPI, como parte del sistema multilateral, logre un consenso sobre ese tema vital. Chile contaba con una rica diversidad biológica y cultural que debía ser salvaguardada. Los Pueblos Indígenas de América Latina y el Caribe habían contribuido significativamente al desarrollo y preservación de esos recursos. Un instrumento jurídico internacional tenía el potencial de reconocer y respetar esos derechos, proporcionando además un marco que fomentase la innovación. La delegación subrayó los puntos clave que iban a guiar su posición durante las negociaciones: simplificación y claridad, siendo fundamental que el instrumento sea breve, conciso y plasmático, así como la claridad de las definiciones y las obligaciones establecidas que eran esenciales para que las oficinas de patentes y los solicitantes comprendan y cumplan con el instrumento de manera eficaz; objetivos claros y alcanzables, respaldando los objetivos de aumentar la transparencia y calidad del sistema de patentes en lo referente a los recursos genéticos y conocimientos tradicionales asociados, y de impedir el otorgamiento indebido de patentes para invenciones que no cumplan con los requisitos de patentabilidad; requisito de divulgación, reconociendo la importancia del requisito de divulgación para que los solicitantes informen sobre el origen de los recursos genéticos y conocimientos tradicionales cuando sean esenciales para la invención reivindicada, debiendo ser la divulgación factible para evitar cargas administrativas desproporcionadas; flexibilidad para la implementación, siendo necesario un instrumento que permita a las partes contratantes implementar las obligaciones de acuerdo con su legislación nacional, sin limitar indebidamente las funciones de las oficinas de patentes; y Sanciones y recursos, apoyando la idea de que cada estado determine las sanciones y recursos que se adapten a su contexto legal. La delegación tenía la convicción de que la cooperación y la flexibilidad iban a ser claves durante la conferencia. Se comprometió a colaborar de manera constructiva con todas las delegaciones para asegurar que el instrumento que surja de la conferencia refleje los intereses de la comunidad internacional.

78. The Delegation of MOROCCO congratulated the Director General for organizing the Diplomatic Conference and thanked the Secretariat for its efforts. It congratulated the President of the Diplomatic Conference on his election. The Delegation recalled that biodiversity and genetic resources were essential for the Earth, since they nurtured and protected everyone from climate change and provided huge assets in terms of ecosystems. traditional knowledge associated with such resources was vital for communities and needed to be developed and preserved. Intellectual property, particularly patents, stimulated innovation and development of technologies based on those resources. Intellectual property system needed to guarantee the balance between the interests of all of those involved. Member States met with an ambitious objective, namely, to come up with an effective international binding instrument, which could fully play its role in promoting effectiveness, transparency, and quality of the patent system. Morocco had a remarkable wealth of genetic resources and traditional knowledge. It was its diversity that nurtured its agriculture, its medicine, its cuisine, its crafts, and many other aspects of its culture and economy. The Delegation emphasized that local communities had developed ancestral know-how to manage and use those resources in a sustainable manner. That was a precious heritage, which needed to be valued and preserved. The Delegation committed to playing a constructive role in the negotiations and was determined to work with all participants to reach a consensus on an inclusive and equitable text. The Delegation wished full success to the Diplomatic Conference and hoped that it would complete the significant step towards protecting genetic resources and associated traditional knowledge for the well-being and benefit of present and future generations.

79. The Delegation of GHANA congratulated the President of the Diplomatic Conference, the Vice-Presidents, and all other Officers on their election to preside over the Diplomatic Conference. It was confident that the President would steer the affairs of the Diplomatic Conference to a successful conclusion. The Delegation aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group. It continued to believe in the need to protect traditional knowledge holders from infringement of their rights through misappropriation, misuse and exploitation beyond their traditional context. Ghana was endowed with genetic resources, traditional knowledge and expressions of folklore, had a rich culture, and had, over the years, made every effort to protect its tangible and intangible cultural heritage. It welcomed the key objective of the Diplomatic Conference to conclude an international legal instrument which would enhance the efficacy, transparency, and quality of the patent system, as well as prevent patents from being erroneously granted for inventions that were not novel or inventive with regards to genetic resources and traditional knowledge associated with genetic resources. The Delegation was pleased with the progress made over the years by the IGC, which had culminated in the convening of the Diplomatic Conference. It hoped that all delegations could build on the constructive engagement made by the Preparatory Committee of the Diplomatic Conference in 2023. It looked forward to constructive and meaningful deliberations and a successful outcome of the Diplomatic Conference.

80. The Delegation of ZIMBABWE congratulated the President of the Diplomatic Conference and all the Vice-Presidents on their election. It thanked the Director General and the Secretariat for organizing the Diplomatic Conference. The Delegation associated itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. The Delegation recalled that Zimbabwe had a rich and diverse traditional knowledge

and genetic resources endowment which, if properly harnessed through appropriate intellectual property protection, had the potential to foster innovation. The Delegation was strongly convinced that a disclosure requirement on the source or origin of genetic resources and traditional knowledge associated with genetic resources would go a long way in preventing misappropriation and fostering greater access as well as benefit-sharing with all Indigenous and local communities. The Diplomatic Conference marked a significant milestone in the negotiations, a journey which had begun 25 years ago. To that end, the Delegation expressed its support for the negotiation process on genetic resources protection and urged all delegations to engage in good faith in the spirit of compromise, inclusivity and flexibility, which should lead the Diplomatic Conference to a positive outcome and an unequivocal message in support of multilateralism. The Delegation assured the President of its full cooperation and constructive engagement with all delegations to achieve the desired outcome.

81. The Delegation of ETHIOPIA aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. It congratulated the President of the Diplomatic Conference, along with the Vice-Presidents, and other Officers on their election. The Delegation assured them of its full support and cooperation. Ethiopia, a nation renowned for its rich genetic diversity and abundance of traditional knowledge, took pride in its commitment to the CBD and its Nagoya Protocol, noting that those agreements reflected an international dedication to conserving biodiversity and ensuring the fair and equitable sharing of benefits arising from the utilization of genetic resources. Ethiopia had made significant strides in establishing legal and additional frameworks to promote access to and benefit-sharing of genetic resources and associated traditional knowledge by enacting proclamations and regulations to implement the CBD and its Nagoya Protocol. That underscored Ethiopia's unwavering commitment to preserving its natural heritage and ensuring that benefits were shared justly and equitably. However, the Delegation noted that there had been a significant gap in integrating genetic resources and associated traditional knowledge into both the global and national intellectual property system. While that presented a challenge, it also offered an opportunity for collective action towards a solution that respected and safeguarded the rights of its communities. The Delegation indicated that its participation in the Diplomatic Conference was aimed at adopting a legally binding instrument which would include mandatory disclosure as one of the basic principles. Such an instrument would not only protect the rights of the communities, but also promote fairness, equity and sustainability in the global utilization of their resources. The Delegation looked forward to positively engaging with all delegations towards fruitful negotiations and the conclusion of an international legal framework for genetic resources and associated traditional knowledge within the existing global intellectual property system.

82. The Delegation of UGANDA congratulated the President of the Diplomatic Conference and the other Officers on their election to steer the Diplomatic Conference. It extended its appreciation to the Director General and the Secretariat for expertly organizing the Diplomatic Conference. The Delegation associated itself with the statements delivered by the Delegation of Kenya, on behalf of the African Group, and by the Delegation of Indonesia, on behalf of the LMCs. Two decades of spirited negotiations had culminated in the Diplomatic Conference that was hugely expected to yield a long-awaited international legal instrument, providing minimum standards regarding genetic resources and associated traditional knowledge. The Delegation strongly believed that Indigenous Peoples, local communities and other stakeholders would benefit from the anticipated international legal

instrument. A successful outcome would enhance efficacy and transparency of the patent system in particular and the intellectual property ecosystem in general, provided that all delegations exercised flexibility, good faith and political will during the two weeks ahead. The Delegation was confident that the leadership of the Diplomatic Conference would steer the process to a successful conclusion. The main expectation of the Delegation was an international legal instrument that provided for a mandatory disclosure requirement, as well as sanctions and remedies to deter misappropriation of genetic resources and associated traditional knowledge. The Delegation assured the President of its constructive engagement and full support during the Diplomatic Conference.

83. La Délégation du NIGER, s'exprimant au nom de son pays, a félicité le Président pour sa brillante élection à la tête de l'importante Conférence diplomatique ainsi que les autres membres du Bureau de la Conférence. La Délégation l'a assuré de sa collaboration anticipée en vue du succès de la Conférence diplomatique. La Délégation a remercié et félicité le Directeur général et le Secrétariat pour l'excellente préparation de la Conférence diplomatique. La Délégation s'est alignée sur l'intervention de la Délégation du Kenya au nom du Groupe africain et a tenu à ajouter quelques éléments à titre national. La Délégation s'est vivement félicitée de la tenue de la Conférence diplomatique dont le but est d'adopter un instrument juridique international sur la propriété intellectuelle relative aux ressources génétiques et aux savoirs traditionnels associés aux ressources génétiques. La Délégation a déclaré qu'une fois adopté cet instrument constituerait un complément important à d'autres instruments internationaux pertinents relatifs aux ressources génétiques et aux savoirs traditionnels associés aux ressources génétiques afin de promouvoir davantage l'efficacité, la transparence et la qualité du système des brevets en rapport avec les ressources génétiques et les savoirs traditionnels associés aux ressources génétiques. La Délégation a ajouté que l'instrument permettrait en particulier de renforcer la préservation des droits de propriété intellectuelle des légitimes dépositaires de ses ressources et le partage équitable des avantages découlant de leur exploitation à travers notamment la prévention d'abus dans la délivrance des brevets et la promotion de l'innovation grâce aux nouvelles technologies de l'information et de communication. La Délégation a exhorté toutes les délégations à prendre en compte cette finalité ultime à toutes les étapes de discussion de sorte que la Conférence diplomatique produise un instrument fort et adapté à la tête des objectifs fixés il y a plus de 20 ans, et notamment la contribution de la propriété intellectuelle aux objectifs de développement durable et davantage de protection et d'équité dans ce domaine.

84. The Delegation of BANGLADESH aligned itself with the statement delivered by the Delegation of the Islamic Republic of Iran, on behalf of the APG, and the statement delivered by the Delegation of Indonesia, on behalf of the LMCs. The Delegation joined other delegations in extending its congratulations to the President and the other Officers on their election to lead the Diplomatic Conference. It appreciated the Director General and the Secretariat for their excellent work prior to and leading up to the Diplomatic Conference. In the fast-changing world, the significance of the intellectual property system in fostering innovation, growth, and development could not be overstated. However, the strive towards growth and innovation through effective and efficient intellectual property systems could not be mutually exclusive towards the international community's commitments to the UN Sustainable Development Goals, protecting biodiversity, and ensuring social and economic progress while leaving no one behind. The intrinsic and interdependent nature of those elements shaped its efforts and guided its principal positions vis-a-vis the international

intellectual property regime. In view of the above, the Delegation wished to highlight the following: (1) the Delegation looked forward to the adoption of such a treaty that would serve as a solid foundation for providing protection of genetic resources and associated traditional knowledge in the intellectual property system; (2) the Delegation understood that the adoption of the treaty would be based upon the minimum standards principle, so that the future contracting parties would have the ability to implement or maintain additional measures related to genetic resources and associated traditional knowledge in their national laws to better address their specific needs and priorities; (3) the Delegation underscored that, if adopted, the provisions of the treaty should not contravene but complement the contracting parties' responsibilities as solicited by the other international agreements such as the CBD, its Nagoya Protocol and other relevant agreements; (4) the Delegation supported the inclusion of a mandatory disclosure requirement concerning the source of genetic resources and associated traditional knowledge and the incorporation of provisions on sanctions and remedies to the extent necessary to strengthen accountability and enforcement mechanisms. The Delegation urged all delegations to seize the hard-earned opportunity that came to Member States after two long decades, to navigate towards an equitable and sustainable future for the intellectual property system, genetic resources and associated traditional knowledge. The Delegation assured that it would remain engaged towards the successful completion of the Diplomatic Conference.

85. The Delegation of the REPUBLIC OF KOREA expressed its sincere gratitude to the President of the Diplomatic Conference for taking leadership, as well as to the Director General and the Secretariat for the excellent preparation of the Diplomatic Conference. It supported the international community's efforts for the common prosperity and sustainable development of mankind, including the Nagoya Protocol on the access to and utilization of genetic resources, as well as the UNDRIP. The Delegation appreciated the balanced approach of the Basic Proposal that brought together long-standing divisions amongst the Member States on issues of genetic resources under discussion at the IGC. The Delegation recognized the importance of the Basic proposals' objectives, namely, to promote the efficacy, transparency and quality of the patent system in relation to genetic resources and associated traditional knowledge. However, the Delegation pointed out that certain provisions within the Basic Proposal could hinder the fundamental principles and efficiency of the patent system, as well as the international legal instrument's stability and consistency. It emphasized that consensus was paramount in multilateral deliberation at the Diplomatic Conference. Consensus-driven decision-making would ensure that every voice carried weight and would enable all to participate in the implementation. The Delegation assured the President of the Diplomatic Conference of its dedication to putting forth every effort to reach an agreement at the Diplomatic Conference that would benefit all Member States.

86. The Delegation of TIMOR-LESTE aligned itself with the statement made by the Delegation of the Islamic Republic of Iran, on behalf of the APG. It congratulated the President of the Diplomatic Conference for his election to preside over the work of the Diplomatic Conference, and to the Vice-Presidents, the Presidents of the other Committees and the other Officers. It looked forward to working with the President, the other Officers and all delegations to ensure a successful outcome of the long-awaited Diplomatic Conference. The Delegation recognized the importance of the Diplomatic Conference after over 20 years of negotiations. The Diplomatic Conference needed to deal with a very complex intersection between various kinds of intellectual property, genetic resources, and

associated traditional knowledge. Timor-Leste was rich in biodiversity and cultural diversity. Therefore, the Delegation believed it was important to ensure the equitable and sustainable use of genetic resources and associated traditional knowledge for the benefit of current and future generations. In that context, the Diplomatic Conference needed to have an inclusive and reflective approach, guaranteeing balance and consistency in terms of the decisions taken. The Delegation extended a special thanks to Mr. Ian Goss and other Chairs and Vice-Chairs of the IGC, who through their tireless efforts and able leadership had helped to establish a solid basis for the discussions and negotiations on genetic resources and associated traditional knowledge at the Diplomatic Conference. The Delegation continued to be very committed to a constructive dialogue with all delegations to achieve a mutually acceptable outcome.

87. The Delegation of the UNITED STATES OF AMERICA expressed its readiness to take an active and constructive role at the Diplomatic Conference toward a straightforward implementable outcome that reflected WIPO's focused mandate. The Delegation also wanted to stress that WIPO was a consensus-driven forum and hoped that that principle would guide engagement among Member States over the next two weeks. Additionally, the Delegation recognized the multitude of interests and concerns implicated by the negotiation, including those by Indigenous Peoples, life science companies, small and medium-sized enterprises, such as start-ups, and the scientific research community at large. In particular, the Delegation acknowledged and respected the interests and contributions of Tribal Nations and other Indigenous Peoples in the United States of America, as stewards of genetic resources and providers of associated traditional knowledge. The Delegation saw the goals of recognizing Indigenous Peoples' interests and maintaining incentives for future innovation, as mutually reinforcing and not as being in opposition to one another. It would strive for an outcome that improved transparency, and that did not undermine the policy goals or rationales of the patent system. The Delegation highlighted and reaffirmed WIPO's clear mandate to promote the protection of intellectual property throughout the world through cooperation among States. It encouraged the other delegations to do the same. The theme of 2024 World Intellectual Property Day, "Intellectual Property and the Sustainable Development Goals", reminded all of the many ways the global community had benefited from innovation, and the many global challenges that remained to be solved using innovative capacities. The Delegation noted WIPO's important focus on making the innovation system more accessible for small and mid-size enterprises and inventors that came from underserved groups. The Delegation urged all participants to work towards reaching an outcome that retained the patent system's incentives to innovate and share knowledge with the world and that did not pose an undue burden on the patent offices, while being mindful of the UNDRIP. With appropriate safeguards, the instrument could recognize and respect the interests of Indigenous Peoples and, in line with WIPO's mandate, also preserve the innovation ecosystem and its long-recognized utility for humanity and success. The Delegation assured that it would work steadily and constructively towards that outcome.

88. The Delegation of the ISLAMIC REPUBLIC OF IRAN congratulated the President of the Diplomatic Conference on his election. It believed that under his leadership, coupled with the sincere commitment and active participation of the Member States, the Diplomatic Conference was poised to formulate an effective treaty that would cover a missing and much demanded body of law, with respect to inventions related to genetic resources and associated traditional knowledge. The convening of the Diplomatic Conference had opened

a window to a fairer intellectual property system to regulate the benefits derived from those resources for countries. In that vein, the Delegation reaffirmed its commitment to the establishment of a treaty that promoted transparency and effectiveness of the intellectual property system by instituting a mandatory disclosure mechanism. It was crucial to acknowledge and integrate emerging developments, particularly in genetic engineering. The role of derivatives and relevant genetic data, including digital sequence information (DSI), in realizing an invention, whether a product or a process, was undeniable nowadays. The Delegation believed that the treaty's objectives would not be fully realized if those elements were kept aside from its scope. It was equally vital to recognize the significance of establishing voluntary information systems to facilitate searching of prior art by patent offices. While those systems could be instrumental in preventing the misappropriation of genetic resources, vigilance should be exercised against the potential threats of those systems, if not properly safeguarded, to become a tool for facilitating the misappropriation of genetic resources and associated traditional knowledge. The accessibility to those systems was to be regulated by authorization, in accordance with the national legislations of the contracting parties. Furthermore, the establishment of a balanced and effective system of remedies and sanctions was paramount to ensure proper implementation of the treaty and protection of the rights holders. Such a system must provide adequate measures that were appropriate to the gravity of the infringements. The Delegation drew the attention of the Diplomatic Conference to the ongoing plight of the Palestinian people in Gaza and the destruction of their genetic resources by the Israeli government. The Palestinian people should have sovereignty over their natural resources, as an integral component of their right to self-determination, a right which had been taken away from them over the past years. That hindered the ability of Palestinians to engage in innovative pursuits and leverage intellectual property for the advancement of their legitimate interests. The Delegation assured the President of the Diplomatic Conference of its full cooperation in the negotiations towards finalizing the well-balanced treaty that guaranteed a more efficient intellectual property regime for the benefit of all.

89. The Delegation of the DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA congratulated the President of the Diplomatic Conference on his election. It hoped that the Diplomatic Conference would come to fruition under the able stewardship of the President. The Delegation expressed its appreciation to the Director General and the Secretariat for their strenuous efforts made in preparing for and convening the meaningful conference. The efforts of the international community for the protection of genetic resources and associated traditional knowledge, that had started since 2000, had come to the stage of holding the Diplomatic Conference after a long journey. The negotiations on the draft legal instrument during the last 25 years had been a process of reassessing the role of genetic resources and associated traditional knowledge that had been developed, sustained and passed on from generation to generation by individual nations and Indigenous Peoples. It had also been a process proving that the protection of the legal rights of traditional holders concurred with the common aspirations of mankind, further activated development and contributed to achieving the UN Sustainable Development Goals. Genetic resources and associated traditional knowledge created by Indigenous Peoples and the nations concerned were precious assets of mankind. Therefore, protecting traditional knowledge was key to protecting the rights of the related countries, nations and Indigenous Peoples, and ensuring impartiality in the international intellectual property protection mechanism. The Delegation hoped that the draft instrument would be finalized and concluded by fully covering the demands and interests of all Member States. The Delegation highlighted the following

points: (1) great attention needed to be drawn to the capacity building of developing countries in implementing the instrument, and full support should be considered and provided for developing countries to put in place the legal and administrative measures for the implementation of the instrument; (2) the international database for genetic resources and associated traditional knowledge should be established at the earliest stage, so as to prevent their illegal use and violation of the rights involved; (3) it was important to strengthen cooperation between other international instruments related to genetic resources; (4) the implementation of the instrument should substantially contribute to the protection of genetic resources of the Indigenous Peoples; and (5) practical measures and systems should be established in a realistic way, with the view to the implementation of the instrument, in order to make sure they really benefited from their utilization. The Delegation recalled that under the wise leadership of Comrade Kim Jong Un, President of State Affairs of the Democratic People's Republic of Korea, the Government of the Democratic People's Republic of Korea was paying great attention to intellectual property protection, holding fast to sci-tech as the key to economic development and people's welfare. Great efforts were being directed to the protection and promotion of genetic resources and traditional knowledge, which were unique to the country, such as traditional medicine. The Delegation remained committed to proactively joining the efforts of the international community for implementing the instrument associated with genetic resources and protecting intellectual property. The Delegation was convinced that the Diplomatic Conference would finalize and conclude the international legal instrument relating to intellectual property, genetic resources and traditional knowledge associated with genetic resources, laying another significant milestone in the protection of intellectual property worldwide.

90. La Délégation du TOGO, s'exprimant au nom de son pays, a félicité de prime abord le Président de la Conférence pour son élection et a salué les efforts accomplis par le Directeur général, le Secrétariat ainsi que le Comité préparatoire pour la bonne tenue de la Conférence diplomatique. La Délégation s'est associée à la déclaration faite par la Délégation du Kenya au nom du Groupe africain. La Délégation a déclaré qu'il n'était point besoin de rappeler le rôle crucial de la propriété intellectuelle notamment en matière de croissance et de développement économique des États ainsi que du bien-être social des titulaires des droits qui en découlent. La Délégation a relevé que l'importance de cette question avait également été démontrée ces dernières années par la mobilisation des Peuples autochtones, des communautés locales et des gouvernements, principalement ceux des pays en développement, afin que les formes traditionnelles de créativité, d'innovation et les ressources génétiques soient protégées à travers le prisme de la propriété intellectuelle, alors que le système classique de propriété intellectuelle les considère généralement comme relevant du domaine public, donc librement utilisables par tous. La Délégation a ajouté que les défis et les réalités de notre temps appelaient donc à rectifier cette conception qui expose ces ressources importantes au risque d'appropriation illicite et d'utilisation abusive, surtout en l'absence d'un cadre juridique international spécifique sur la question. La Délégation a rappelé que le Togo possède une richesse culturelle, faunistique et floristique unique dont les savoirs constituent des ressources inestimables, un patrimoine générationnel et une identité des populations qui en sont dépositaires. La Délégation a pris note du projet de rapport de la Session spéciale de l'IGC qui s'est tenue du 4 au 8 septembre 2023 et a engagé toutes les parties prenantes aux négociations à faire montre d'un esprit de compromis dans le but de parvenir à l'adoption consensuelle d'un instrument international juste, équilibré et efficace. La Délégation a indiqué que pour le Gouvernement du Togo, il était essentiel que le principe d'équité soit

au cœur du futur instrument par l'inclusion de mécanismes permettant une exploitation mutuellement bénéfique des ressources génétiques et des savoirs traditionnels. La Délégation a ajouté qu'il était en effet essentiel que ces ressources puissent profiter non seulement aux pays ou aux organisations qui en ont la capacité d'exploitation mais également à ceux qui en sont pourvoyeurs et leurs communautés. La Délégation s'est dit engagée à œuvrer de bonne foi avec toutes les parties prenantes en vue de la réalisation de l'objectif ultime de la Conférence diplomatique.

91. The Delegation of the HOLY SEE congratulated the President of the Diplomatic Conference on his election and wished him every success. It thanked the Director General for his excellent efforts and leadership in preparation for the Diplomatic Conference. Against the backdrop of a very troubling climate of international instability and fragmentation, a successful outcome at this Diplomatic Conference would offer a message of hope for the whole multilateral system. The past January, Pope Francis, while referring to the upcoming Diplomatic Conference, had stressed that intellectual property was essentially directed to the promotion of the common good and could not be detached from ethical requirements, lest the situation of injustice and undue exploitation would arise. Intellectual property should not be regarded as an absolute and untouchable right but rather as an instrument to further the common good of humanity as a whole. The intellectual property protection should therefore focus on ensuring that all individuals had the essential freedom necessary to pursue their personal subsistence and advancement. The task of the Diplomatic Conference, therefore, was to reconcile the various rights and interests at stake, in such a way that the legitimate economic interests did not compromise higher values, such as the social function of inventions and the rights of the peoples from whom the knowledge and resources originated. In that regard, the Delegation emphasized the following elements: first, the adoption of a legal instrument would help complement efforts to forge common international standards to harmonize existing approaches, provisions, and examination processes that were being used in several regional organizations and countries. The new instrument should therefore be fully integrated and consistent with the existing international provisions in a complementary manner; second, the instrument should reflect an appropriate degree of flexibility, so as to be able to respond to the new technological advances, particularly DSI, which could significantly increase the speed through which genetic resources were identified and differentiated; third, the instrument should guarantee the equitable economic participation of Indigenous Peoples and local communities in the benefits resulting from the commercial exploitation of genetic resources and associated traditional knowledge, as well as the promotion of effective means of safeguarding respect for collective ownership; and finally, an effective instrument should provide for the free, prior and informed consent of persons, peoples and States involved as a prerequisite for patenting inventions originating from such resources, while ensuring that the resulting patents did not constitute an undue obstacle of innovation. Fair regulation of intellectual property was the result of a balance between the owner of the intellectual property rights and the need for benefits to flow to society. That not only entailed an appropriate trade-off between protecting royalties *vis-à-vis* protecting Indigenous communities against exploitation, but should also allow for the beneficial exchange of useful knowledge. The Delegation assured that the President of the Diplomatic Conference could count on its strong engagement and on its cooperation for a successful outcome of the Diplomatic Conference, so that it might truly benefit the capacities of Indigenous Peoples and the international community as a whole.

92. The Delegation of BOTSWANA congratulated the President, the Vice-Presidents and the other Officers on their election and willingness to serve the WIPO Member States, during the important Diplomatic Conference. The Delegation acknowledged that the President was highly qualified and experienced in those issues and that under his wise leadership, the Diplomatic Conference was set for success as long as all delegations rallied behind him in a spirit of cooperation and compromise. The Delegation assured its full support in that regard. The Delegation thanked the Director General and the Secretariat for their hard work in preparing for the Diplomatic Conference. It had been delighted to work with them last November when Botswana had hosted the ARIPO Council of Ministers Meeting in Gaborone. The Delegation aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group. Member States stood at a critical moment and opportunity to adopt an international legal instrument on intellectual property, genetic resources and traditional knowledge associated with genetic resources. Member States had come a long way in the IGC and the time had come to adopt a binding treaty to provide for effective protection against misappropriation of genetic resources and traditional knowledge. That would serve to protect the vast resources found in developing countries and ensure benefit-sharing and economic empowerment where there was gainful exploitation. At the opening of the 2023 WIPO General Assemblies, the President of Botswana, Mr. Mokgweetsi Masisi, stated that Africa's rich natural resources and traditional knowledge were reservoirs of innovation that needed total protection to eliminate the risk of losing the benefits that could be derived from those assets. The Diplomatic Conference should finalize an international instrument that would fully protect those valuable assets. The Delegation hoped that the unresolved and cross-cutting issues which had been pending over the years would be resolved, culminating in an international binding treaty to protect genetic resources and traditional knowledge associated with them. The protection of genetic resources and traditional knowledge was at the heart of Botswana's community development. To that end, the Delegation wished to offer adequate protection to communities to curb exploitation of traditional knowledge without benefits accruing to them. The instrument that would be developed during the Diplomatic Conference would ensure that access to genetic resources and traditional knowledge associated with them did not lead to the loss of some of those genetic resources, such as *sclerocarya birrea* and *hoodia* from Botswana that had been widely commercialized without benefitting the communities who were custodians of those resources. The Delegation thanked WIPO for its support on a traditional medicine project which had started in May to help traditional healers to commercialize their products using genetic resources found in their communities. The Diplomatic Conference should ensure that an international instrument was adopted to give adequate protection of traditional knowledge and genetic resources. Such instrument would go a long way to improve the livelihood of many Indigenous communities, who possessed knowledge that was very valuable and had been exploited without sharing the benefits. The Delegation greatly looked forward to engaging constructively in the deliberations and the successful outcome.

93. The Delegation of ANGOLA congratulated the President and the other Officers on their election. The Delegation recognized the importance that the instrument could provide in relation to intellectual property, genetic resources and associated traditional knowledge for countries where that was of vital importance. The Delegation commended the tireless efforts of the Director General as well as the work undertaken by WIPO in supporting its Member States and interested parties throughout those negotiations. The Delegation was in favour of adopting the legal instrument, which would help national institutions in their

activities and in protecting communities in their specific rights and needs. The instrument with the objectives and purposes envisaged would benefit all contracting parties, because it would essentially be protecting oral traditions in which the experiences and knowledge were held by rural populations since ancient times and transmitted from one generation to the next. In particular, the Delegation was referring to areas such as medicine, medicinal plants, agricultural techniques and practices, pastoralism, among others, noting that such knowledge could be inspiring and used to leverage the scientific and technological development that Angola needed. The Delegation believed that like elsewhere in Africa, it was vital for Angola to adopt the instrument given that it could be applied to so many Indigenous Peoples and traditional communities, who in turn would make their discoveries available. The Diplomatic Conference could culminate in a very positive contribution to the development, not only for Angola but also for the world as a whole.

94. The Delegation of the UNITED KINGDOM congratulated the President of the Diplomatic Conference on his election and wished him and all the other appointed Officers every success in the forthcoming negotiations. The Delegation believed that with the balanced leadership of the President and constructive approach from all Committee Officers and Member State delegations, the Diplomatic Conference would be able to achieve a successful consensus-based outcome that promoted innovation and had benefits for all. The Delegation extended its gratitude equally to the Director General and the Secretariat for their dedicated efforts in organizing and hosting the Diplomatic Conference. The Delegation fully aligned itself with the statement delivered by the Delegation of the Kingdom of the Netherlands, on behalf of Group B. The Delegation recalled that its primary goal was to establish a workable, transparent system that offered legal certainty for users and did not stifle innovation whilst considering the views of Indigenous Peoples. All innovators, including small and medium sized enterprises, must be able to understand and navigate their obligations without unnecessary cost or uncertainty. While certain aspects of the drafting instrument achieved that goal, there was a need for further discussion on and improvement to others. Specifically, the Delegation advocated for creating a framework that included both minimum and maximum standard provisions, harmonizing disclosure requirement systems and streamlining differences between existing national systems. The Delegation was convinced that harmonizing and bringing consistency to disclosure requirements globally would enhance usability for intellectual property offices and patent holders and applicants, thus increasing global uptake. To achieve that end, the text needed to show a clear workable trigger mechanism that could be consistently applied by contracting parties and understood by users. The link between genetic resources and associated traditional knowledge and the claimed invention should be causal and not a tangential one. Sanctions must be balanced and take into account the underlying objectives of the instrument. It was therefore important that sanctions did not undermine or remove patent rights for failure to comply and incorporate due process protections, including opportunities to rectify and correct compliance failures. The task ahead of delegations was not at all insignificant. The Delegation was committed to working constructively and openly with all delegations present in order to reach successful and sustainable outcomes for all. The Delegation urged all delegations not to forget that the WIPO mission at the heart of all its work was a balanced and effective intellectual property system that fostered innovation and creativity for the benefit of all.

95. La Délégation de la SUISSE, s'exprimant au nom de son pays, a adressé, en tant que représentant du pays hôte de l'OMPI, l'expression de sa sincère gratitude au Président

de la Conférence, au Directeur général et au Secrétariat pour l'organisation de la Conférence diplomatique à Genève. La Délégation s'est engagée à travailler avec le Président et toutes les délégations afin d'assurer le succès de la Conférence diplomatique. La Délégation a estimé que le nouvel instrument devrait refléter de manière adéquate les droits et les intérêts de tous les pays ainsi que ceux des Peuples autochtones et des communautés locales, ajoutant qu'il était essentiel que l'obligation de divulgation offrît une sécurité juridique suffisante à tous, y compris aux requérants des brevets. La Délégation a précisé que cet objectif ne pourrait être atteint qu'en affinant les questions techniques restées en suspens, notamment en ce qui concerne le déclenchement et le contenu de l'obligation de divulgation ainsi que les sanctions appropriées. La Délégation a indiqué en particulier que les dispositions relatives à ce qui devait être divulgué devraient contribuer à un certain degré d'harmonisation plutôt que de laisser des aspects importants ouverts aux législations nationales. La Délégation a ajouté que si des sanctions efficaces devaient être mises en place pour assurer le respect des exigences de divulgation, celles-ci ne devraient pas affecter les droits des brevets établis. La Délégation a ajouté enfin que conformément à ses objectifs, ce nouvel instrument devrait être limité à des mesures de transparence applicables dans le cadre du système de brevets, notant que les questions relatives à l'accès et au partage des avantages étaient déjà traitées dans d'autres forums internationaux. La Délégation s'est dit convaincue que même si cet instrument restait concentré sur des mesures de transparence, il contribuerait également à une meilleure protection des ressources génétiques et des savoirs traditionnels associés ainsi qu'au partage des avantages.

96. La Delegación de HONDURAS se adhirió a la declaración realizada por la Delegación de Brasil en nombre del GRULAC. Precisó que acompañaba el proceso de elaboración de un instrumento jurídicamente vinculante con el propósito de asegurar un sistema mundial de propiedad intelectual más transparente, inclusivo y eficaz, que contribuyese al uso de la propiedad intelectual como una herramienta para alcanzar el desarrollo justo, equitativo y sostenible de conformidad y en armonía con otros instrumentos internacionales, incluidos aquellos relacionados con los derechos humanos y la biodiversidad. Establecer un marco jurídico sobre propiedad intelectual, recursos genéticos y conocimientos tradicionales asociados era un compromiso que cada estado podía adoptar con el objetivo de atender a una deuda histórica y de reparación respecto a la protección de los recursos genéticos y los conocimientos tradicionales asociados de los Pueblos Indígenas y comunidades locales, y la participación justa y equitativa de los beneficios derivados del uso de los mismos. Era fundamental que el tratado estableciese disposiciones mínimas, permitiendo a las partes contratantes adaptar e implementar otras medidas, incluidas de carácter regional, en la búsqueda de la protección de la biodiversidad y demás estrategias de desarrollo social y económico de carácter nacional. Era crucial incluir disposiciones sólidas para promover la transparencia y la confianza, incluyendo los requisitos para la divulgación obligatoria sobre el país de origen y o la fuente de los recursos genéticos y el conocimiento tradicional asociado, así como también las debidas sanciones y los mecanismos de solución de controversias más adecuados. Esas medidas centrarían las bases para un sistema de propiedad intelectual más legítimo, confiable y aplicable, beneficiando tanto al sector de la innovación como a los titulares y poseedores de recursos genéticos y conocimientos tradicionales asociados, en línea con un firme compromiso con la cooperación y el respeto mutuo, evitando la apropiación indebida y promoviendo la seguridad jurídica en el sistema de propiedad intelectual. Ofreció participar de manera proactiva y constructiva en las deliberaciones de la

Conferencia Diplomática con la esperanza de alcanzar un texto equilibrado y adoptado por consenso.

97. The Delegation of NIGERIA aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group, and congratulated the President of the Diplomatic Conference and the members of the Steering Committee for their stewardship. The Delegation was hopeful that the Diplomatic Conference would build on the constructive atmosphere that had characterized the IGC over the last few years. The Delegation expressed its appreciation of the International Bureau of WIPO, under the able leadership of the Director General, for its admirable efforts and excellent preparations of the Diplomatic Conference. The Delegation commended the dedication and contributions of all Member States who, after many years of negotiations, stood resolute on the need to move the normative process towards an agreement acceptable to all. In that context, the Delegation recognized the best efforts of Mr. Ian Goss, the former Chair of the IGC, for his selflessness and determination, which had led to the original Chair's Text being identified by the Member States at the 2022 General Assembly as a basis of negotiation at the Diplomatic Conference. The Delegation reiterated its readiness to work with all participants to adopt an international binding treaty which would address the continued misappropriation of genetic resources and associated traditional knowledge, within and beyond the territories of developing countries. That objective had been a reasonable geopolitical demand by the Global South, and especially by Indigenous Peoples and local communities across the world. If adopted, the treaty would positively impact the innovation and biodiversity management, a cornerstone in WIPO's mission of leading development of a balanced and effective international intellectual property system that enabled innovation and creativity for the benefit of all. The Delegation emphasized the importance of transparency and effectiveness in the working methodology to ensure a concrete and balanced outcome of the Diplomatic Conference.

98. The Delegation of ISRAEL aligned itself with the statement made by the Delegation of the Kingdom of the Netherlands, on behalf of Group B. The Delegation looked forward to engaging constructively in the discussions during the Diplomatic Conference. It thanked the Director General, the President of the Diplomatic Conference for his leadership, and the Secretariat for organizing the Diplomatic Conference and preparing the related documentation. It also thanked WIPO for hosting the Diplomatic Conference. The Delegation was fully aware of the intensive work needed to prepare and conduct the Diplomatic Conference. The fact that delegations gathered during those challenging times, participating in a Diplomatic Conference, attested to the willingness of Member States to cooperate in a constructive manner and to find common ground for proceeding to the conclusion of the instrument. The work of the Diplomatic Conference should be shaped in a way that supported innovation and creativity. The Delegation emphasized the importance of a clear and unambiguous legal instrument, to ensure mutual understanding and further promote innovation and patent quality. It was regrettably compelled to address directly and unequivocally the attempts of certain delegations to politicize the Diplomatic Conference, indicating that such actions undermined the collective mission of the Diplomatic Conference and distracted delegations from the goal to enhance the protection of genetic resources and traditional knowledge. Referring to the statements made by the Delegation of Tunisia and the Delegation of Algeria, some said that they understood some people's situation, whereas they forgot the causes of the drama that their peoples were living through. The Delegation dissociated itself from the election of a representative of the Islamic Republic of

Iran as Vice-President of the Diplomatic Conference due to the Islamic Republic of Iran's ongoing harmful and destructive actions in the Middle East and beyond, which put peace and security at risk in the region. The Delegation was looking forward to constructive engagement and deliberation.

99. The Delegation of TÜRKİYE congratulated the President of the Diplomatic Conference and all other Officers on their election. The Delegation conveyed its sincere appreciation to the Director General and the Secretariat for their tireless efforts for the preparation of the Diplomatic Conference. Türkiye had a disclosure requirement within its patent law and much recognized the significance of genetic resources and associated traditional knowledge in sustaining biodiversity and fostering socio-economic development while embracing all stakeholders. The Delegation emphasized that Türkiye, as a country with a rich biodiversity and cultural heritage, was strongly committed to the responsible and equitable management of genetic resources and associated traditional knowledge. The Delegation believed that the protection and promotion of those resources should be pursued through a framework that balanced the interests of all stakeholders. The Delegation acknowledged the importance of international cooperation and multilateralism in addressing complex global challenges. The Delegation was therefore hopeful that through collaborative and constructive efforts during the two weeks ahead, delegations could conclude an effective, balanced and comprehensive international legal commitment. The Delegation confirmed its commitment to actively and constructively contribute to the negotiations, with the aim of achieving consensus for a robust and inclusive international framework.

100. The Delegation of NEW ZEALAND congratulated the President of the Diplomatic Conference. It was reminded the traditional proverb in Māori that meant: "You have come too far not to go further. You have done too much not to do more." In that light, the Delegation was mindful of the amount of time it had taken to get there, the amount of time that had been taken to find common ground and the amount of money invested to bring 192 countries together after 20 years. It would be easy to conclude that that had taken too long, used too many resources and cost too much, but that was a simplistic view of the work. The more one looked at the instrument and the effort put into it, the more one saw how important it was. The instrument showed how complex it had been to acknowledge differences and yet find a common ground, how complex the histories were, but that those histories were just important as everyone's futures. The instrument showed importantly the benefits of appropriate interaction between culture and commerce. All that was what the Diplomatic Conference represented, namely the celebration of the differences, a remembrance of the histories and a strengthening of the futures. The Delegation acknowledged and thanked all Member States, the Indigenous Caucus, the WIPO Secretariat, and all others that had contributed to the work. The Delegation looked forward to working and achieving the significant step.

101. The Delegation of SAUDI ARABIA congratulated the President of the Diplomatic Conference and the Vice-Presidents on their election and the Vice-Presidents. It thanked the Director General and the Secretariat for their efforts in preparing the documents. The Delegation welcomed the statement made by the Delegation of the Islamic Republic of Iran, on behalf of the APG. The Delegation emphasized the importance of the decision taken by the WIPO Assemblies to convene the Diplomatic Conference after so many years of work in the ICG. Genetic resources played a key role in innovation and economic development

and encouraged the development of intellectual property. The Delegation welcomed the process of informal consultations with a view towards achieving a consensus on the draft text. It extended its thanks to all delegations who had contributed to filling in the gaps and looked forward to further cooperating in order to achieve the objectives of the Diplomatic Conference, reach a positive outcome, and adopt an international legal framework for genetic resources and associated traditional knowledge. Saudi Arabia had adopted the legal instruments relating to intellectual property and that step had been warmly welcomed by all parties. The Delegation looked forward to participating in the negotiations, which would be fruitful. A successful outcome would encourage further development of the current intellectual property system. The Delegation looked forward to welcoming all delegations at the Diplomatic Conference on Design Law Treaty which would take place in Riyadh from November 11 to 22, 2024.

102. The Delegation of MOZAMBIQUE congratulated the Director General and the Secretariat for the smooth organization of the Diplomatic Conference. The Delegation congratulated the President of the Diplomatic Conference on his election, as well as the Vice-Presidents and other elected Officers. It expressed its support for the statement delivered by the Delegation of Kenya, on behalf of the African Group. It underscored issues connected with genetic resources and traditional knowledge. Those issues were very important in the context of intellectual property rights and the protection of biodiversity at the global level, particularly for the African continent. The adoption of an international legal instrument on the protection for genetic resources and associated traditional knowledge was therefore important for the economies of different regions, particularly in Africa with its wealth of cultural diversity. For Africa and Mozambique in particular, the protection of intellectual property, genetic resources and traditional knowledge raised the question of recognizing the rights of Indigenous Peoples and local communities, including their customary rights, allowing them to benefit from the use of their cultural heritage, from their contribution to scientific progress and from sharing their knowledge. The Delegation recalled that combating misappropriation and misuse had been an important concern for Mozambique. The Delegation was aware of how its communities had been marginalized and excluded from benefiting from the profits arising from the use of those resources. It reiterated its commitment to seeking solutions to protect the rights of Indigenous Peoples and local communities.

103. La Delegación del ESTADO PLURINACIONAL DE BOLIVIA señaló que, por mandato constitucional, reconocía los derechos de los Pueblos Indígenas y que sus saberes y conocimientos tradicionales sean valorados, respetados y promocionados, así como el resguardo y registro de los derechos intelectuales colectivos referidos a conocimientos de recursos genéticos, la protección de su uso y aprovechamiento. Resaltó que esos recursos y saberes tenían un valor incalculable, eran patrimonio de sus pueblos milenarios y a lo largo de su historia habían desempeñado un rol fundamental y contribuido a su economía, al desarrollo de su país, a garantizar el disfrute de los derechos humanos desde una mirada colectiva, a forjar su identidad, así como al cuidado y preservación de la madre tierra. La Conferencia Diplomática era una oportunidad histórica para equilibrar el sistema de patentes y evitar la apropiación indebida de recursos genéticos y conocimientos tradicionales, y ofrecía una oportunidad de dejar de lado lógicas coloniales de explotación, menosprecio e injusticia con los Pueblos Indígenas. El texto de propuesta básica debía verse como una base mínima y no como un techo. Era un primer paso en la reparación de una deuda histórica con los Pueblos Indígenas del mundo, incluidas las mujeres indígenas.

El texto base para las negociaciones todavía podía ser reforzado para que refleje avances y desafíos a nivel global, pero que también reconozca los contextos nacionales. Su posición histórica había incluido defender elementos importantes, como el requisito del consentimiento previo, libre e informado, y la participación justa y equitativa de los Pueblos Indígenas en los beneficios que se deriven de la utilización de los recursos genéticos y los conocimientos tradicionales conexos. Era fundamental que el posible tratado respetase los avances normativos que muchos estados habían desarrollado en la protección de esos recursos genéticos y los conocimientos tradicionales. Reafirmó su compromiso con el proceso y con alcanzar un documento robusto de consenso que reflejase el compromiso de todas las partes, pero sobre todo que lleve a definir acciones concretas en beneficio y en justicia a los Pueblos Indígenas del mundo y sus derechos.

104. The Delegation of SUDAN congratulated the President and Vice-Presidents of the Diplomatic Conference and the other Officers on their election to manage the Diplomatic Conference. It welcomed the efforts made by the Director General and the Secretariat in order to prepare for the Diplomatic Conference. The Delegation aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group, as well as the statement made by the Delegation of Indonesia, on behalf of the LMCs. Sudan had a wealth of genetic resources and was a country that was home to many plant species which were essential for striking a natural balance. In an effort to promote genetic resources and traditional knowledge, Sudan had developed legislation which was currently at the draft stage, aimed at ensuring that everybody benefited from the fruits of genetic resources and associated traditional knowledge, including universities, research centres, the private sectors, and local communities. Such development had contributed significantly to preserving biodiversity and taking steps towards access and benefit-sharing on the basis of the CBD and its Nagoya Protocol. It was regrettable that those efforts had been undermined and those resources had been destroyed as a result of the war being carried out by militia against the State, public institutions and the citizenry of Sudan. The criminal terrorist acts had been perpetrated on a major scale including atrocities and violation of international humanitarian law. Sudan had been forced to displace entire communities, and to destroy the existing research centres containing samples of more than 15,000 local plant varieties and species. Those samples took 40 years to collect from all corners of the country. The Delegation called upon all delegations to participate constructively in the process to achieve a consensus-based instrument that protected genetic resources and traditional knowledge and that recognized the rights of Indigenous Peoples and local communities who held traditional knowledge. Such an instrument should guarantee the preservation of biodiversity and traditional knowledge. The Delegation was willing to work together with all delegations participating in the Diplomatic Conference and was committed to the process in a positive spirit to achieve its intended outcome.

105. La Delegación de la REPUBLICA BOLIVARIANA DE VENEZUELA se adhirió a la declaración del GRULAC expresada por la Delegación de Brasil. Señaló que resultaba simbólico que un representante del GRULAC, demandante originario del instrumento, sea quien asuma la responsabilidad de guiar las labores de la Conferencia Diplomática. Confiaba plenamente en el liderazgo del Presidente y en la dedicación de todos los Miembros electos que constituían la Mesa para alcanzar un resultado positivo en las negociaciones. Como nación rica en biodiversidad y cuna de ancestrales conocimientos tradicionales, reconocía la importancia de un instrumento jurídico internacional para la protección efectiva del patrimonio intercultural y de los Pueblos Originarios, como lo

establecía su carta magna. A lo largo de las negociaciones, había participado activamente en el debate, aportando propuestas y soluciones constructivas, siempre con la convicción de alcanzar un acuerdo equilibrado y justo que responda a las necesidades y aspiraciones de todas las naciones. Celebró la decisión de la Asamblea General de la OMPI de convocar una Conferencia Diplomática, y aplaudieron los esfuerzos realizados por el Comité Intergubernamental y el Comité Preparatorio para avanzar en la elaboración de la propuesta básica, la cual constituía una base sólida para las negociaciones. Confiaba en que, con un espíritu de diálogo y colaboración, se iba a poder alcanzar un acuerdo definitivo en la Conferencia. Reiteró su compromiso de trabajar con todos los actores involucrados para construir un futuro más justo y sostenible a través de la multipolaridad para las presentes y próximas generaciones.

106. The Delegation of NAMIBIA congratulated the President and Vice-Presidents of the Diplomatic Conference and all the Officers on their election. It was confident that through the leadership of the President, the Diplomatic Conference would navigate to its purposed outcome. The Delegation further extended its appreciation to the Secretariat under the leadership of the Director General for the tireless efforts to the realization of the Diplomatic Conference. The Delegation allied itself with the statement made by the Delegation of Kenya, on behalf of the African Group. It invited all delegations to imagine a world where a cure for malaria was discovered, thanks to the knowledge passed down by generations of a remote Namibian tribe, while the tribe received no benefit for that discovery. That was the reality if the rights of local communities, who hold the key to countless innovations, were not recognized. The global intellectual property system was ready and had matured in its principle of inclusivity, as the Diplomatic Conference was testimony to that truth. Genetic resources and associated traditional knowledge had contributed to medical advancements, agricultural innovation, and breakthrough solutions, and continued to contribute to sustainable economies. However, misappropriation continued to undermine the role of local communities, violate the sacred knowledge and threaten the sustainability of those resources. The time had come to rise to the demand of creating an inclusive and responsive global intellectual property instrument, which would safeguard the interests of local communities in the international intellectual property system and exemplify a fair and equitable benefit-sharing. The Government of Namibia in collaboration with the WIPO Secretariat had successfully hosted a cross-regional meeting in Swakopmund in March 2024. The spirit of collaboration which delegations had witnessed there should not be allowed to fade. It urged all delegations not to be remembered as the generation who let the present opportunity slip away. It urged all delegations to ensure that future generations inherited a system that valued not just innovation but the communities who made it possible.

107. La Delegación de CUBA hizo suyas las palabras del representante del GRULAC. Indicó que con la celebración de la Conferencia Diplomática, los Estados Miembros tenían la oportunidad de vincular el sistema mundial de propiedad intelectual de manera transparente y eficiente con los acuerdos internacionales relativos al acceso a la diversidad biológica y la distribución justa y equitativa de los beneficios. El requisito de divulgación obligatoria con respecto al país de origen y fuente de los recursos genéticos y los conocimientos tradicionales asociados se constituía en un mecanismo de monitoreo y transparencia del sistema de propiedad intelectual en beneficio del sistema de acceso a los recursos genéticos y distribución de los beneficios. Señaló que participaría de manera constructiva en los debates. La Delegación de Cuba reiteró su posición expresada en

otras reuniones de la organización a favor de preservar el carácter técnico de la organización, y evitar la politización y los dobles raseros.

108. The Delegation of BARBADOS congratulated the President of the Diplomatic Conference on his appointment and thanked the Director General and the Secretariat for their commitment to the process. It aligned itself with the statement made by the Delegation of Brazil, on behalf of the GRULAC. 25 years since it had been proposed, Member States could create history by finding common ground on the text of an international legal instrument. As a foundation of biological innovation, genetic resources were the bedrock of health and food sectors, from medicines to vaccines, from climate to disease-resistant crops, and at the centre, were peoples, sometimes the most vulnerable but culturally rich communities in all countries. The Delegation urged all delegations to remember that, recalling that the common reliance on genetic resources transcended all divides, but the ability to benefit depended on the communities' capacity to participate in intellectual property, including by having the most appropriate domestic ecosystem and resources. That was especially the case when one examined the nexus between intellectual property rights, genetic resources, and related traditional knowledge of small island states like Barbados, which were endowed with genetic resources and holders of generations of traditional knowledge, but might not own the intellectual property rights on patents acquired with those same genetic resources and associated traditional knowledge. It was hoped that over the next two weeks, the Diplomatic Conference would be able to show that multilateralism could still deliver and was still the best option to guarantee transparency, openness and inclusiveness in decision-making for all, including for the smallest amongst some Member States. It was also hoped that Member States were empowered to employ the necessary political will to reach consensus on an instrument which would not only enhance the efficacy, transparency, and quality of the patent system, as it related to genetic resources and traditional knowledge, but also prevent patents from being granted for inventions that did not meet the threshold of novelty and inventiveness. The Delegation thanked those delegations that had shown flexibility for that. The Delegation was hopeful that the Diplomatic Conference would provide an instrument that complemented and in no way backtracked on what had already been agreed to in other international agreements, like the CBD and the 2023 UN Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction. The Delegation hoped that the Diplomatic Conference would enable each Member State to contribute to a balanced and effective global intellectual property system. The Delegation assured its constructive solutions-focused engagement.

109. The Delegation of CANADA congratulated the President of the Diplomatic Conference on his election. It was convinced that under his able leadership, the important Diplomatic Conference would achieve a balanced and consensus-led outcome. The Delegation extended its congratulations to the other Officers upon their elections and thanked them for having agreed to take on such responsibility. It thanked the Secretariat for its work in preparing and hosting the Diplomatic Conference. It endorsed the statement made by the Delegation of the Kingdom of the Netherlands, on behalf of Group B. The Delegation looked forward to working with all groups and Member States to achieve, through consensus, an outcome that would be beneficial to all. It welcomed the active participation of all Observers and particularly the Indigenous Caucus, whose contribution to those discussions over the past 20 years had been invaluable. The Delegation assured its commitment to engage in a flexible and constructive manner, focusing on necessary

amendments. It called on all other delegations to do so as well. The Delegation looked forward to achieving, again by consensus, the adoption of a legally binding international instrument that recognized Indigenous Peoples' and local communities' traditional knowledge and the patent system, through a balanced and workable transparency measure. By setting a standard for disclosure at the international level, the instrument should promote harmonization, and therefore a high level of legal certainty with respect to the obligation. Echoing the statement made by the Director General, all delegations would have a very difficult two weeks, though all delegations could do the job. It reassured its support, flexibility and hard work to get to an outcome. The Delegation looked forward to working with all delegations during the Diplomatic Conference.

110. The Delegation of ZAMBIA congratulated the President and all the Officers on their election. The Delegation assured its support throughout the two coming weeks. It expressed its gratitude to the Director General and the Secretariat for putting together the Diplomatic Conference, noting that the Diplomatic Conference was very important to all delegations. The Delegation aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. It recognized the importance of a legal framework for the protection of genetic resources and traditional knowledge associated with genetic resources. Zambia, for that reason, had enacted a law as far back as 2016, designed specifically to deal with unauthorized access to, and misappropriation of Zambia's traditional knowledge, genetic resources and traditional cultural expressions. That law guaranteed the equitable sharing of benefits and effective participation of holders, promoted innovation, encouraged research and development, and guaranteed the protection of the rights of Indigenous Peoples and local communities. The Government of Zambia went further and had enacted a patent law in 2016 which, among other elements, required the disclosure of inventions which utilized genetic resources and associated traditional knowledge. The Delegation was therefore delighted that after more than 20 years of discussions, Member States had convened the Diplomatic Conference to finally conclude an international instrument related to intellectual property, genetic resources, and traditional knowledge associated with genetic resources. The Delegation was even more delighted that the draft text of the international instrument would establish a mandatory disclosure in relation to patents that would recoup requirements under national laws. The Delegation reaffirmed its support for constructive discussions during the Diplomatic Conference, based on good faith, equity, and inclusivity. The Delegation had no doubt that through the stewardship of the President, the Diplomatic Conference would conclude with the adoption of an international legal instrument relating to intellectual property, genetic resources and traditional knowledge associated with genetic resources.

111. La Delegación de EL SALVADOR apoyó la declaración del GRULAC y reiteró su compromiso en alcanzar un instrumento internacionalmente vinculante que promueva la efectividad, transparencia y calidad del sistema de patentes, mediante la instauración de un requisito de divulgación obligatoria respecto al origen de los recursos genéticos y conocimientos tradicionales asociados a tales recursos. Su aspiración era contar con un instrumento equilibrado que refleje los intereses de todas las partes involucradas, incluyendo los titulares y usuarios del sistema de patentes, los Pueblos Indígenas y las comunidades locales. Solo a través de un acuerdo equitativo y sostenible se podría avanzar hacia un sistema de patentes más justo y eficiente. Confiaba en que, con la flexibilidad necesaria por parte de los miembros y el trabajo constructivo a lo largo de esas dos semanas, se lograría un acuerdo equilibrado y significativo. La Conferencia

Diplomática era una oportunidad histórica para avanzar en la agenda normativa de la Organización. La adopción de un acuerdo de esa naturaleza representaría un triunfo para el multilateralismo. Reiteró su compromiso para contribuir al éxito de la Conferencia, participando de manera constructiva en los debates y negociaciones.

112. The Delegation of the SYRIAN ARAB REPUBLIC congratulated the President of the Diplomatic Conference on his election, and thanked the Director General and the Secretariat for their tireless efforts in preparing for the Diplomatic Conference which was the culmination of years of negotiations. The Syrian Arab Republic was making efforts to have an intellectual property system that took into account the connection between technological progress and intellectual property, and put in place the necessary conditions for creativity and innovation. The Syrian Arab Republic had undertaken a number of reforms, taken a number of legislative measures and set up a working group to implement its national intellectual property strategy, which was making great progress in such implementation. It was making efforts to organize exhibitions and events in various areas and had signed a number of national instruments and treaties in the area of intellectual property. All those efforts had been made despite the war imposed on the Syrian Arab Republic, and the challenges the country was facing, as well as the embargo and legal sanctions. It had nevertheless managed to carry out and undertake those measures. The Delegation believed very strongly in sustainable development for a more creative future. Its people were the cradle of human civilization, from where many ancient peoples came from. The Delegation would continue to pursue that civilization. The Delegation thanked for the organization of the Diplomatic Conference and reassured of its constructive participation in helping to achieve its objectives.

113. The Delegation of SAMOA, speaking on behalf of the Pacific Islands Group, congratulated the President of the Diplomatic Conference and all other Officers on their election. It was optimistic that under the able guidance of the President, the Diplomatic Conference would arrive at the successful completion of the legal instrument. The Delegation thanked the Director General and the Secretariat for all the preparations prior to the Diplomatic Conference. Samoa was one of 18 countries that formed the Pacific Islands Group, 12 of which were Member States of WIPO, a region with diverse cultural heritage. The Delegation acknowledged the vital role of intellectual property to protect and preserve traditional knowledge, biodiversity, and creativity in Samoa and the Pacific region. The improvements to the patent registration regime under the international legal instrument was an important step towards addressing the injustice done not only to Samoans and the people of the Pacific but also to Indigenous communities globally with regards to the current gaps in the international intellectual property framework. In addressing those gaps, the following issues were crucial in the negotiations: (1) the inclusion of technical cooperation and assistance to help with implementation; (2) emphasis placed on the importance of the disclosure requirement, which was a vital element in the instrument; (3) a definition of traditional knowledge would be useful in the list of terms; and (4) maintaining the review clause in Article 9 was key for further work in the future. Regarding the methodology and process, the Delegation supported the proposed timetable circulated, which had sequenced the work of Main Committees I and II to allow small delegations to participate. The Pacific Islands Group was committed to finding consensus for a meaningful instrument that addressed the development interests of developing countries.

114. La Délégation de la RÉPUBLIQUE CENTRAFRICAINE, s'exprimant au nom de son

pays, a félicité le Président de la Conférence pour son élection, dans le cadre de ces assises devant amener à l'adoption d'un instrument juridique international relatif à la protection de nos ressources génétiques et savoirs traditionnels. La Délégation a remercié le Directeur général et le Secrétariat, ainsi que le Comité préparatoire, lesquels ont organisé la Conférence diplomatique dans de bonnes conditions. La Délégation a rappelé que pendant plus de deux décennies, les États membres concernés par la question de la préservation de leurs ressources génétiques et savoirs traditionnels et du partage équitable des revenus issus de leur exploitation s'étaient beaucoup investis pour se faire entendre et pour aboutir à la tenue de la Conférence diplomatique. La Délégation a rappelé qu'en tant qu'État membre de l'Organisation africaine de la Propriété intellectuelle (OAPI) la République centrafricaine soutenait l'intervention de la Délégation du Kenya au nom du Groupe africain. La Délégation s'est jointe aux autres États-membres de l'OAPI et aux populations autochtones représentées pour demander que le débat soit constructif et aboutisse à des résultats satisfaisants. La Délégation a rappelé que par sa Résolution n° 58/25 du 11 décembre 2018, le Conseil d'administration de l'OAPI a chargé le Directeur général de l'OAPI d'élaborer les lois-types afin de permettre aux États membres de légiférer sur la protection des ressources génétiques, la protection des savoirs traditionnels et la protection du patrimoine culturel. La Délégation a indiqué que l'instrument international permettrait de lutter contre l'appropriation illicite et l'utilisation commerciale déloyale et viendrait compléter les conventions qui régissent la protection de la propriété intellectuelle tant dans les États membres de l'OMPI. La Délégation a souligné que l'instrument international viendrait réparer l'injustice et l'ignorance qui a tant régné sur cette question.

115. The Delegation of OMAN congratulated the President of the Diplomatic Conference on his election and wished him every success. It thanked the Director General and the Secretariat for preparing the Diplomatic Conference. The Delegation supported the statement made by the Delegation of the Islamic Republic of Iran, on behalf of the APG. Oman had a rich cultural and historic heritage, a very ancient heritage attested by International Organizations. Its geographic location had enabled Oman to interact with various civilizations, back from antiquity. The Delegation was committed to collaborate with Member States in the hope of adopting a new instrument to modernize national and international regimes. Genetic resources and traditional knowledge associated with genetic resources were very important and a key part of human history, and Oman was very proud of its diversity, traditional knowledge, and genetic resources including plants and animals. The Delegation was proud to participate in WIPO Committees such as the IGC. It was committed to play a constructive role at the Diplomatic Conference, acknowledging that that was an exceptional and historic opportunity for delegations. The Delegation sincerely hoped that the Diplomatic Conference would help to conclude an international legal instrument to respond to the world's needs in that area, to combat misappropriation and misuse which deprived Indigenous Peoples and local communities of the benefits of the use of their genetic resources and traditional knowledge. The ultimate objective was greater transparency and a more effective intellectual property regime, as well as preventing the erroneous granting of patents. The Delegation welcomed those efforts and hoped that they would be crowned with success in order to respond to the aspirations of all Member States toward a more beneficial legal regime.

116. The Delegation of the UNITED REPUBLIC OF TANZANIA congratulated the President and Vice-Presidents of the Diplomatic Conference and the other Officers for

undertaking important responsibilities with respect to the historic Diplomatic Conference. The Delegation extended its appreciation to the Director General and the Secretariat for their valuable efforts towards the Diplomatic Conference. The Delegation aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group. It reiterated its support for a comprehensive and effective international legal instrument that safeguarded the rights of Indigenous Peoples and local communities, with a view to ensuring protection and fair and equitable benefit-sharing of valuable genetic resources and their associated traditional knowledge. As a country that was rich in biodiversity and cultural heritage, the United Republic of Tanzania supported the calls for the prevention of misappropriation and upholding of sustainability in the global intellectual property framework. It hoped that mandatory disclosure would open the way for a new era of patent systems, which guaranteed true protection of intellectual property rights associated with genetic resources and their associated traditional knowledge. As it looked forward to a successful conclusion of the Diplomatic Conference, and while insisting on linking the proposed agreement with existing international mechanisms, the Delegation emphasized the importance of mutual support and capacity-building in the implementation of the long-awaited historic document, given not only the complexity of the international norm-setting in the area of genetic resources and associated traditional knowledge, but also the need for promoting the sustainable development of Indigenous Peoples and local communities. The Delegation reiterated its commitment to constructive engagement for the successful conclusion of the negotiations.

117. The Delegation of KAZAKHSTAN expressed its deep gratitude to the Director General and the Secretariat for their hard work in preparing the Diplomatic Conference. It congratulated the President and Vice-Presidents of the Diplomatic Conference and all Officers on their election. The Delegation stood ready and committed to supporting the delegations' efforts to improve the efficiency, transparency, and the quality of the patent system in relation to genetic resources and associated traditional knowledge. In that regard, the Delegation called upon all delegations to demonstrate political will and provide the constructive, pragmatic, flexible and balanced approach necessary to ensure the successful outcome of the Diplomatic Conference. The Delegation, seizing the opportunity, reminded all delegations that in addition to the conclusion of the long-awaited legally binding instrument on genetic resources and associated traditional knowledge, which was a noble goal, they had a bigger objective to achieve, which was to demonstrate that multilateralism worked and was capable of delivering for the benefit of all people and global public good. The Delegation wished all the best and success during the forthcoming two weeks.

118. La Délégation de MADAGASCAR a félicité le Président de la Conférence pour son élection et a remercié le Directeur général ainsi que le Secrétariat pour l'organisation de la Conférence diplomatique et les efforts déployés depuis ces 20 dernières années aux fins de l'élaboration d'un système approprié pour les ressources génétiques et les savoirs traditionnels associés. La Délégation a fait sienne l'intervention faite par la Délégation du Kenya au nom du Groupe africain. La Délégation a rappelé qu'elle avait toujours suivi avec grand intérêt l'évolution des échanges et des négociations dans le cadre de l'IGC. Elle s'est félicitée de la tenue de la Conférence diplomatique appelée à convenir de dispositions communes pour attribuer une protection plus sécurisante des ressources génétiques et des savoirs traditionnels au moyen du système de propriété intellectuelle, et ce, pour toutes les parties prenantes. La Délégation a estimé que le texte actuel sur la base duquel

débuteraient les négociations lui semblait être une bonne base de discussion. La Délégation a rappelé que Madagascar était un pays riche en ressources génétiques endémiques et non endémiques, ainsi qu'en savoirs traditionnels associés qui lui sont propres, ajoutant que son infrastructure juridique était en pleine construction et que son infrastructure institutionnelle actuelle était adaptée pour la mise en œuvre future du cadre législatif national ainsi que de l'instrument auquel devrait aboutir, comme on pouvait l'espérer, la Conférence diplomatique. La Délégation a toutefois rappelé qu'un cadre législatif national ne pourrait pas assurer une protection effective de nos ressources génétiques et de nos savoirs traditionnels, d'autant plus si ces derniers font l'objet d'exploitation en dehors du territoire national. La Délégation a ainsi exprimé un intérêt majeur dans l'insertion de dispositions suffisamment contraignantes en ce qui concernait la divulgation, ainsi que des sanctions dissuasives concernant les manquements aux obligations instituées par le futur instrument international. La Délégation a ajouté que la mise en œuvre future d'un tel instrument international devrait connaître la même implication et le même intérêt que ceux manifestés par les États membres à la Conférence diplomatique. A cet égard, la Délégation a souhaité une formulation non ambiguë, notamment afin d'éviter toute disposition échappatoire et toute interprétation divergente dans le cadre de la mise en œuvre de l'instrument. La Délégation a exprimé son plein soutien quant à la décision de l'IGC d'exclure du projet de texte les questions qui sont déjà abordées par d'autres traités internationaux telles que les questions d'accès et de partage des avantages découlant de l'exploitation des ressources génétiques et des savoirs traditionnels y associés. La Délégation a néanmoins appelé à inclure une référence explicite à ces traités compte tenu de l'importance cruciale de ces questions. La Délégation a assuré le Président de la Conférence de son intention de participer activement à la Conférence diplomatique, dans un esprit constructif et dans la recherche du consensus, rappelant qu'il était plus que temps de parvenir, après presque un quart de siècle de discussion, à un texte accepté de tous, facilement applicable et à même d'atteindre ses objectifs. La Délégation a souhaité plein succès à la Conférence diplomatique.

119. La Delegación de REPÚBLICA DOMINICANA se sumó a la declaración de la Delegación de Brasil en nombre del GRULAC. Señaló que, ante la carencia de un instrumento jurídico relativo a ese tema, la Oficina Nacional de la Propiedad Industrial de la República Dominicana determinó, en el año 2017, de manera supletoria administrativa y de acuerdo a lo dispuesto en el Protocolo de Nagoya respecto a las medidas de cumplimiento de los usuarios, y a los fines de asegurar que se ha accedido a un recurso genético en el marco de esas regulaciones, que si una solicitud de patente se refería a un producto o proceso basado en un recurso genético, debía contener información sobre el origen del material genético y o del conocimiento tradicional asociado, y el certificado de acceso a dicho material genético emitido por la autoridad competente, siempre que se requiriese en el país de origen. Dichos elementos formarían parte esencial del examen sustantivo de patentes. Alentó a todos los miembros a trabajar durante esas dos semanas en el equilibrio, flexibilidad e inclusión con el reconocimiento de que un instrumento legal robustecería el sistema de patentes en lo que respecta a los recursos genéticos y los conocimientos tradicionales asociados. Se comprometió a trabajar de manera justa y flexible para que ese momento histórico pueda concluir de manera exitosa.

120. The Delegation of ESWATINI aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group. It congratulated the President of the

Conference and the other Officers on their election and was confident that the President would steer the Diplomatic Conference to a successful outcome. The Delegation expressed its appreciation to the Director General and the Secretariat for the preparations of the Diplomatic Conference. It welcomed that historic moment and the convening of such platform where Member States would finally conclude an international intellectual property instrument that was in sync with the realities of genetic resources and associated traditional knowledge. That was a generational opportunity, which should not be missed. All the eyes of the world were focused on it. The Delegation was mindful of the work that would need to be done, to ensure that the outcomes be robust and withstand scrutiny. When reflections would be made, it became clear that collectively, delegations were intentional and decisive in making intellectual property a system that left no one behind. The instrument would level the landscape, so that all peoples were not deprived of the benefits arising from their vast knowledge and resources. The Delegation was hopeful that the instrument should be fit for its purpose and delivered for all.

121. The Delegation of the COOK ISLANDS congratulated the President of the Diplomatic Conference on his election to that pivotal role, guiding the Diplomatic Conference towards the conclusion of a long-awaited treaty. The Delegation extended its heartfelt gratitude to the Director General and the Secretariat for providing the platform and for such crucial collective efforts. Recognizing the significant progress achieved over the past two decades, culminating in the Basic Proposal, the Delegation emphasized the importance of advancing together towards an international instrument that was transparent, just and equitable, ensuring no one was left behind. As a big ocean state, the Cook Islands took pride in being the custodians of rich biodiversity, genetic resources, and profound traditional knowledge, inspired from its Marae Moana, deeply valued those assets and recognized that responsible stewardship was vital for their conservation, sustainable use, and equitable benefit-sharing. The Delegation firmly believed that intellectual property should serve as a tool for the betterment of humanity and future generations. It aligned itself with the statement made by the Delegation of Samoa, on behalf of the Pacific Islands Group. The Delegation advocated for shaping a legal instrument that included provisions for technical cooperation and assistance, and a meaningful disclosure requirement. It also urged for the inclusion of a definition of traditional knowledge in the final text. It remained steadfast in its support for maintaining a review clause to address issues related to derivatives. The Delegation reaffirmed its unwavering commitment to such a landmark process, where multilateralism could once again harness its power to bridge gaps in the current intellectual property system, leaving behind a legacy of which the world could be proud.

122. The Delegation of KYRGYZSTAN congratulated the President of the Diplomatic Conference and the other Officers on their election, and was grateful to the Director General and the Secretariat for having prepared the Diplomatic Conference. The Delegation wished all countries the best for the productive work ahead and was hopeful that the outcomes would be useful to all.

123. The Delegation of BHUTAN congratulated the President of the Diplomatic Conference and the other Officers on their election. It thanked the Director General and the Secretariat for their excellent preparations leading to the pivotal Diplomatic Conference to conclude an international legal instrument relating to intellectual property, genetic resources and associated traditional knowledge. With more than 70% of the country under forest cover

and known as one of the top 10 biological hotspots in the world, Bhutan recognized the intrinsic value of genetic resources and traditional knowledge, which were not only vital to its cultural heritage, but also integral to sustainable development and well-being of its communities. Bhutan's commitment to safeguarding those invaluable resources was deeply rooted in Bhutan's ethos of sustainable development philosophy of cross-national happiness, wherein environmental conservation and preservation of its culture were two of the four main pillars. Complying with the CBD and its Nagoya Protocol, Bhutan had instituted strong access and benefit-sharing (ABS) legislation, which served as a robust framework for the equitable sharing of benefits derived from the utilization of genetic resources, visibly conferred respect of the rights of its local communities and promoted sustainable development. The intellectual property Office of Bhutan had been assigned as one of the national ABS checkpoints, and any patent applications utilizing national biological resources were mandated to undergo national ABS clearance, as per its existing biological diversity legislation and guidelines. Such mechanism served the Intellectual Property Office in preventing erroneous granting of patents, which could potentially exploit genetic resources and associated traditional knowledge. For such a rigorous process and close collaboration of national stakeholders, the Delegation endeavoured to uphold the integrity for the international intellectual property regime, while safeguarding the interest of the communities. As the Diplomatic Conference started its deliberations to adopt an international legal instrument, the Delegation urged for an intellectual property framework that built upon the principles of ABS and reinforced the importance of preventing misappropriation and unfair exploitation of genetic resources and associated traditional knowledge. The Delegation was hopeful that any agreement reached towards the end of the Diplomatic Conference would strike a delicate balance between promoting innovation and ensuring the fair and equitable sharing of benefits. The Delegation stood ready to engage in constructive negotiation, aligned with the statement made by the Delegation of the Islamic Republic of Iran, on behalf of the APG, and offered its collaboration with all participating parties to achieve an effective legal instrument that addressed the complexities of intellectual property in relation to genetic resources and associated traditional knowledge, in a manner that was respectful of diverse cultural perspectives and conducive to global harmony and progress. The Delegation urged all delegations to seize the opportunity to forge a pathway towards a more inclusive and sustainable future, where the wealth of collective knowledge and resources was preserved, protected, and shared for the benefit of all humanity.

124. The Delegation of NEPAL congratulated the President of the Diplomatic Conference and the other Officers on their election and assured the President of its full support for his important role. It thanked the Director General and the Secretariat for the important work done for the Diplomatic Conference. The Delegation aligned itself with the statements delivered by the Delegation of the Islamic Republic of Iran, on behalf of the APG, and by the Delegation of Indonesia, on behalf of the LMCs. Nepal was endowed with rich biodiversity, genetic resources, and a range of associated traditional knowledge. Protecting those resources had remained a top priority for Nepal. The legal instrument must respect the ownership of the knowledge-producing local communities and should also support the achievement of the UN Sustainable Development Goals. The Delegation was hopeful that the adopted legal instrument would strengthen the international intellectual property system and contribute to efficacy and harmony. It looked forward to having constructive engagement with all delegations for the successful outcome of the Diplomatic Conference.

125. The Delegation of LIBERIA congratulated the President of the Diplomatic Conference. It thanked the Director General and the Secretariat for organizing the historic Diplomatic Conference. The Diplomatic Conference represented a crucial junction in Member States' global efforts to forge a consensus on the protection and utilization of genetic resources and associated traditional knowledge. Those issues were of profound importance to the sustainable development and cultural heritage of Liberia, though those resources and knowledge systems faced unprecedented challenges in the modern world. Rampant advancements in technology and globalization had intensified the need for an international legal framework that ensured equitable access to and fair benefit-sharing from genetic resources and associated traditional knowledge. The Delegation indicated that the complexities of the issue demanded multilateral cooperation and a shared commitment to promoting innovation, while safeguarding the rights of Indigenous and local communities. The outcome of the Diplomatic Conference held significant implications for the features of global intellectual property governance, at the outset of the final deliberations on the draft text of the legal instrument under consideration. The Delegation urged all parties to engage constructively and with a spirit of cooperation. The resulting framework must be comprehensive, clear, and responsive to the needs and aspirations of nations, particularly those with rich biodiversity and cultural heritage. The Delegation was committed to fostering a balanced and inclusive approach to intellectual property rights, an approach that recognized and respected the rights of all stakeholders, especially Indigenous and local communities who were the custodians of traditional knowledge. It would push measures that empowered those communities to actively participate in decision-making processes and benefit equally from the commercialization of genetic resources and associated traditional knowledge. The Delegation extended its gratitude to WIPO and all participants and delegations for their commitment to advancing in the important agenda and to forging a path forward that upheld the principles of equity, inclusiveness and sustainability. All Member States together could ensure that genetic resources and associated traditional knowledge were protected for the collective benefit of humanity, while preserving the rich embodiments of the diverse culture.

126. The Delegation of GUINEA-BISSAU congratulated the President of the Diplomatic Conference on his election. It thanked the Director General and the Secretariat for their excellent groundwork that had gone into preparing the Diplomatic Conference. It expressed its gratitude to the coordinator of the African Group. The Delegation fully endorsed the statement made by the Delegation of Kenya, on behalf of the African Group. Guinea-Bissau, like many other countries, had very rich genetic resources and traditional knowledge. Those resources and knowledge must be protected for current and future generations. The legal instrument would be a step in the right direction because it would reflect the essence of the Nagoya Protocol. That was why all delegations needed to show constructive engagement in order to achieve a successful outcome for the important issue. The Delegation was convinced that all delegations shared an enormous responsibility at the Diplomatic Conference, given that the instrument covered various areas of social and economic importance. The Delegation urged all delegations to build consensus on such an important instrument.

127. The Delegation of VANUATU aligned itself with the statements made by the Delegation of the Islamic Republic of Iran, on behalf of the APG, and by the Delegation of Samoa, on behalf of the Pacific Islands Group. The Delegation assured that it was dedicated to actively collaborating with all relevant stakeholders to achieve a mutually

agreeable result during the crucial Diplomatic Conference. It wished the President and all elected Officers all the best for a successful outcome. Vanuatu, coming from the Pacific with a rich cultural heritage, valued the role that WIPO should play in protecting and preserving the cultures, traditional knowledge, biodiversity, and creativity in the Pacific. The Delegation joined other delegations from the Pacific on stressing the importance of including a technical cooperation and assistance provision. That crucial requirement should be a crucial element in the instrument, together with a definition of traditional knowledge and the inclusion of the review clause in Article 9. The Delegation supported the timetable of the Diplomatic Conference, which sequenced the work of the Main Committees I and II to allow small delegations to participate.

128. The PRESIDENT, following upon a request of the Delegation of the Islamic Republic of Iran to be able to exercise its right to reply, gave the floor to the Delegation of the Islamic Republic of Iran.

129. The Delegation of the ISLAMIC REPUBLIC OF IRAN, in exercising its right of reply, categorically rejected the baseless allegations made against the Islamic Republic of Iran presented by the representative of the Israeli government, who sought to justify and cover up its genocidal aggression against the innocent people of Palestine in the Gaza Strip and the West Bank. Accordingly, its endeavours to shift blame onto the Islamic Republic of Iran were entirely unfounded and lacked any legal base. The repulsive Israeli occupation had brought so much suffering, had caused so many crises and so much instability and anger throughout the region, and continued to be the top spoiler of regional peace and stability. They continued keeping Palestine under their occupation and brutally suppressed any resistance. Many delegations had already politicized this purely technical body during two past years and in that morning, by making political statements on the election of Officers which were procedural issues. The Delegation believed that the Diplomatic Conference was deliberating an international legally binding instrument relating to intellectual property, genetic resources and traditional knowledge. In that context, Palestinian people had been deprived of the right of genetic resources by an occupier and cruel government. Thus, it was the right place to bring up those important issues before the Diplomatic Conference.

130. The PRESIDENT adjourned the session.

Third Meeting Tuesday, May 14, 2024 Morning

Agenda Item 7 - Opening declarations by Delegations and by Representatives of Observers (continuation)

131. The Delegation of FIJI joined other delegations in emphasizing that Member States stood at a pivotal moment in history, a moment that held the promise of justice for their Indigenous Peoples and local communities who had long stewarded the Earth's biodiversity. Like the other Pacific nations, Fiji hosted over 330 islands with distinct flora,

fauna, and genetic resources, accompanied by long-standing traditional knowledge. The importance of the international legal instrument could not be overstated. The Delegation thanked all delegations and the WIPO Secretariat for progressing the work in the IGC throughout the years. Its expectations of the finalization of the text of the Basic Proposal should involve the inclusion of a technical cooperation and assistance provision to facilitate effective implementation, particularly for small island developing states. The Delegation recognized the importance of the disclosure requirement and supported its inclusion as a key component of the instrument. The term “traditional knowledge” was not defined and it encouraged the inclusion of a definition that would allow enough flexibility for further development in the review period. The Delegation supported the inclusion of a review clause in Article 9, as a means of potentially expanding the scope of the instrument to other areas of intellectual property. The Delegation assured its cooperation during the Diplomatic Conference. It aligned itself with the statement made by the Delegation of the Islamic Republic of Iran, on behalf of the APG.

132. La Délégation du GABON exprima le plaisir qu'elle eut de voir le Président conduire les travaux de cette conférence diplomatique et lui renouvela sa confiance quant à son professionnalisme et son leadership pour faire avancer les travaux. Elle rendit un vibrant hommage au Directeur général Daren Tang, pour son intense activité autour des préoccupations liées à la propriété intellectuelle, ainsi que pour ses efforts inlassables en faveur de l'aboutissement des nobles objectifs de l'organisation. La Délégation s'associa pleinement à la déclaration prononcée par le Kenya au nom du Groupe africain. La Délégation rappela que cette session se tint après deux décennies de délibérations et qu'elle fut marquée par la conclusion d'un instrument juridique international relatif aux ressources génétiques et aux savoirs traditionnels associés. La Délégation souligna que l'objectif de la propriété intellectuelle fut d'encourager la créativité et que celle-ci permette le développement économique et le progrès social et culturel. La Délégation crut fermement au rôle que la propriété intellectuelle pouvait jouer dans le développement des États, dans le contexte d'une économie fondée sur la valorisation et la protection du savoir. La Délégation salua l'évolution relative qui découla des dernières sessions du Comité intergouvernemental de la propriété intellectuelle relative aux ressources génétiques, aux savoirs traditionnels et au folklore, pour faire avancer la mise en place d'un instrument juridiquement contraignant visant à favoriser l'efficacité, la transparence et la qualité du système des brevets. La Délégation expliqua que le texte en examen visait à garantir la prévention contre toute appropriation illicite ou utilisation abusive de ces ressources, d'où l'exigence de divulgation, qu'elle soutint, pour permettre aux pays détenteurs des ressources génétiques et des savoirs traditionnels associés de bénéficier d'une part équitable des privilèges découlant de leur emploi. La Délégation estima qu'avec plus d'engagement, de sincérité et de bonne foi, tous les États présents à ces travaux mettraient tout en œuvre en vue de la finalisation d'un document mutuellement satisfaisant et appela de tous ses vœux les pays à faire preuve de volonté pour surmonter les blocages de principe. Pour finir, la Délégation dit que son pays resta fermement engagé à la recherche d'un compromis équilibré et constructif et souhaita plein succès dans la conduite des travaux.

133. The representative of the SECRETARIAT OF THE CBD was pleased to contribute some experiences and recent developments. In December 2022, the Conference of the Parties at the CBD had adopted the Kunming-Montreal Global Biodiversity Framework which was an ambitious framework with 23 oriented targets and goals. The Framework

was based on a human rights approach, and premised on the effective participation of Indigenous Peoples and local communities. The Framework included targets to protect genetic diversity and called on the significant increase in the fair and equitable sharing of benefits from the use of genetic resources. For the first time, it extended to DSI on genetic resources. In regard to the Nagoya Protocol on ABS, the Framework had two goals: monetary and non-monetary benefits from the utilization of genetic resources and DSI on genetic resources, as well as traditional knowledge associated with genetic resources, were shared fairly and equitably, and were sustainably increased by 2050, while ensuring that traditional knowledge was protected and thereby contributing to the conservation of stable use of biodiversity. As part of the plan, parties had decided to establish a multilateral mechanism, including a global fund to share the benefits from the use of DSI on genetic resources. As regards the Working Group on Article 8(j), the representative was pleased to inform that negotiations were ongoing for the development of a new program of work on Article 8(j) and other provisions which would actually increase the participation of Indigenous Peoples and local communities, and also ensure the full implementation of Article 8(j) of the CBD. The Secretariat of the CBD looked forward to participating in the Diplomatic Conference, contributing its inputs and assisting to ensure the successful completion of the negotiations.

134. The representative of the AFRICAN REGIONAL INTELLECTUAL PROPERTY ORGANIZATION (ARIPO) congratulated the President of the Diplomatic Conference and all the Officers on their election. It commended the Director General and the Secretariat for the exceptional effort in facilitating the arrangements. The representative acknowledged the collective dedication of all stakeholders towards adopting an international legal instrument related to intellectual property, genetic resources and traditional knowledge associated with genetic resources. Such a framework held promise for fostering biodiversity conservation, promoting sustainable development and safeguarding the rights and livelihoods of Indigenous and local communities. In that context, the representative aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group. The representative recalled that in 2010, ARIPO and its Member states had achieved a significant milestone by adopting the Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore. The envisaged treaty stood poised to complement ARIPO's ongoing endeavours and objectives. The representative expressed optimism that the objectives of the Diplomatic Conference would be realized.

135. The representative of the SOUTH CENTRE, recalling that the South Centre was an intergovernmental organization of developing countries, appreciated the efforts made in elaborating the Basic Proposal. However, the Basic Proposal could and should be improved in many respects, such as the following: the treaty should make it clear that it set minimum standards including regarding the scope of the disclosure requirement and the sanctions for non-compliance with ABS regulations; the disclosure should be made in the applications themselves and thereby ensure that the disclosed information was published; the treaty should clarify the applicability of the disclosure requirement to DSI, as misappropriation in many cases could take place without access to a physical sample; and a specialised website, administered by WIPO, should be established to receive and store communications from patent offices on patent applications containing claims on genetic resources or associated traditional knowledge. The representative believed that without a mechanism of that type, it would be almost impossible for governments and communities to monitor such claims in multiple jurisdictions. The representative acknowledged that

information systems might be useful to improve patent examinations, but that was, however, an issue that needed to be addressed at the national level. The focus of the current negotiation should be the establishment of an international mandatory disclosure requirement. The representative wished all Member States success in the negotiations and noted that the search for consensus should not impede adopting a treaty that provided tools to effectively address misappropriation of genetic resources and associated traditional knowledge.

136. The representative of the PACIFIC ISLANDS FORUM SECRETARIAT (PIFS) supported the statements made by the delegations of members of the Pacific Islands Group. The blue Pacific continent and its communities were renowned for their very rich and diverse traditional cultures, skills and practices. The importance of protecting and nurturing Pacific traditional knowledge had therefore been a long-standing regional priority, in particular to combat unfair exploitation and to ensure the full employment of benefits and rights in support of its peoples and communities. PIFS took pride in the pioneering efforts taken by the Pacific Islands Forum members to protect traditional knowledge. In 2002, the Pacific leaders had endorsed a Pacific Model Law on Traditional Knowledge and Cultural Expressions, followed by a second Model Law in 2004 on Traditional Biological Knowledge, Innovations and Practices. The representative congratulated WIPO Member States and the Secretariat on the critical step to meet to conclude the international legal instrument relating to intellectual property, genetic resources and traditional knowledge associated with genetic resources. In pursuit of multilateral protection and engagement, those global and regional efforts further advanced the shared Pacific goals and vision, which was espoused under their 2050 Strategy for the Blue Pacific Continent, in particular the thematic pillar of people-centred development. PIFS' expectation was therefore for a meaningful instrument that balanced the rights of inventors and owners of traditional knowledge. The treaty should recognize and not undermine the rights of traditional knowledge owners to prior and informed consent and ABS. The representative assured that PIFS remained fully committed to supporting the successful conclusion of those negotiations under the leadership of the President.

137. The representative of the INTERNATIONAL FEDERATION OF PHARMACEUTICAL MANUFACTURERS ASSOCIATIONS (IFPMA) recalled that IFPMA represented the biopharmaceutical industry. IFPMA and its members supported predictable access to genetic resources that could be the starting point for biopharmaceutical research and development. However, IFPMA and its members were concerned that the outcome of the Diplomatic Conference could detrimentally affect innovators' continued ability to research, develop and manufacture products related to genetic resources. Despite over 20 years of negotiations, fundamental elements such as objectives, scope and definitions remained unclear, and there had been no substantial evidence or assessments to justify the need for such instrument. IFPMA believed that those advocating for it should demonstrate the benefits observed in their national system. The objective of the instrument seemed to be compliance with ABS legislations. The representative believed that some of the disclosure proposals would reduce the use of genetic resources, stifle innovation and therefore eliminate benefit-sharing. The representative was not sure that it was being considered by the proponents. As users of the patent system, IFPMA member companies struggled to see the merit in a new international patent disclosure requirement, and firmly believed that the proposed instrument would not enhance the efficacy, transparency or quality of the patent system, nor would it prevent the granting of erroneous patents. The proposed

disclosure requirement did not help intellectual property offices, in assessing criteria such as novelty, industrial application and non-obviousness. IFPMA continued to believe that the cost of a new patent disclosure requirement outweighed any undemonstrated benefits. IFPMA was willing to work constructively with delegations to find an outcome at the Diplomatic Conference that did not undermine innovation.

138. The representative of the JAPAN INTELLECTUAL PROPERTY ASSOCIATION (JIPA) stated that JIPA was one of the largest intellectual property user organizations in the world. JIPA was strongly concerned about two main points by imposing the unnecessary burden of disclosure requirements on applicants, which had nothing to do with patentability: (1) the protection of products by patents would become insufficient, which would discourage the industrial utilization of genetic resources; and (2) it would lead to the discouragement of innovation. The representative emphasized that the patent system was different from the CBD. The patent system encouraged invention and contributed to the promotion of innovation by protecting and exploiting inventions. It was not appropriate to use the patent system for the ABS purposes. The purpose of the CBD and ABS mechanisms could be sufficiently achieved by utilizing the Nagoya Protocol which had mechanisms for access to genetic resources and benefit-sharing.

139. The representative of the INNOVATION COUNCIL stated that the Innovation Council connected organizations, bringing new solutions to society with policymakers so that they could share perspectives and experiences. For the Innovation Council, it was important that negotiators safeguarded legal certainty in the patent system. When legal certainty and predictability were compromised, the environment for investing in research and development, sharing knowledge and delivering inventions to society became riskier and more difficult. Legal uncertainty affected small and large patent owners, as well as the organizations that partnered with them and that otherwise interacted with their intellectual property positions. The representative insisted that the instrument must be specific and clear with a narrow and clearly defined scope of application that aligned with how patents were prosecuted and managed in the real economy. The instrument should not create undue burdens for patent users and offices. The Innovation Council endorsed the inclusion of maximum commitments in the instrument for harmonization and legal certainty. During the Diplomatic conference, it would be important to define the scope clearly and narrowly, which related to the trigger, DSI, timing of application, and other elements. Clear definitions were required. It would be necessary as well to exclude patent-based sanctions from the requirement, of which the purpose was transparency. The adoption of an unclear or unduly broad text could compromise innovation projects beyond those based on genetic resources and associated traditional knowledge. It was important that such unintended consequences were avoided.

140. The representative of the NATIVE AMERICAN RIGHTS FUND (NARF), speaking on behalf of NARF and the National Congress of American Indians, stated that the National Congress of American Indians was the oldest, largest and most representative American Indian and Alaskan Native organization in the United States of America. After over two decades of work, WIPO Member States had the opportunity to take a modest but significant step by adopting a treaty with a mandatory disclosure requirement. The representative appreciated that many Member States had been constructively engaging with Indigenous Peoples and seeking to reflect Indigenous Peoples' input in the instrument. The representative pointed out that for the Diplomatic Conference to be judged a success in the

eyes of the world, the treaty adopted must have the support of Indigenous Peoples, the holders and guardians of genetic resources and associated traditional knowledge. The representative emphasized that Indigenous Peoples were anti-theft, not anti-innovation. NARF looked forward to working with Member States to develop a treaty that meaningfully contributed to preventing misappropriation of Indigenous People's genetic resources and associated traditional knowledge.

141. The representative of the TEBTEBBA FOUNDATION recalled that after 25 years of waiting by Indigenous Peoples, it was time to commit to an international binding treaty at the Diplomatic Conference. The Tebtebba Foundation supported the inclusion of mandatory disclosure requirements for genetic resources and associated traditional knowledge. The representative recognized the complexities in identifying the origin of genetic resources and associated traditional knowledge, identifying triggers for disclosure and the need for necessary compromises. However, the treaty must not lock in past bad practices, but ensure that Indigenous Peoples' free, prior and informed consent was obtained for genetic resources taken from Indigenous Peoples' land. Likewise, any use of traditional knowledge associated with genetic resources must also occur with Indigenous Peoples' consent. The representative recognized that national flexibility was necessary and appropriate. The international treaty could not be used to prevent further injustices and misappropriation. There must be procedures for resolving disputes and consequences for violating obligations in that regard, including sanctions and remedies for wilful fraud. Patents should not be granted for innovations based on stolen genetic resources or stolen traditional knowledge. The representative insisted that Indigenous Peoples must have the right to participate in deciding those sanctions and remedies. Member States that did not have Indigenous Peoples on their territory still had obligations for national patents using genetic resources and associated traditional knowledge linked to human rights and other obligations, such as the CBD, the Nagoya Protocol and the High Seas Treaty. The representative supported the statement made by the representative of the Secretariat of the CBD and its relevance, which contained informative principles. The representative urged all delegations to land all treaties with wheels on and wheels down, so that they could be used collectively to climb back to the highest ambitions.

142. La representante de la COMISIÓN JURÍDICA PARA EL AUTODESARROLLO DE LOS PUEBLOS ORIGINARIOS ANDINOS (CAPAJ) expresó su buena voluntad de acompañar el proceso en curso, así como el resultado de la Conferencia Diplomática. Estaba segura de que será de beneficio para los Pueblos Indígenas. Reconociendo que el instrumento motivo de la conferencia se refiere a la protección de los recursos genéticos y conocimientos tradicionales conexos a los recursos genéticos de los Pueblos Indígenas, reafirmó la importancia de que el documento reconozca de manera expresa la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas. Enfatizó la importancia del requisito de divulgación sobre el origen de los conocimientos tradicionales conexos. Expresó su apoyo al trabajo que viene realizando el Caucus indígena.

143. The representative of the FOR ALTERNATIVE APPROACHES TO ADDICTION, THINK & DO TANK (FAAAT) congratulated the President of the Diplomatic Conference and Vice-Presidents on their election, and thanked the Secretariat for its work. In order to promote harmony with nature and defend the rights of Indigenous Peoples and local communities, the instrument must include the following elements: (1) any disclosure of patents based on genetic resources or associated traditional knowledge should prove that

free, prior and informed consent had been obtained from the legitimate rights holders; (2) the instrument must mention indigenous customary laws since they were the only way to ascertain legitimate rights holders; (3) fair and equitable ABS must be acknowledged; (4) DSI must be included in the definition of genetic resources; (5) sanctions must include the option of patent revocation for incomplete and inaccurate disclosures. The representative recognized that the instrument was a historic opportunity to repair ecological relationships harmed by centuries of biopiracy and cultural extermination created by colonialism. The representative affirmed the necessity of peace and respect for human rights for cooperative preservation of genetic resources and traditional knowledge, and urged for the treaty to be rooted in compassion and respect.

144. The representative of KA'UIKIOKAPŌ presented himself as an Indigenous son of the Pacific Ocean, speaking on behalf of Ka'uikiokapō of Hawaii. The representative fully supported the statements made by the representative of the Indigenous Caucus and by the delegations of the Pacific family. The representative reminded everyone that many of the peoples of the Pacific were not permitted to make sovereign decisions to protect genetic resources in their traditional lands and waters. Government agencies still allowed military and economic activities to destroy their culturally significant areas filled with medicinal plants and marine resources without their free, prior and informed consent. The historic contamination of their lands and waters by outside interests remained unresolved. The representative wondered what was the use of protecting their relevant traditional knowledge, if their genetic resources had been devastated or extinct. The representative asked Member States and private businesses to respect Indigenous Peoples as the rightful stewards of their genetic resources and support their knowledgeable decisions to keep those resources sustainable. Furthermore, the representative urged everyone to realize that their traditional knowledge was crucially maintained and perpetuated in their traditional cultural expressions, which also needed to be respected. The representative urged everyone to be led by righteousness in the discussions on genetic resources and associated traditional knowledge, which were integral to the Indigenous Peoples' cultural heritage and identity. The representative wished everyone a successful Diplomatic Conference with a just instrument as an outcome.

145. The representative of the TULALIP TRIBES OF WASHINGTON GOVERNMENTAL AFFAIRS DEPARTMENT (TULALIP TRIBES) stated that the Tulalip Tribes had been attending WIPO since IGC 2, under the leadership of its late-elder Terry Williams. The representative emphasized that "As Indigenous Peoples, genetic resources belong to us as much as we are manifestations of the same resources." The representative pointed out that the mandatory disclosure of Indigenous Peoples as the origin of genetic resources must be included. To honor its late-elder, to honor the many years and hours collectively represented in the meeting room on the instrument, the Tulalip Tribes pursued the following: (1) Article 4, if not deleted entirely, should include language on exceptions and limitations being developed in conjunction with Indigenous Peoples, as well as local communities; (2) Article 6 must include language on sanctions and remedies being developed in conjunction with Indigenous Peoples, as well as local communities; and (3) Article 11 needed to include meaningful participation of Indigenous Peoples in the Assembly, its expert groups and other bodies as developed. The representative looked forward to a productive Diplomatic Conference.

146. The representative of CROPLIFE INTERNATIONAL stated that CropLife

International represented the global plant breeding and seed sector. To continue to provide the planet with the continuous stream of new varieties to safeguard food security, the world needed innovation and a robust and predictable system of intellectual property that served as an incentive to make those large, upfront and risky investments. The representative recalled that over the past decades, in the IGC, the global plant breeding and seed sector had expressed its concerns on the approach to develop a new legal instrument. Such a new legal instrument including a mandatory disclosure requirement in patent systems was not a good way to proceed. Linking intellectual property and ABS was not only not needed and ineffective, since it was disregarding existing ABS frameworks which already provided for compliance measures, but also raised questions as to conformity with established principles and rules of international patent law, undermining the incentive to innovate by limiting the integrity of the patent system itself. The goal of preventing the wrongful or erroneous grant of patents on innovations which were based upon or developed by using genetic resources or associated traditional knowledge was already provided for in existing patent systems and could be further reinforced by establishing information systems like databases. CropLife International was more than willing to provide anyone with more information during the Diplomatic Conference. The representative wished all participants a very good Diplomatic Conference.

147. Le représentant de ADJMOR a félicité le Président de la Conférence pour son élection et a remercié le Directeur Général et le Secrétariat. Le représentant a souhaité plein succès aux délégations. Le représentant s'est rallié à l'intervention de la représentante de Tebtebba Foundation au nom du Caucus autochtone et a appuyé les déclarations des représentants autochtones visant à une protection renforcée des droits des Peuples autochtones et des communautés locales. Le représentant a ajouté que l'instrument devait efficacement assurer l'arbitrage entre innovation et protection des ressources génétiques et des savoirs traditionnels associés, soulignant qu'il était important que les parties prenantes au présent instrument juridique international conviennent d'un mécanisme de suivi et d'évaluation transparent et inclusif instituant le principe de redevabilité dans l'application de cet instrument tant au niveau national qu'international. Le représentant a émis le vif souhait que cet instrument juridique international favorise un climat de bonne collaboration entre les parties avec la volonté d'une protection renforcée de ressources génétiques et de savoirs associés, ainsi qu'une répartition juste et équitable des avantages. Le représentant a ajouté que l'exigence de divulgation devrait tenir compte des risques de pillages surtout dans des zones marginales et de conflits armés. Le représentant a insisté sur le consentement préalable, libre et éclairé des Peuples autochtones et des communautés locales pour s'assurer de leur implication et du suivi de l'utilisation de leurs informations divulguées ainsi que du système de partage équitable des avantages, invitant à envisager cet aspect en lien avec l'évaluation des impacts socio-économiques et culturels sur la vie des Peuples autochtones et des communautés locales.

148. Le représentant des ARMÉNIENS D'ARMÉNIE OCCIDENTALE a remercié les délégations pour avoir invité son organisation à la Conférence diplomatique précisant que l'instrument juridique en négociation était vital pour l'avenir des Peuples autochtones. Le représentant s'est dit satisfait de constater que la Déclaration des Nations Unies sur les droits des Peuples autochtones fasse partie du présent instrument. Le représentant a indiqué que pour l'Arménie occidentale les ressources génétiques, ou encore la nature, porte le nom d'anahid. Le représentant a souhaité soulever la question des Peuples autochtones ayant subi un génocide, comme, a-t-il ajouté, les Arméniens d'Arménie

occidentale, affirmant qu'ils avaient été dépossédés de leur terre de 1894 à 1923 et de leur statut d'État en 1920 par la Turquie ou, a-t-il encore ajouté, comme les Arméniens d'Artsakh en septembre 2023 qui ont subi un nettoyage ethnique, ont été dépossédés de leur terre, et ont subi l'appropriation et l'utilisation illicites de leurs ressources génétiques et la destruction totale de leur patrimoine spirituel et sacré, par l'Azerbaïdjan. S'agissant de l'exigence de divulgation inscrite à l'Article 3, le représentant a proposé que les parties non seulement reconnaissent l'existence des peuples autochtones sur les territoires autochtones quand bien même ces peuples avaient subi un génocide, un nettoyage ethnique ou une assimilation forcée, mais également que les parties soutiennent les Peuples autochtones dans leur restructuration, ajoutant qu'il s'agissait d'un principe de réconciliation proposé par de nombreux États, et dans l'élaboration de base de données permettant de divulguer en toute confiance mutuelle des savoirs traditionnels associés à des ressources génétiques. Le représentant a noté qu'au sein du présent instrument, les peuples autochtones accrédités et présents n'étaient pas spécifiquement mentionnés comme parties contractantes ou autres parties de l'instrument, quand bien même lorsque le présent instrument traitait des questions sur lesquelles ils étaient directement concernés et impliqués en tant qu'observateurs dans la préparation du traité depuis plus de 25 ans. Il a indiqué qu'il existait de nombreux articles au sein de la Déclaration des Nations-Unies sur les droits des Peuples autochtones et du Protocole de Nagoya qui traitaient des terres et des ressources dont les peuples autochtones étaient les principaux propriétaires depuis des milliers d'années. Faute de quoi, a-t-il ajouté, les génocides ou nettoyages ethniques auraient pour conséquence la disparition d'une quantité innombrable de savoirs traditionnels associés à des ressources génétiques détenues par les Peuples autochtones victimes, et par conséquent la disparition de ces mêmes ressources génétiques, destruction des patrimoines autochtones, déforestations, pollution, changement climatique, empoisonnement de l'environnement naturel, conséquences de ce que le représentant a appelé la désertification des savoirs traditionnels liés aux ressources génétiques dues à l'appropriation illicite des ressources génétiques des peuples autochtones.

149. The PRESIDENT reminded that speakers should stick to the subject matter of the Diplomatic Conference.

150. La representante de *CENTER FOR MULTIDISCIPLINARY STUDIES AYMARA* (CEM-AYMARA) y de la *RED MUJERES INDÍGENAS SOBRE BIODIVERSIDAD* (RMIB) señaló que la Conferencia Diplomática sobre Recursos Genéticos y Conocimientos Tradicionales representaba un hito crucial en la lucha por la defensa de sus derechos y la preservación de su cultura milenaria. El instrumento que se estaba negociando, tras largos años de esfuerzo, debía estar en consonancia con la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas. A pesar de los 17 años transcurridos de la Declaración, aún no se había conseguido la protección y garantía para el acceso de los recursos genéticos de los Pueblos Indígenas y el ejercicio de la libre determinación. Los conocimientos tradicionales expresados en sus prácticas culturales eran fundamentales para la continuidad y el bienestar de los Pueblos Indígenas, por lo que era importante protegerlos y promover su respeto en todos los ámbitos, local, nacional e internacional. Los Pueblos Indígenas poseían un profundo conocimiento de sus territorios, recursos naturales y ecosistemas, así como de las formas tradicionales de manejo y conservación de esos recursos. Los Pueblos Indígenas eran herederos de grandes civilizaciones y, por lo tanto, herederos de los conocimientos tradicionales. Se veían afectados de manera directa por diversos factores como la crisis climática. Demandó que se reconozca y

respete su autonomía y soberanía sobre sus territorios, recursos naturales y recursos genéticos, así como sobre sus conocimientos tradicionales, lo cual implicaba que cualquier medida de protección, conservación o manejo de sus conocimientos tradicionales debía ser desarrollada y gestionada por los propios Pueblos Indígenas, de acuerdo con sus sistemas de gobernanza y valores culturales. Los requisitos de divulgación debían ser enmarcados en el principio de consulta y el consentimiento previo, libre e informado, en el reconocimiento de los titulares de los conocimientos tradicionales que eran los Pueblos Indígenas, fundamentalmente en el rol de la mujer indígena como guardiana de la biodiversidad, que para ellos era su madre, la Pachamama, la Madre Naturaleza. En cuanto a la divulgación de los conocimientos tradicionales, se debía identificar claramente su titularidad y su fuente de origen, reconociendo así la herencia cultural y el legado de los Pueblos Indígenas.

151. The Delegation of AZERBAIJAN congratulated the President of the Diplomatic Conference on his election. It was confident in his experience and professional knowledge and skill. The Delegation was committed to supporting the President to bring the Diplomatic Conference to the highest level. The Delegation thanked the Director General and his team for the excellent preparation and hosting the Diplomatic Conference. Unfortunately, delegations wasted their time as they were hearing again false accusations made against Azerbaijan, based on fake information and fake facts. It was internationally known and recognized that during the aggression and occupation of part of Azerbaijan, Armenians had destroyed not only cities and villages, but destroyed also part of Azerbaijan's cultural and historical heritage, including genetic resources and traditional knowledge. The Delegation did not want to take much time. It wished to indicate that Azerbaijan and Armenia were close to signing a peace agreement between two countries. It urged all non-governmental organizations and others who had wrong positions against Azerbaijan to be constructive and realistic, and not to damage the ongoing peaceful process between Azerbaijan and Armenia.

152. The representative of the INTERNATIONAL INDIAN TREATY COUNCIL stated that the International Indian Treaty Council was an organization of Indigenous Peoples from North, Central, South America, the Arctic, Caribbean and South Pacific, and had been an active participant throughout the 40-year process conducive to the UNDRIP. The representative recalled that since the adoption of the UNDRIP, all three UN mechanisms focused on the rights of Indigenous Peoples, namely the UN Permanent Forum on Indigenous Issues, the Expert Mechanism on the Rights of Indigenous Peoples, and the Special Rapporteur on the Rights of Indigenous Peoples, had called upon all UN agencies, including WIPO, to implement the minimum standards enshrined in the UNDRIP. The representative joined the representative of the Tebtebba Foundation, speaking on behalf of the Indigenous Caucus, in urging that standards of self-determination, the right to free, prior and informed consent and protection of their genetic resources and associated traditional knowledge were enshrined in the instrument that the Diplomatic Conference was about to finalize during the two weeks ahead.

153. The representative of the THIRD WORLD NETWORK (TWN) underscored some key points that encapsulated the stance of the TWN on the instrument. The instrument within the realm of patent law held the potential to enhance transparency and prevent the misappropriation of genetic resources and traditional knowledge. The instrument should therefore include effective safeguards for facilitating equity and fairness in the utilization of

those resources. One of the primary objectives was to prevent the erroneous granting of patents on genetic resources, since granting such erroneous patents could lead to unjust monopolies and hinder the realization of ABS. By establishing clear procedures, the instrument could mitigate the risk of unjust granting of patents and biopiracy. It was imperative that the instrument addressed technological advancement within the ambit of genetic resources patenting, like DSI. The representative reiterated the importance of an instrument that prioritized enforceability. The instrument should grant Member States the autonomy to determine appropriate legal sanctions, in alignment with their national policy objectives. Therefore, the representative called upon Member States to conclude an instrument which effectively served to check the misappropriation of genetic resources and traditional knowledge through patenting.

154. La representante de MALOCA INTERNATIONALE señaló, respecto a la Propuesta básica, que el uso combinado de los artículos 2 y 3 hacía posible utilizar literatura publicada para adquirir conocimientos sobre los recursos genéticos y los conocimientos tradicionales asociados a los recursos genéticos, lo cual permitía el uso directo de conocimiento regulado por universidades y actores de investigación comparables sin tener que rendir cuentas ante los territorios y los pueblos por su propiedad intelectual. Quienes solicitaban una patente podían simplemente declarar que no sabían de dónde provenía la información sobre los recursos genéticos y los conocimientos tradicionales asociados a los recursos genéticos y eso era suficiente para concederles la patente. En el caso de que algún pueblo o defensor se atreviera a protestar y solicitar el retiro de una patente otorgada sin que se hubiese exigido el origen o la forma en que se obtuvo la información sobre los recursos genéticos y los conocimientos tradicionales asociados a los recursos genéticos, el artículo 6 prohibía revocar una patente por ese preciso motivo. De esa manera, los recursos genéticos y los conocimientos tradicionales asociados a los recursos genéticos se trataban efectivamente como elementos de dominio público, donde cualquiera que tuviese suficiente dinero para presentar una solicitud de patente podía utilizarlos. Con tan solo 15 estados necesarios para que el instrumento entrase en fuerza, según el artículo 18, en las oficinas de esos 15 estados se podrían registrar las patentes con los recursos genéticos y los conocimientos tradicionales asociados a los recursos genéticos del sur global. Cabía preguntarse si el sur global debía apoyar la Propuesta básica en su lenguaje actual.

155. The Delegation of TÜRKİYE stated that it was taking the floor again after it had heard some baseless allegations that the Delegation categorically rejected. Those allegations had nothing to do with the agenda of the Diplomatic Conference. The Delegation stated that they wish to convey the sheer truth about such unfounded and one-sided allegations. The Delegation also associated itself with the statement made by the Delegation of Azerbaijan in that regard. Given the Diplomatic Conference had a very intense agenda to conclude an international legal instrument and to work on the substance, it would be brief. The disputed periods of history should be the subject of a debate among competent impartial scholars, rather than a topic for political consumption. The Delegation emphasized that historical events, which were subject to a legitimate scholarly debate, was not part of the very technical forum constituted by the Diplomatic Conference, where delegations would discuss genetic resources and associated traditional knowledge to conclude an international instrument. Therefore, the Delegation urged all participants to focus on the mandate and act in line with the rules and procedures of the Diplomatic Conference. Such biased and partial statements, which distorted historical facts, were also

contrary to international law. The Delegation called upon all parties to support the normalization of the peace process that had been initiated in the region.

156. The representative of the INDIAN COUNCIL OF SOUTH AMERICA (CISA) referred to the 1974 Agreement between the United Nations and WIPO. WIPO was not in conformity with Articles 55 relating to human rights and 13.1 relating to the progressive development of international law, Chapter XI of the Charter of the UN and the Declaration of the UN General Assembly on the Granting of Independence to Colonial Countries and Peoples. The progressive development of international law was clear, since Indigenous Peoples were recognized under Chapter XI of the Charter. Hawaii was recognized as a fully operating independent state, and Alaska was also listed. Their cases had never been resolved, by admission of the United States of America. It meant that during the Diplomatic Conference, delegations needed to insert text that was in conformity not only with Chapter XI of the Charter of the UN, but with the progressive development that included the UNDRIP and the recommendations from the special procedures of the UN calling for Alaska and Hawaii to be reenlisted and recognized in their international colonial title rights and the sovereign equality they had to interact with states. If delegations were to put in the principle of consent, the instrument should include provisions of some form, so there was no manufactured consent for political purpose.

157. The representative of the AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION (AIPLA) stated that its members represented both owners and users of intellectual property and that its mission included helping to establish and maintain fair and effective laws and policies that stimulated and rewarded invention while balancing the public interest in healthy competition, reasonable costs, and basic fairness. AIPLA supported the statements made by the Delegation of the United States of America and by the Delegation of the Kingdom of the Netherlands, on behalf of Group B, in view of the need for clarity and certainty in the text, in particular with regards to the trigger and any potential sanctions and remedies.

158. La représentante de HEALTH AND ENVIRONMENT PROGRAM (HEP) a félicité le Président de la Conférence pour votre élection ainsi que les Vice-présidents. Elle a dit compter sur eux pour trouver une heureuse issue, c'est-à-dire la conclusion d'un instrument juridique international sur les ressources génétiques et les savoirs traditionnels associés. Elle a remercié le Directeur général et le Secrétariat d'avoir accueilli la Conférence diplomatique. Elle a rappelé que depuis 23 ans HEP pas ménagé ses efforts, s'étant constamment engagé pour promouvoir la protection de la propriété intellectuelle dans le monde en général et au Cameroun en particulier. Elle a indiqué que HEP espérait voir aboutir avec succès la Conférence diplomatique, la décrivant comme historique et la première à laquelle elle a pu assister. Elle s'est dit convaincue que les Peuples autochtones ainsi que les communautés locales bénéficieront de cet instrument, de manière à empêcher les appropriations illicites et offrir une meilleure protection aux ressources génétiques et aux savoirs traditionnels.

159. The representative of the *INSTITUTO INDÍGENA BRASILEIRO DA PROPRIEDADE INTELECTUAL* (INBRAPI) congratulated the President of the Diplomatic Conference on his election. The representative was also speaking on behalf of the Indigenous Peoples of Brazil. Indigenous Peoples were sons and daughters of the Earth. The representative recalled that they had met in Rio de Janeiro recently to celebrate the fruits of their ancestry

based on the diversity of their peoples who kept their cultures alive. Those cultures had been exploited through unlawful and unauthorised use of Indigenous Peoples' intellectual property. Their cultures needed to be subject to the principles of prior consent before they were used. The intellectual property system needed to be improved to ensure inclusiveness and legal certainty, respecting cultural diversity and applying the principles that were already enshrined in international laws. The intellectual property system of Indigenous Peoples had been built over many years, based on collective principles rather than economic ones. The representative emphasized that the linguistic diversity, traditional knowledge, and genetic resources of Indigenous Peoples were part of their heritage and should be recognized and protected as such. It was necessary for the international community to protect those resources through programs that were led by Indigenous Peoples, so that they could protect their intellectual property rights and prevent their rights from being pillaged and their knowledge from being exploited beyond national borders. The representative emphasized that his organization representing Indigenous Peoples expressed those views in the context of the Diplomatic conference so that participants could work towards an international legal instrument on intellectual property, genetic resources, and traditional knowledge associated with genetic resources, which offered a broad participation for Indigenous Peoples and local communities. Indigenous Peoples needed to exercise sovereignty over the future of their traditional knowledge.

160. The Delegation of ARMENIA referred to the statement made by the Delegation of Azerbaijan, and wished to clarify and stress that Azerbaijan had committed ethnic cleansing of Armenians of Nagorno-Karabakh in September 2023, which methodically and persistently vandalized culture and religious heritage. The UN Special Rapporteur on the Cultural Rights had officially called it cultural cleansing. The Delegation refuted all baseless and false allegations pronounced by the Delegation of Azerbaijan.

161. Le représentant de L'ORGANISATION AFRICAINE DE LA PROPRIÉTÉ INTELLECTUELLE (OAPI) félicita le Président pour sa brillante élection à la tête de ces assises. Il félicita aussi tous les autres membres du Bureau, convaincu qu'ils mèneraient à bien cette lourde tâche. Il expliqua que l'OAPI avait été invitée à la Conférence diplomatique pour la conclusion d'un instrument juridique international sur la propriété intellectuelle relative aux ressources génétiques et aux savoirs traditionnels associés aux ressources génétiques, et il en remercia le Président. Il souligna que la protection du folklore, des savoirs traditionnels et des ressources génétiques n'était pas une préoccupation récente. Le Comité intergouvernemental de l'OMPI sur la propriété intellectuelle concernant les ressources génétiques, le savoir traditionnel et le folklore (IGC) avait été créé en septembre 2000. L'OAPI et ses États membres prirent part aux travaux de nombreuses sessions de ce Comité. Il expliqua que l'instrument juridique examiné et signé au cours de la présente Conférence diplomatique serait l'aboutissement de ces longues années de travail et de réflexion. Comme il fut rappelé, cet instrument visait à favoriser l'efficacité, la transparence et la qualité du système des brevets en ce qui concerne les ressources génétiques et les savoirs traditionnels associés aux ressources génétiques, et à prévenir la délivrance de brevets indus pour des inventions qui ne sont pas nouvelles ou n'impliquent pas d'activité inventive à l'égard des ressources génétiques et des savoirs traditionnels associés aux ressources génétiques. Cet instrument permettrait de lutter contre l'appropriation illicite et l'utilisation commerciale déloyale correspondant à une usurpation d'actifs matériels et immatériels appartenant à des collectivités coutumières identifiées et identifiables, qui viendrait contribuer à solutionner les

problèmes inhérents à cette protection dans le cadre d'un instrument juridique international. Le représentant de l'OAPI ajouta que cet instrument viendrait en complément des conventions régissant la protection de la propriété intellectuelle dans les États membres de l'OMPI. Cet instrument était important en ce qu'il permettrait la protection de ces éléments dans les procédures de délivrance des brevets d'invention. Le régime de protection des droits de propriété intellectuelle viendrait ainsi prêter main-forte à la protection des savoirs traditionnels des collectivités, des ressources génétiques associées à ces savoirs et des expressions de leur culture dans l'économie de marché qui caractérise le monde aujourd'hui. L'instrument répondit à la nécessité d'assurer une meilleure distribution des richesses issues de l'exploitation de ces biens. Il formula le vœu de voir l'aboutissement de la réflexion portant sur des sujets constituant un enjeu majeur pour les pays dans la poursuite résolue de ce qui demeurait leur objectif sacré et intangible, à savoir impliquer la propriété intellectuelle dans le développement.

162. Le représentant de L'ASSOCIATION POUR LE DEVENIR DES AUTOCHTONES ET DE LEUR CONNAISSANCE ORIGINELLE (ADACO) souhaita tout d'abord remercier les organisateurs d'avoir invité leur association à cette Conférence diplomatique. Il profita de cette occasion pour exprimer, en son nom propre et au nom des peuples autochtones de son pays, les préoccupations qui étaient les leurs en matière de propriété intellectuelle. Il expliqua que depuis sa création en 2000, l'IGC étudia la relation entre la propriété intellectuelle, les savoirs traditionnels, les expressions culturelles traditionnelles et les ressources génétiques. Il précisa que les ressources génétiques se retrouvaient dans les plantes médicinales, les plantes cultivées et les races animales, et qu'elles avaient un lien avec des savoirs traditionnels et des pratiques traditionnelles en raison de leur utilisation et de leur conservation par les peuples autochtones et les communautés locales depuis des générations. Il souligna que cette Conférence diplomatique sur les ressources génétiques et les savoirs traditionnels associés de mai 2024 permit aux États membres de l'OMPI de faire aboutir deux décennies de délibérations et de conclure un accord sur un instrument juridique international sur la propriété intellectuelle relative aux ressources génétiques et aux savoirs traditionnels associés aux ressources génétiques. La proposition de base de ce projet d'instrument décrivait une exigence de divulgation supplémentaire en vertu de laquelle les déposants de demandes de brevet seraient tenus de divulguer des informations sur les ressources génétiques et les savoirs traditionnels associés si l'invention revendiquée était "sensiblement/directement fondée" sur ces ressources et savoirs. Il expliqua que la divulgation comprendrait le pays d'origine des ressources génétiques ou le peuple autochtone ou la communauté locale qui avait fourni les savoirs traditionnels associés. Elle prévit aussi l'établissement à titre volontaire de systèmes d'information, tels que des bases de données sur les ressources génétiques et les savoirs traditionnels associés, en consultation avec les peuples autochtones et les communautés locales. Les ressources génétiques étaient définies dans la Convention sur la diversité biologique (CDB) comme du matériel génétique ayant une valeur effective ou potentielle. La CDB définit le matériel génétique comme le matériel d'origine végétale, animale, microbienne ou autre, contenant des unités fonctionnelles de l'hérédité. Bien que les ressources génétiques existent dans la nature et ne soient pas directement protégeables en tant que propriété intellectuelle, les inventions développées à partir de ces ressources pouvaient être protégées, le plus souvent par le biais d'un brevet. Il souligna qu'à ce titre, les inventions brevetées pouvaient être fondées sur une ressource génétique. Dans le même temps, la propriété intellectuelle, les ressources génétiques et les savoirs traditionnels qui leur étaient associés furent soumis à des accords d'accès et de

partage des avantages (APA) tels qu'énoncés dans la CDB (1992), son Protocole de Nagoya (2010) et d'autres accords internationaux. Il expliqua que certains pays étaient préoccupés par le fait que des brevets furent accordés pour des inventions fondées sur des ressources génétiques et les connaissances traditionnelles qui leur étaient associées, mais qui ne satisfaisaient pas aux exigences de brevetabilité, telles que la nouveauté, l'inventivité ou l'applicabilité industrielle. Il précisa que l'octroi de tels « brevets erronés » facilita le détournement des ressources génétiques et des savoirs traditionnels qui y étaient associés, citant les cas de « biopiraterie ». Enfin, il souligna que le projet d'instrument devait répondre à la question suivante : Comment le système des brevets pouvait-il tirer parti des immenses avantages de la recherche scientifique tout en protégeant les intérêts des pays riches en biodiversité, des peuples autochtones, des communautés locales et de la communauté scientifique ?

163. The representative of the FOUNDATION FOR ABORIGINAL AND ISLANDER RESEARCH ACTION (FAIRA) congratulated the President of the Diplomatic Conference for his election. The representative was confident that the President would guide all delegations to a treaty. The representative thanked the Director General and the Secretariat for all their hard work. With a heart brimming with pride, the representative also attended the meeting as a daughter of Durambal and Yuin lands In Australia – a living testament to 65,000 years of unbroken cultural heritage. Their knowledge, passed down through 250 language groups across 2400 generations, was a vibrant tapestry woven into the very fabric of their continent. Indigenous peoples were the guardians of those ancient traditions, those invaluable genetic resources. It was in their veins, in their songs, in their stories etched upon the earth itself. Indigenous peoples were not merely caretakers, but also innovators. The Diplomatic Conference presented a momentous occasion. All participants should seize the opportunity to craft a treaty, an instrument that sang in harmony with international law, that respected the right of Indigenous Peoples to self-determination, while echoing the principles enshrined in the UNDRIP. Together, hand in hand with all nations, all participants could forge a path guided by the fundamental rights of Indigenous Peoples. That was not just about protecting the past, but also about building a future where Indigenous Peoples' voices resonated, their knowledge flourished, and their cultures continued to thrive for generations to come.

164. The representative of the INTELLECTUAL PROPERTY OWNERS ASSOCIATION (IPO) stated that IPO was an international trade association whose diverse membership included over 125 companies and spanned over 30 countries. IPO was an international trade association representing a "big tent" of diverse companies, law firms, service providers and individuals in all industries and fields of technology that owned or were interested in intellectual property rights. Part of IPO's mission was to promote predictable legal and IP systems, which provided the certainty and stability that its members and all innovators needed to invest in innovative research and development to address society's greatest challenges. With respect to the Draft International Legal Instrument currently under discussion, while IPO supported the general objectives stated in Article 1, IPO struggled to see how the patent disclosure requirement contemplated by the legal instrument would advance those objectives. IPO was, rather, concerned that the proposed disclosure requirement would have the opposite effect, creating substantial uncertainty that would discourage its members and other innovators from investing in the development of genetic resources and in related areas of innovation affected by the instrument. If, despite those concerns, a disclosure requirement was ultimately implemented through the legal

instrument, IPO believed that certain changes to the proposed provisions of the draft text were critical in order to minimize the instrument's harm to the intellectual property system - a system on which all of society depended to advance innovation, creativity and human progress. IPO believed that any disclosure requirement should include the right of patent applicants to rectify any mistakes both pre-grant and post-grant, and should further clarify that failure to disclose was not a ground for invalidity, unenforceability or the transfer of patent rights. Given the complexity - and in many cases, the impossibility - of identifying the origin of genetic resources that might have been collected or accessed in the past, as well as settled expectations under the preceding rule of law, the instrument should be non-retroactive in that it should only apply to inventions directly based on genetic resources collected after the agreement's entry-into-force. The instrument should be limited in scope to apply only to patents that explicitly recited a specific property of a genetic resource in one or more of the patent's claim limitations. The inclusion of DSI would be premature, since other UN fora were still in the process of collecting views on the matter. If traditional knowledge was nevertheless included, it should at least explicitly exclude all knowledge that was publicly or readily available to one of ordinary skill in the art. The instrument should clarify several proposed definitions in the draft text that were overbroad or unclear, including at least (1) "country of origin", whose proposed in situ based definition would lead to situations where more than one country could claim to be the origin of a GR without regard to where the resource had actually originated; and (2) "[materially/directly] based on", whose present definition provided little practical guidance to innovators, patent offices or examiners. IPO proposed that the instrument should be clarified to apply only to patents that explicitly recited a property of a GR in a patent claim. The instrument should include a clause that it would be implemented in such a manner as to be consistent with other pre-existing international agreements, including the TRIPS Agreement. Any review under Article 9 should not be limited to contracting parties, as the potential outcome was likely to affect innovation ecosystems involving non-contracting parties. IPO looked forward to working constructively with the delegations on a way forward that addressed those concerns.

165. The PRESIDENT closed Agenda Item 7 and adjourned the session.

Fourth Meeting Thursday, May 16, 2024 Morning

Agenda Item 8 - Consideration of the first report of the Credentials Committee

166. The PRESIDENT opened Agenda Item 8. In accordance with Rule 9(1) of the Rules of Procedure, the President invited the President of the Credentials Committee, Ms. Shanchita Haque (Bangladesh), to take the floor and present, to the Conference, the first report of the Credentials Committee.

167. The PRESIDENT OF THE CREDENTIALS COMMITTEE drew the attention of

delegations to document GRATK/DC/5. The Credentials Committee had held its first meeting on May 15, 2024, to examine, pursuant to Rule 9(1) of the Rules of Procedure, credentials, full powers, letters and other documents of appointment presented in accordance with Rules 6 and 7 of the Rules of Procedure. Consistent with the practice applicable in the previous Diplomatic Conferences convened by WIPO, the Credentials Committee had found in order: as far as Member Delegations were concerned, the credentials and full powers of the delegations of the 38 States as listed in document GRATK/DC/5 paragraph 7(a)(i), and the credentials of the delegations of 136 States as listed in document GRATK/DC/5 paragraph 7(a)(ii); as far as the Special Delegation was concerned, the credentials of the Delegation of the European Union as stipulated in document GRATK/DC/5 paragraph 7(b); and as far as Observers were concerned, the letters or documents of appointment of representatives of 15 intergovernmental organizations and 71 non-governmental organizations, as listed in document GRATK/DC/5 paragraph 7(d)(i) and (ii). As far as Observer Delegations were concerned, no credentials had been submitted. The Credentials Committee recommended to the Conference to accept the credentials, full powers, letters or documents of appointment as found in order by the Credentials Committee and listed in document GRATK/DC/5 paragraph 7. She brought Rules 6, 7 and 10 of the Rules of Procedure to the attention of the Member Delegations and Observer Delegations that had not yet presented any credentials or full powers, and of the representatives of Observers that had not yet presented letters or other documents of appointment. To conclude her statement, the President of the Credentials Committee announced that the Committee would meet again on Monday, May 20, 2024, to examine any credentials, full powers, letters, or other documents of appointment submitted after the Credentials Committee's first meeting.

168. The PRESIDENT thanked the President of the Credentials Committee for her report, which had been the first report of the Credentials Committee. The substantial number of credentials, full powers and letters of appointment received by the Secretariat so far, as indicated in the report that had been just read out, was a testament to the importance of the Diplomatic Conference and to the commitment of delegations to eventually adopting and signing an international legal instrument.

169. The Delegation of the ISLAMIC REPUBLIC OF IRAN wished to put its reservation on record that taking note of the report of the Credentials Committee constituted, by no means and under any circumstances, the recognition of the government of Israel.

170. La Delegación de COLOMBIA agradeció al Presidente y al Comité de Credenciales por su labor. Consultó si era el caso de que una delegación no hubiese podido presentar, todavía, los plenos poderes o los originales de las cartas credenciales, pudiera hacerlo más adelante, puesto que el Comité de Credenciales había establecido un plazo de tiempo para ello. La Delegación de Colombia indicó que, según el reglamento adoptado, entendían que la presentación de los documentos originales debería realizarse preferiblemente hasta 24 horas después de haber iniciado la Conferencia. Sin embargo, señaló que esto no era taxativo. La Delegación de Colombia mencionó que algunos países habían tenido inconvenientes con la recepción de los documentos originales y solicitó la flexibilidad del Comité para esos casos especiales. En el caso de la República de Colombia, esto se comunicó a través de canales diplomáticos. La Delegación agradeció por la orientación que pudieran brindarles.

171. El PRESIDENTE de la Conferencia dio las gracias a la Delegación de Colombia. Señaló que el reporte, que se acababa de presentar era el primero, y se presentaría el segundo reporte del Comité de Credenciales, el martes, 21 de Mayo a las 10.00 de la mañana. El Presidente añadió que las delegaciones que aún deseen presentar sus credenciales o plenes poderes al Secretario de la Conferencia, podrían hacerlo a través de la oficina de la Consejera Jurídica. The President concluded its statement by asking the Legal Counsel to provide additional precise information regarding the timeframe for presenting credentials and letters of full powers.

172. The LEGAL COUNSEL stated that, as rightfully pointed out by the President, the credentials and full powers would ideally come before the next meeting of the Credentials Committee on May 20, 2024, as announced by the President of the Credentials Committee. However, drawing from Rule 9 of the Rules of Procedure of the Diplomatic Conference, a decision on whether credentials, full powers letters or other documents might be in order would be made by the Conference. That decision should be made as soon as possible, and in any case, before the adoption of the International Legal Instrument. While it was preferred for the Credentials Committee to be in a position to review those credentials during its next meeting, what would be most important would be that full powers arrived prior to the signature of the International Legal Instrument. The Legal Counsel was very mindful of the individual national processes that governments had for obtaining those full powers. In the interim, electronic copies could be accepted for initial review prior to the receipt of the original documents.

173. Seeing no objections, the PRESIDENT announced that the Diplomatic Conference, meeting in plenary, accepted the credentials, full powers and other documents as recommended in paragraph 8 of the first report of the Credentials Committee contained in document GRATK/DC/5.

174. The PRESIDENT declared Agenda Item 8 closed.

175. The PRESIDENT wished to update the plenary on the progress made. He stated that he had been closely following the discussions, and had had the opportunity to exchange views on the progress made during the Steering Committee meeting on May 16, 2024. He explained that following the Steering Committee meeting, the Steering Committee had met with Group Coordinators, ensuring a strong effort to keep everyone informed of the progress made and of the decisions to be taken as the process moved forward. The President believed that good progress had been made up until that point, and that there had been a great start. Constructive, broad, and engaging opening statements had been heard from all delegations. The schedule had been adhered to, and the Main Committees had begun their work with great diligence by the Presidents of the Main Committees. There had been a high degree of engagement from all delegations as they had started to examine the Basic Proposal, covering Articles 1 to 10 within Main Committee I, and Articles 11 to 23 in Main Committee II. The President acknowledged that the process had been a bit slow, which was a concern, but it had been extremely useful in drawing out a number of positions from all delegations. That allowed time to listen to everyone and to see drafting proposals. The exercise of live drafting had been a challenging task to manage. Main Committee I had started directly with the most challenging elements of the Basic Proposal, discussing issues like the disclosure requirement and the definition of the trigger, as well as sanctions. Those were extremely important aspects of the Treaty. If Member

States allowed a bit of policy space to the President in terms of providing some remarks, he believed that Member States should stick as closely as they could to the Basic Proposal. The Basic Proposal had enabled all delegations' presence at the Diplomatic Conference. The Basic Proposal was a known draft discussed and made public since 2019, and had been discussed on many previous occasions. Even if positions were well-known, it would not mean that new elements or possibilities should not be considered. Creativity would be needed to bridge the gaps. The President explained it was important not to rewrite the entire text. The Diplomatic Conference was not meant for drafting a non-disclosure of origin requirement or limiting the progress. Some had called the Basic Proposal a transparency measure, which the President thought it was not far from what the Conference sought to do. He made an appeal to try and focus on the Basic Proposal as closely as possible. The President asked all delegations to be conservative with the number of amendments presented. Overloading the text with too many amendments would prevent delegations from reaching an agreement by the following week. The President acknowledged the positive dialogue and broad discussions that included all participants. However, he believed that it was the time to shift gears. It was proposed that the Presidents of the Main Committees be given the option of not reducing the number of participants but rather using a smaller room to engage in informal discussions regarding the text. That proposal had been informed to Group Coordinators and discussed among the Steering Committee members. He suggested moving to a new working methodology which would imply working in Room A, a smaller room with 250 seats available. Each Member Delegation would have one seat, Group Coordinators would have an extra seat, and the European Union, the LMCs and the Indigenous Caucus would each have one seat. Other interested delegates from both Member States and Observers could sit in without speaking rights, noting the limited number of additional seats. Main Committee I would meet in this smaller room for informal sessions, while its plenary sessions would still be held in the WIPO Conference Hall. The President explained that the new working methodology would extend to Main Committee II as well, with the Presidents of the Main Committees having the flexibility to make their own arrangements. The progress under that new working methodology would be assessed daily. The intention was to accelerate discussions, intensify engagement, and provide an environment for more agile dialogue between different members and drafting processes. Interpretation in Room A would be available from Arabic, Chinese, English, French, Russian and Spanish. There would be no webcasting of those informal sessions in Room A, but a stream from Room A to the WIPO Conference Hall would be available, allowing participants not seated in Room A to follow the discussions in real-time. The President restated his proposal: "shifting gears"; "a smaller room"; still "inclusive". He clarified that the new format would not be *ad hoc* working groups, but simply providing a physically smaller room that would, in the view of the President, be providing a more conducive environment to intensify and accelerate discussions and to bridge positions. The President noted the need to bridge positions and also noted that some delegations had shown openness for discussing formulas to that end. He believed that participants should do everything to avoid widening gaps at that time. He emphasized that the meeting was no longer an IGC meeting but a Diplomatic Conference, the time for drafting, negotiation and finalizing a legal instrument. The President assured his full support to the delegates, promising to personally follow all discussions in detail and provide necessary support to both Presidents of the Main Committees. The President called for engagement from the Vice-Presidents of the Diplomatic Conference and the Vice-Presidents of Main Committees I and II, as well as Group Coordinators. The President appealed for moderation in dealing with the Basic Proposal, acknowledging that while it

was not the final document or cast in stone, it had been the basis for the work. Working on it did not mean completely subverting it. The President shared the feedback from Group Coordinators which indicated readiness to shift gears and try the more intense and dynamic working methodology.

176. The PRESIDENT adjourned the session.

Fifth Meeting Tuesday, May 21, 2024 Morning

Agenda Item 10 - Consideration of the Second Report of the Credentials Committee

177. The PRESIDENT opened Agenda Item 10. In accordance with Rule 9(1) of the Rules of Procedure, he invited the President of the Credentials Committee to present to the Conference the second report of the Credentials Committee.

178. The PRESIDENT OF THE CREDENTIALS COMMITTEE drew attention of delegations to document GRATK/DC/6. She recalled that the Credentials Committee had held its second meeting on May 20, 2024, to further examine, pursuant to Rule 9(1) of the Rules of Procedure, credentials, full powers, letters and other documents of appointment that had been represented in accordance with Rules 6 and 7 of the Rules of Procedure. Consistent with the practice applicable in the previous diplomatic conferences convened by WIPO, the Credentials Committee had found in order, as far as Member Delegations were concerned, the credentials and full powers of the delegations of the six States as listed in paragraph 5(a)(i) of document GRATK/DC/6, and the credentials of the delegation of one State as listed in paragraph 5(a)(ii) of document GRATK/DC/6; and as far as Observers were concerned, the letters or documents of appointment of representatives of one non-governmental organization as listed in paragraph 5(b) of document GRATK/DC/6. The Credentials Committee recommended to the Conference to accept the credentials, full powers, letters or other documents of appointment as found in order by the Credentials Committee and listed in paragraph 5 of document GRATK/DC/6. She also mentioned that a consolidated list of all credentials and/or full powers received by the Secretariat to date and found in order had been reproduced in paragraph 9 of GRATK/DC/6. Finally, she announced that the Credentials Committee had authorized her to examine any further communications concerning Member Delegations, the Special Delegation, Observer Delegations, or Observers, that might be received by the Secretariat after the end of the second meeting of the Credentials Committee, and to report thereon to the Conference, unless she would deem it necessary to convene the Credentials Committee to examine and report on those communications.

179. The PRESIDENT thanked the President of the Credentials Committee for presenting the second report of the Credentials Committee.

180. Seeing no objections, the PRESIDENT announced that the Diplomatic Conference,

meeting in plenary, decided to accept the credentials, full powers and letters of appointment as recommended in paragraph 6 of the second report of the Credentials Committee contained in document GRATK/DC/6. The President declared that Agenda Item 10 was closed.

181. The PRESIDENT adjourned the session.

Sixth Session Wednesday, May 22, 2024 Evening

182. The PRESIDENT stated that that was definitely not a goodbye but merely another phase of the Diplomatic Conference, shifting to what could be the last gear. He had been closely following the discussions in the *ad hoc* contact groups and was pleased with the progress made on many articles and issues. He thanked the Presidents of Main Committees I and II for their excellent leadership and the great work they had performed under challenging circumstances. Presiding over detailed discussions on complex issues with diverse views and approaches had not been easy. The President also thanked all the delegates, Member States, Indigenous representatives, and other participants for their contributions, pragmatism, constructive attitude, and most importantly, their flexibility. Based on the reports of both Presidents on the outcome of the work of Main Committees I and II and particularly the *ad hoc* contact groups, where the most intense and productive work had been carried out, the President was pleased to see agreements reached on many articles. However, as often happened in the final negotiations, agreement was elusive on a few outstanding issues. The President emphasized the importance of time, reminding everyone that they had only two days left and could not spend them in the same type of negotiations as before. He stressed the need to change modalities. The President explained that May 24, 2024, the last day of the Diplomatic Conference, required a document ready for signing. It was unsuitable for further negotiation on that day. He emphasized the need to accelerate efforts to bring the Diplomatic Conference to a successful conclusion. He was very sensitive to requests for more time, because the original intent had been to hold the meeting earlier that day. However, many Group Coordinators had approached him, reporting that negotiations in the *ad hoc* working groups and in the informal contact group had been leading to additional agreements and a very constructive positive spirit had been prevailing. Consequently, more time had been provided, and additional agreements had been reached until the returns had been diminishing. Extra time had not seemed to provide for additional agreements. Therefore, the President wished to present, under his own responsibility, a President's Proposal, which was a revision of the Basic Proposal, reflecting the agreements reached so far in both *ad hoc* working groups. He reiterated that this was a proposal, not a formal document of the Diplomatic Conference. However, he believed that it faithfully captured the negotiators' agreements and provided a compromise text on outstanding issues, aiming to create an inclusive, balanced, and acceptable final outcome. Several articles had been sent to the Drafting Committee, and others had been agreed upon in the *ad hoc* contact groups.

Concerning any outstanding issues, the President stated that he had listened carefully with his team and the WIPO Secretariat. He had received full support from the Director General and his team at WIPO, who worked incessantly to make the Diplomatic Conference a success. After listening and collectively reflecting upon different proposals, the President suggested some language and invited participants to consider the text as a whole. He had deliberately avoided circulating a text with track changes or color-coded, emphasizing the need to view the text in its entirety. He acknowledged that seeing the word “Treaty” at the top of the document might be shocking, as for 25 years it had always been a proposal for a legal instrument. However, he stressed the importance of sending out the message that it was now a draft of a Treaty, that all participants hoped could come into being. He urged everyone to consider its overall balance. The President’s proposal was an endeavor to strike a balance between various interests on all key issues across the entire text, including both substantive intellectual property provisions and administrative provisions and final clauses, which had been quite interlinked. He intended to give delegations some time for consideration of the text, though not too much, and to allow participants to consult among themselves as needed. His plan was to have a meeting with Group Coordinators, plus one representative each from the European Union, the LMCs and the Indigenous Caucus, in about an hour and 15 minutes in the Uchtenhagen Room. The purpose of that meeting would be to capture a first round of reactions from Group Coordinators. He acknowledged that there would not be plenty of time for full consultation, but at least a first reaction could be obtained. The President believed that many participants had already known by heart the text. After that initial meeting, further information about the plan for the rest of the evening and the following day would be provided. He also intended, after the meeting and when ready, to consult with Group Coordinators and other members from the group on a group-by-group basis. That round of consultations, group by group, would be giving him a better notion of the very strong issues that might still be pending and that might require further discussion and probably further negotiations. He insisted that participants looked at the text from the perspective of what they could live with, reminding them that they had started with an infinite number of red lines. If everyone stuck to their red lines, they would not have a treaty by the end of the week. The President emphasized the need for discipline regarding issues resolved in the *ad hoc* contact groups and urged not to backtrack on them. Nor should they embellish the agreement to the point of unduly reopening settled matters, which could risk unravelling the agreement. He sought for an outcome that everyone could live with and, more importantly, support. He was open to hearing about any elements of the revision that would be absolutely unacceptable. In terms of timing, the President stressed its essence for any such Diplomatic Conference and reminded them that they still had to convene Main Committees in plenary to approve the submission of a text to the Drafting Committee. Thereafter, the Drafting Committee needed at least one full day to review the text in six languages. He acknowledged the great performance of the Secretariat in circulating the current President’s Proposal in the six languages. Once the Drafting Committee completed its work, it would submit the text for final approval of the Main Committees, which would then propose to the Diplomatic Conference in plenary for its adoption of the Treaty. The President stressed the fact that there were formal steps required, which were time-consuming. Participants could not imagine that the two remaining days were entirely for leisure and for experts to negotiate endlessly on particular words, phrases, or provisions of their liking, choice, or need. The President explained that his intention was not to have a discussion on the President’s Proposal at that moment. His intention was simply to present the text, explain the circumstances under which the proposal had been made, and give some time for a first look at it. Delegates were

encouraged to exchange initial views within their respective groups or across groups. The President mentioned the need to start early the next day to allow time for rounds of consultations on a per-group basis to assess the progress. He did not like the notion that “everyone should be equally dissatisfied”, but he acknowledged that there had been an effort to find that middle ground. In some cases, it might be there, while in some cases, it might not. It was something that would have to be figured out. The President assured that the President’s Proposal had incorporated agreements which had been reached. Where there had been no agreement, the President’s Proposal had not incorporated those wordings. It was important to have a text that was free-flowing, integral and complete, to provide a clear picture and a basis for a landing zone. The President wished to work on that basis and asked the plenary to give the President some leeway and a vote of confidence to pursue the course of action on account of the utmost flexibility. The focus was on what could be lived with and what absolutely could not. The President was there to sort things out with the team and the Presidents of the Main Committees, whose work had not yet finished. The President thanked everyone for their presence and invited them to look at the text. Group Coordinators were expected to have an initial reaction to the text in at least an hour.

183. The PRESIDENT adjourned the meeting.

Seventh Meeting Friday, May 24, 2024 Early Morning
--

Agenda Item 9 - Consideration of the texts proposed by the Main Committees

184. The PRESIDENT opened Agenda Item 9. He drew attention of delegations to document GRATK/DC/7 Prov., containing the text proposed by Main Committees I and II, the substantive provisions, as well as the administrative provisions and final clauses of the International Legal Instrument, for the consideration of the Diplomatic Conference, meeting in plenary. The President noted that the texts would not require adoption at that stage and that they came from Main Committees I and II.

185. The Delegation of CANADA had a question regarding the translated versions of the text. Article 21 provided that all six versions would be equally authentic. Since Canada remained a bilingual country, the Delegation would want to review and approve the English and French versions of the Treaty. It wondered whether Member States would be given an opportunity to approve the translations of the text.

186. The PRESIDENT thanked the Delegation of Canada and referred the question to the Legal Counsel.

187. The LEGAL COUNSEL thanked the President and the Delegation of Canada for the question. The Legal Counsel noted that the translated versions of the text were going to be

distributed in the room momentarily and that she would explain the authentication process under Agenda Item 12, which would be the adoption of the Final Act.

188. Having fulfilled the consideration of the text proposed by the Main Committees, the PRESIDENT declared Agenda Item 9 closed.

Agenda Item 11 - Adoption of the Treaty

189. The PRESIDENT opened Agenda Item 11. Having considered the text proposed by the Main Committees, the plenary was going to proceed with the adoption of the Treaty, agreed statements and footnotes by the Diplomatic Conference in accordance with Rules 1(2)(iv) and (v) of the Rules of Procedure of the Diplomatic Conference. The President recalled that the draft Treaty text as proposed by Main Committees I and II for adoption by the Diplomatic Conference was contained in document GRATK/DC/7 Prov. He emphasized that the draft text had been a very delicately balanced outcome of the Diplomatic Conference. It constituted the best possible compromise and carefully calibrated solution, which sought to bridge and balance a variety of interests: some had been very passionately held; some had been assiduously expressed; and some had been defended over the course of decades. The President noted that that moment had been awaited for 25 years and that the draft text allowed for the successful conclusion of the Diplomatic Conference which could adopt, in a historic moment, a new WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge. The President thanked delegations for their dedication and commitment to the important work. He also thanked the Presidents of Main Committees I and II for their excellent and able leadership, who had done the heavy lifting. The President thanked the Steering Committee and all elected Officers for their support and stewardship. He also thanked the Director General, Mr. Daren Tang, and the hard working and committed WIPO Secretariat. The President acknowledged and thanked the Delegation of Brazil for keeping the faith and supporting him as President, and for being a very engaged GRULAC coordinator and national delegation. He had exhausted all capacity to make sweeping rhetorical statements related to the importance of the Treaty, as everyone had been preparing for that moment, because he had to make those statements to the respective Group Coordinators, encouraging them to rally around and be proud of the work that everyone had achieved during the Diplomatic Conference. The draft text that had come to being had been originally presented to the plenary as a proposal from the President. In fact, the content of the proposed Treaty did not come from the President, but it came from all participating delegations. The proposed Treaty had also been the legacy of many who had dedicated many years of their professional lives to making sure that the aspirations of Indigenous Peoples, local communities and many other communities were addressed and for that important document to see the light of day. The President emphasized the importance of that historic moment. He recalled how many years had been dedicated to the cause of a disclosure requirement on genetic resources and associated traditional knowledge. The President recalled that he had tried to achieve it when he had served in Geneva from 2005 to 2008, but also when he had started dealing with WIPO affairs from 1986 onwards. He thought that he had a bit of the historical perspective of how long it had taken, and how hard it had been to get to that point. The President expressed his humble assessment that the document before the plenary was a high quality proposed draft WIPO Treaty. He noted that it was technically sound, which had been the goal set at the beginning of the Diplomatic Conference. He was confident that delegations had managed to accommodate everyone's concerns and account for everyone's red lines. Consultations had been intensive, involving the

WIPO team, his own team and every Group. The President highlighted that the promise of inclusivity had been fulfilled, with representatives from all seven WIPO Groups attending all substantive meetings and drafting exercises. Representatives from the Indigenous Caucus, the LMCs and the European Union had also been included. The streaming had been kept throughout textual discussions with text on screen, in both the smaller and larger rooms, making it comfortable to follow discussions from the WIPO Conference Hall and allowing everyone to watch the shaping of the Treaty. The President remarked, as he had done previously to groups representatives, that there was currently no disclosure of origin requirement or a treaty dealing with it. That was a first ever such document. He was very proud to present it to the plenary of the Diplomatic Conference. He hoped that everyone could join him in being equally proud of the product of the collective work over the past two and a half decades and during those two weeks.

190. Seeing no objections, the PRESIDENT announced that the Diplomatic Conference, meeting in plenary, adopted the WIPO Treaty on Intellectual Property, Genetic Resources, and Associated Traditional Knowledge, along with the agreed statements and footnote as contained in document GRATK/DC/7 Prov. The President declared Agenda Item 11 closed.

Agenda Item 12 - Adoption of any recommendation, resolution, agreed statement or final act

191. The PRESIDENT opened Agenda Item 12, and invited the Legal Counsel to introduce the draft Final Act.

192. The LEGAL COUNSEL drew the attention of delegations to document GRATK/DC/9 Prov., containing the draft Final Act of the Diplomatic Conference to Conclude an International Legal Instrument relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources, which had been submitted to the Diplomatic Conference by the Steering Committee, pursuant to Article 14(4) of the Rules of Procedure. The Legal Counsel explained that the draft Final Act summarized the proceedings of the Diplomatic Conference by specifying the date and place of the adoption of the Treaty, its name, and the date and venue of the Diplomatic Conference. It also provided for an authentication process of the six WIPO language versions of the Treaty, subsequent to its adoption. The Legal Counsel cited paragraph three of the draft Final Act, reading that it is understood with respect to Article 21 of the Treaty, which provides that the signed original English, Arabic, Chinese, French, Russian and Spanish language versions are equally authentic, that such authenticity takes effect following the adoption of the Treaty upon certification by the Director General of WIPO, after consultation with the President of the Diplomatic Conference, as to the conformity of the texts with one another. She also specified that Member States would have the opportunity to review the texts with a view to verifying their equal authenticity. The Final Act would be completed with the names of the States and the intergovernmental organizations, that would sign the Final Act on May 24, 2024. In that regard, the Legal Counsel recalled that signing the Final Act would not create any legal obligations for the signatory or bind the signatory to sign or ratify the Treaty to which it related. The Legal Counsel also reminded delegations that full powers would not be required to sign the Final Act. She kindly asked the delegations, that might not be planning to sign the Final Act and did not wish to be called, to inform the Secretariat accordingly.

193. Seeing no objections, the PRESIDENT announced that the Diplomatic Conference, meeting in plenary, adopted the draft Final Act, as contained in document GRATK/DC/9 Prov.

The President declared Agenda Item 12 closed.

194. The LEGAL COUNSEL explained that during the morning session on May 24, 2024, after the President declared the resumption of the plenary of the Diplomatic Conference, the plenary would proceed with the subsequent agenda items. The Legal Counsel noted that firstly there would be a report from the President of the Credentials Committee, announcing the subsequent credentials and full powers that had been received by the Secretariat since the last report of the Credentials Committee to the plenary. It would be followed by closing declarations by delegations and by representatives of observers. The plenary would then be adjourned so that the room and podium could be reconstituted after the closing of the Diplomatic Conference by the President before the signing ceremony of the Treaty and the Final Act.

195. The PRESIDENT acknowledged that it was late at night, and announced that the plenary would resume the following morning. During the morning session on May 24, 2024, there would be an opportunity to make closing statements, followed by the signing ceremony. The President expressed gratitude for everyone's attendance and congratulated them on their great accomplishment. He specifically thanked Group Coordinators for their hard work, cooperation and capacity to bridge gaps and find solutions, praising them for doing a fantastic job. Finally, the President mentioned that he had a long list of people to thank, but he just wanted to thank his wife, Ms. Erika Almeida Watanabe Patriota, the Deputy Permanent Representative of the Permanent Mission of Brazil to the WTO.

196. The PRESIDENT adjourned the meeting.

Eighth Meeting Friday, May 24, 2024 Morning

197. The PRESIDENT had been informed that further credentials and full powers had been received by the Secretariat. Thus, in accordance with Rule 9(1) of Rules of Procedure of the Diplomatic Conference and following the authorization given by the Credentials Committee to its President to examine any further communications that might have been received since the Credentials Committee's last meeting, he invited the President of the Credentials Committee to present to the Conference her report.

198. The PRESIDENT OF THE CREDENTIALS COMMITTEE stated that, in accordance with the authorization granted by the Credentials Committee in its second meeting held on May 20, 2024, she had examined further credentials and full powers received by the Secretariat after the closing of the second meeting of the Credentials Committee. She reported that consistent with the practice applicable in previous WIPO Diplomatic Conferences, she had found in order eight instruments of full powers and one letter of credentials received. Therefore, she recommended to the Diplomatic Conference that it accept the letter of credentials and the instruments of full powers, as found in order by her and listed in paragraph 1 of document GRATK/DC/8.

199. The PRESIDENT announced that the Diplomatic Conference, meeting in plenary,

accepted the letter of credentials and the instruments of full powers as listed in paragraph 1 of the report of the President of the Credentials Committee contained in document GRATK/DC/8.

Agenda Item 13 - Closing declarations by Delegations and by Representatives of Observers

200. The PRESIDENT opened Agenda Item 13. The President expressed his intention to make his own closing remarks before offering the floor to delegations. He welcomed the Director General, Ministers, delegations, excellencies, colleagues and friends to the closing of the landmark and successful WIPO Diplomatic Conference. He noted that early in the morning of May 24, 2024, after 11 days of intense negotiations and tireless efforts from all participants, the plenary had adopted, by consensus, the new WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge (the Treaty). He acknowledged the decades and, in some cases, centuries during which Indigenous Peoples and local communities worldwide had been advocating for the recognition of their rights and contributions to innovation through genetic resources and associated traditional knowledge. The President highlighted the fear, in the long journey, of a dramatic incompatibility between the intellectual property system and the Indigenous cosmovision based on collective principles. The new WIPO Treaty reconciled both worlds by establishing a mandatory disclosure requirement on genetic resources and associated traditional knowledge in the international patent regime. The President stated that the Treaty effectively addressed a deficit of centuries of possible misappropriation through the granting of patents to inventions based on genetic resources and associated traditional knowledge, which the system had previously allowed to occur oblivious to the rights of the providers and the sovereignty of States and peoples over their genetic resources and traditional knowledge. Indigenous Peoples and local communities had built genetic resources associated with traditional knowledge over millennia based on a sense of belonging, identity, and a filial relationship with nature. The President emphasized that the agreement was not a small feat. He reiterated that the document was technically sound, carefully balanced, and spoke to the core of the intellectual property system. The Treaty had been 25 years in the making and had come into being at a time when multilateralism faced considerable challenges. He expressed his happiness that the Government of Brazil, under the leadership of President Luiz Inácio Lula da Silva, Minister Sonia Guajajara, the first Minister of State for Brazil's Indigenous Peoples, and Minister Marina da Silva, Minister for the Environment of Brazil, had helped materialize the Treaty. He took the opportunity to welcome the representatives of Indigenous Peoples worldwide to WIPO and recognized the Indigenous Caucus representatives of the Aymara Peoples from the Plurinational State of Bolivia, Quechua from Ecuador, Siberia from the Russian Federation, Tuareg from Mali, Maasai from Kenya, Truwulway Women from Lutruwita, and Yuin Nation Saltwater Women from Australia. The President extended special greetings to the Minister of Indigenous Peoples of Brazil, Ms. Sonia Guajajara, who could not attend due to the tragedy in the State of Rio Grande do Sul but who had sent an important delegation of representatives of Brazil's different biomes whom the President wished to thank through the Director of the National Museum of Indigenous Peoples, Ms. Lucia Fernanda Inácio Belfort Sales. The President also wished to put on record his sincere thanks to the WIPO team and to the Director General, acknowledging the significant role he played in entrusting him with presiding over the work of the Diplomatic Conference and providing unwavering support and vision, which had been vital for the Conference's success. He thanked the Assistant Director General, Mr. Edward Kwakwa; the Legal Counsel, Ms. Anna Morawiec Mansfield; the Director of the Traditional Knowledge Division, Mr. Wend Wendland; and Ms. Fei Jiao. He also recognized Mr. Wend Wendland and his team for their long-standing

commitment to the issue, emphasizing that their resilience had been key to the Treaty's success. The President paid tribute to the contributions of the seven WIPO Groups and their respective coordinators for their tireless and constructive engagement in ensuring the success of the Diplomatic Conference. He also thanked the Delegation of Brazil under the leadership of Ambassador Luciano Mazza, including the heads of more than five Brazilian agencies in the area, for their constructive, informed and inclusive approach and engagement. The President concluded by thanking everyone for the collective success, underscoring the importance of the Treaty.

201. The Delegation of KENYA, speaking on behalf of the African Group, emphasized that the adoption of the WIPO Treaty was a momentous occasion in the history of WIPO, concluding over two decades of discussions, negotiations, compromises, concessions, challenges, perseverance, tolerance, numerous IGC sessions, late nights and burning of the midnight oil. The resounding success achieved had been worth all the time and effort that had been invested. Most importantly, it was a clear affirmation that the Member States of WIPO were committed to protecting genetic resources and traditional knowledge that were a part of Indigenous Peoples and local communities. The African Group commended the President, the Vice-Presidents and other Officers of the Diplomatic Conference for their sterling efforts in steering the Diplomatic Conference to a successful outcome. It thanked the Director General and the Secretariat for their tireless efforts in organizing the Diplomatic Conference. It also expressed gratitude to all other delegations for their constructive engagement, flexibility and good faith over the previous two weeks, which had allowed for the adoption of the Treaty. It recalled the stimulating and instructive exchanges of ideas held on the subject matter, which it believed had ultimately led to a solid instrument that would not only contribute to the enhancement of the efficacy, transparency and quality of the patent system, but would also help in preventing patents from being granted erroneously for inventions that were not novel or inventive with regard to genetic resources and associated traditional knowledge. The African Group urged WIPO Member States to demonstrate their commitment to the ratification process of the Treaty and to its implementation at the national and international level. It believed that would be the only way to ensure that the efforts expended towards the enactment of the Treaty would lead to tangible benefits for all.

202. The Delegation of the ISLAMIC REPUBLIC OF IRAN, speaking on behalf of the APG, thanked all participants for their tireless efforts during the whole process leading up to that historic moment. It expressed its appreciation to the President of the Diplomatic Conference, the Presidents of Main Committees I and II and the WIPO team for their excellent job prior to and during the Diplomatic Conference. The Diplomatic Conference had made history, and the Treaty was a breakthrough, paving the ground for the harmonization of disclosure requirements at the international level. The role of the APG prior to and leading up to Diplomatic Conference had been instrumental and crucial. It thanked all Member States and particularly the Members of the APG for their dedication, patience and wisdom, as well as providing compromise solutions to realize the objectives of the process. The successful conclusion of the Treaty highlighted the significance of multilateralism and solidarity among nations. Despite Member States' diversity and differences, Member States were able to demonstrate their commitment to the world and to future generations. It hoped that the spirit of solidarity and cooperation would remain steadfast among all participants.

203. The Delegation of HUNGARY, speaking on behalf of the CEBS Group, welcomed the successful outcome of the Diplomatic Conference. The new Treaty was a major achievement.

The link between the intellectual property system and the CBD and its Nagoya Protocol at the international level had finally been created in WIPO. It commended that WIPO had completed its mission to produce that long-awaited output. It believed that the text of the Treaty had travelled the final miles of the path set forth by the Basic Proposal, with some fine-tuning amendments to the substantive provisions. The CEBS Group welcomed the agreement on a streamlined and more focused trigger. It believed that further work on the definition of “based on” had contributed greatly to an effective, practical and easily implementable transparency measure. Furthermore, the amendments to Article 6 provided some additional clarity about sanctions and remedies for non-compliance. It also appreciated the provisions which aimed at accommodating proposals by the Indigenous Caucus. It was hopeful that the new Treaty would promote international harmonization in that critical field. The CEBS Group thanked the Director General and the President of the Diplomatic Conference for their leadership. It expressed its gratitude to the Presidents of Main Committees I and II for their determination and stamina in guiding delegates through productive in-depth discussions on the draft articles, as well as to all officers of the Diplomatic Conference and all the WIPO team. It finally emphasized that the CEBS Group had appreciated working with other delegations in a constructive spirit.

204. The Delegation of CHINA commended the successful holding of the historic Diplomatic Conference and the conclusion of the Treaty. It believed that the positive outcome embodied the efforts and the wisdom of all parties and held profound significance for improving the patent system and promoting the protection of genetic resources and associated traditional knowledge. The Delegation thanked the President of the Diplomatic Conference and other Officers for their strong leadership and the Secretariat, guided by the Director General, for their support. It greatly appreciated the flexibility and the constructive approach shown by all delegates during the negotiations. It also thanked the organizers of the Diplomatic Conference, the interpreters, the translators, and the technicians. The Delegation looked forward to the Treaty’s prompt entry into force and implementation, thereby promoting the protection and better utilization of genetic resources and associated traditional knowledge across the globe.

205. The Delegation of the KINGDOM OF THE NETHERLANDS recalled that two weeks before all participants had been hoping for a positive outcome of the Diplomatic Conference. There had been a few ups and downs, but thankfully a wonderful agreement had been reached on May 24, 2024, at 2:30 a.m. The Delegation thanked the President of the Diplomatic Conference for his skilful leadership, and expressed its appreciation for the important, often discreet diplomatic role of the Director General. It then thanked the members of its delegation, especially the Group B Coordinator. The Delegation of the Kingdom of the Netherlands, then speaking on behalf of Group B, expressed its pride in witnessing such a historic moment in WIPO. It warmly congratulated the President of the Diplomatic Conference on the successful conclusion of the Treaty. It also extended those congratulations to the Presidents of Main Committees I and II, the Vice-Presidents and all other Officers of the Diplomatic Conference, as well as the Director General and the Assistant Director General. In addition, the Delegation especially thanked the IGC Secretariat, Legal Counsel, translators, interpreters and all other WIPO staff involved, without whose tireless efforts the Diplomatic Conference would not have been possible. It commended the outcome achieved, which struck a fine balance between fostering innovation and enhancing transparency in the patent system regarding genetic resources and associated traditional knowledge. In that sense, it thanked all delegations who had taken part in the discussions for their dedication and flexibility to arrive at a consensual outcome. As the Director General had said in his opening speech, “a successful outcome would mean a better representation of the pivotal role genetic resources play in innovation, while

underscoring how a strong intellectual property system is a powerful catalyst for inclusive growth.” It expected that the Treaty would do just that. Group B hoped that the spirit in which all participants concluded the agreement would give all inspiration for future endeavours within WIPO.

206. The Delegation of BRAZIL, speaking on behalf of GRULAC, highlighted that the conclusion of the Diplomatic Conference was a historic milestone. It expressed its pride in GRULAC, who stood united until the end. It believed that the Treaty was a remarkable moment for the global intellectual property community and the multilateral system, poised to make a transformative leap forward in the use, management, protection of and respect for collective cultural and natural heritage. Throughout the years, GRULAC had been a staunch advocate for the creation of a legally binding treaty on intellectual property, genetic resources and associated traditional knowledge. It believed that the Treaty was not just a document, but also a commitment to honour the wisdom of its ancestors and a pledge to ensure their wisdom benefited all humanity equitably. It would be a guiding light towards mutual respect and equity, promising a legacy of transparency, efficiency and equality for future generations: a true vessel of harmony and healing within the intellectual property community. The Treaty was sound, adaptable, allowing each Contracting Party the flexibility to tailor their implementation strategies to reflect their unique regional and national circumstances. That approach reflected its belief in the power of local actions to achieve global objectives, contributing to a balanced and effective global system. Looking forward, GRULAC encouraged all delegations not to lose sight of the expansive horizon of the global community’s endeavours. The promotion of the intellectual property system intertwined with the recognition of the UN Sustainable Development Goals and the rights of Indigenous Peoples and local communities set the stage for a future where innovation coexisted with cultural diversity and environmental stewardship. It reaffirmed that GRULAC, united as ever, would remain committed to advancing the vision of reconciliation, cooperation and dedication. GRULAC were prepared to move forward with unwavering commitment and constructive engagement. On a personal note, the Delegation expressed its deep gratitude to the fellow diplomat, Mr. Daniel Machado da Fonseca, who had recently passed away during his duties as a Brazilian diplomat fighting for a better and sustainable future.

207. The Delegation of BELGIUM, speaking on behalf of the European Union and its Member States, congratulated the President for the result achieved in the Diplomatic Conference, which was the adoption of the Treaty. It thanked all delegations for the constructive spirit and willingness to engage in compromise seeking. The European Union particularly welcomed the participation and engagement of the Indigenous Caucus, as well as their future participation in the Assembly of the Treaty. It expressed its warmest gratitude to the President of the Diplomatic Conference and to the Presidents and Vice-Presidents of Main Committees I and II, whose tenacity, guidance and enthusiasm had created an environment making the outcome possible. The Delegation also paid tribute to the Director General and the Secretariat for the outstanding conduct and smooth operation of the Diplomatic Conference. It emphasized that the Treaty was a milestone with regard to intellectual property rights, and expressed how rewarding it was to see the Treaty to come to life after more than 20 years. During the negotiations, the European Union had engaged constructively to secure an adequate representation for an organization whose accession could bind all its members. It remained confident that the multilateral and forward-looking spirit, which the Treaty had so manifestly reinforced and reinvigorated, would give everyone inspiration and confidence to solve the essential issue for the European Union in its future endeavours within WIPO.

208. The Delegation of INDONESIA, speaking on behalf of the LMCs, extended its gratitude to the President of the Diplomatic Conference and his team of competent Main Committee Presidents, Vice-Presidents and all other elected officials for their leadership, tenacity and commitment throughout the process. It also addressed its sincere appreciation to the Director General, the Secretariat and the Traditional Knowledge Division, as well as the Conference Services for their hard work and dedication in supporting the Diplomatic Conference, without whose tireless efforts the historic feat would not have been achieved. It also thanked all delegates and experts for their unwavering dedication, flexibility and contribution to the discussions, whose expertise and insight had been invaluable in shaping the outcome of the Diplomatic Conference. The Delegation hoped that participants would take with them the value and lessons learnt in the previous two weeks, putting forward trust, dialogue and mutual cooperation. Through mutual respect, the Diplomatic Conference had managed to enrich and advance a text that addressed mutual interests and concerns. More importantly, the Treaty was a victory for all stakeholders, especially for the recognition and protection of the rights of Indigenous Peoples and local communities around the world. It reaffirmed that the Treaty was the result of tireless efforts and collaboration over the past 25 years. The LMCs believed the new Treaty was a stark signal of the strength of multilateralism. It looked forward to seeing everyone in the next Diplomatic Conference in Riyadh.

209. La representante del CAUCUS INDÍGENA señaló que ellos hablaban con todo el corazón sobre su largo caminar. Estaban al comienzo de una nueva era. Durante generaciones, los Pueblos Indígenas habían nutrido y salvaguardado la biodiversidad del mundo. Actualmente, la llave de gran parte de la biodiversidad del planeta estaba dentro de sus territorios. No estaban simplemente haciendo historia, sino la base para un futuro sustentable para todos. Para los pueblos indígenas, la biodiversidad era su madre naturaleza y estaba viva. El tratado, el primero de ese tipo en la OMPI, reconocía el papel crucial que desempeñaban los Pueblos Indígenas en la protección de estos recursos, asegurando su supervivencia al transmitir sus conocimientos tradicionales de generación en generación. Con frecuencia, sus conocimientos eran la base de descubrimientos innovadores y habían sido explotados durante siglos. Explicó que el tratado era un primer paso para garantizar un acceso justo y transparente a estos recursos. Señaló que no creía que fuera una coincidencia que hubieran alcanzado el acuerdo en la misma semana en que se celebraba el Día de la Biodiversidad, cuando el mundo reconocía que la mayor parte de la biodiversidad del planeta se encontraba en sus tierras. El Comité Intergubernamental sobre Propiedad Intelectual y Recursos Genéticos, Conocimientos Tradicionales y Folclore (CIG) había sentado un precedente para su participación efectiva en cuestiones que afectaban la vida y el futuro de los pueblos Indígenas. La representante del Caucus agradeció a los Estados miembros que habían apoyado constantemente su participación en ese proceso. También expresó su agradecimiento por el apoyo financiero que había hecho posible su participación. Destacó que su participación en futuras asambleas sería crucial, aportaría una perspectiva única, un conocimiento profundo de los recursos mismos y un compromiso con el desarrollo sostenible. Cuando llegaron a la OMPI hace más de dos semanas, estaban dispuestos a hacer el trabajo necesario para lograr un instrumento que respondiera a sus preocupaciones. No hubieran podido hacer ese trabajo sin sus corazones y el compromiso espiritual. Señaló lo siguiente “mirando al pasado, los pueblos caminamos hacia adelante y esto viene de los conocimientos tradicionales”. Afirmando que ello no era más que el comienzo, la representante del Caucus explicó que salían de la OMPI con una esperanza renovada, preparados para participar en el esfuerzo continuo que se estaba llevando a cabo para proteger sus conocimientos

tradicionales. Juntos podrían construir un futuro donde la innovación y el respeto fueran de la mano. Deseó un buen viaje de vuelta a casa, plenamente conscientes de la importancia de ese momento histórico y de la promesa de un mañana mejor.

210. The Delegation of ALGERIA aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group, and expressed its immense pleasure and happiness at the success of the Diplomatic Conference, which had been crowned with the conclusion of the Treaty. It wished to express its thanks and appreciation to the President of the Diplomatic Conference for his wise guidance. It also thanked the officers of the various Committees for their genuine efforts throughout the Diplomatic Conference. It extended gratitude to the Director General for his continuous and sincere efforts to make a success of the Diplomatic Conference. The Delegation saluted the positive and constructive atmosphere that had prevailed. It believed that the spirit of responsibility and flexibility of all delegations had led to the conclusion of an important agreement and the adoption of the Treaty by consensus. The conclusion of the Treaty represented genuine progress in protecting genetic resources, intellectual property and associated traditional knowledge and should further promote and enhance the patent system. The Treaty also represented an important signal as to the desire of Member States to establish an intellectual property system that was more comprehensive, fair and just. The Delegation looked forward to continuing working with other Member States to further enhance the protection of intellectual property, genetic resources and associated traditional knowledge and the contribution to the sustainable development. The Delegation stated that the Treaty was a landmark in multilateralism, and it looked forward to its entry into force.

211. The Delegation of the MARSHALL ISLANDS expressed its gratitude and wished to mark the momentous occasion in the realm of intellectual property rights. It believed that the signing of the first ever WIPO treaty relating to genetic resources and traditional knowledge was a significant milestone for all nations, but particularly for developing island nations like the Marshall Islands. It extended its appreciation to WIPO and to the distinguished delegations, especially those from the Pacific region who had contributed to the creation and the realization of the historic Treaty. Their dedication, collaboration, and commitment to the protection of intellectual property rights had not gone unnoticed. The Treaty represented a giant leap forward in safeguarding the creative and innovative works of individuals and businesses around the world, including Indigenous Peoples and local communities. For countries in the Pacific like the Marshall Islands, the Treaty opened up a new opportunity for growth, development and participation in the global economy. It provided a framework to protect and promote the Marshall Island's unique cultural heritage, traditional knowledge and genetic resources. Moving forward, it hoped that Member States could continue to work together to ensure the effective implementation of the Treaty to promote innovation, creativity, and economic prosperity for all nations. The Delegation hoped that a future could be built where intellectual property rights were cherished, respected and utilized to drive positive change in sustainable people-centred development. It thanked all of those who had played a part in the historic moment. It reaffirmed that it stood ready to embrace the opportunities that laid ahead.

212. The Delegation of GHANA aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. It joined other delegations in congratulating the President of the Diplomatic Conference, the Vice-Presidents, and all other officers who had brought the Diplomatic Conference to a successful conclusion. The Delegation had engaged in rigorous dialogue for a full deliberation and collaborative effort, aimed at shaping a future where genetic resources and traditional knowledge were recognized, respected and protected. It

believed that the Treaty was a testament to the collective dedication to fostering an equitable and sustainable world. However, a journey to that point had not been without its challenges. It recalled that participants had navigated complex issues, diverse perspectives and intricate negotiations. Yet, it was precisely through the process that the power of diplomacy, the strength of unity and the profound impact of international cooperation had been demonstrated. It believed that the Treaty represented more than just an agreement. It acknowledged the invaluable contributions of Indigenous Peoples and local communities. It also set a framework for preserving biodiversity, and ensuring that future generations could enjoy the rich heritage that those resources and knowledge represented. It thanked WIPO, the Traditional Knowledge Division and the Diplomatic Engagement and Assembly Affairs Division for their hard work and for having provided an environment conducive to the productive discussions. The Delegation urged all Member States to commit to implementing the Treaty with the same vigor and determination that had brought the agreement. Together, it would be possible to turn the aspirations of the Treaty into tangible benefits for all. It reminded all participants that the Treaty was not an end in itself, but a foundation upon which a more just, a more inclusive and a more sustainable world could be built. The success of the Treaty depended on everyone's continued collaboration and commitment to its principles. The Delegation wished all participants safe travels back to their respective countries and hoped that everyone would continue to work together towards the brighter future.

213. The Delegation of VANUATU aligned itself with the statement delivered by the Delegation of the Islamic Republic of Iran, on behalf of APG. It stated that the purpose of the Diplomatic Conference had been to conclude an International Legal Instrument relating to intellectual property, genetic resources, and traditional knowledge associated with genetic resources. It congratulated all participants on having reached that objective, highlighting that the objective had been achieved through consensus and reconciling differences. Displacing Indigenous Peoples from their lands and not recognizing their knowledge was a grievous sin against them. It expressed its gratitude that it was now possible to show the world that Indigenous Peoples, their lands, their knowledge, and their relationship with their god were recognized. It expressed its gratitude to every Member State who had contributed to the discussions, to the APG, to the WIPO team led by the Director General, as well as the Pacific Group team. The PIFS was also recognized for the work they had conducted for many years on the issue. It commended the transparency and inclusiveness in the way the Diplomatic Conference had been run. The Delegation asked for support when Vanuatu and small island countries would implement the Treaty.

214. La Delegación de PERÚ felicitó a los miembros de la organización. No era poco lo que habían conseguido ese día. Felicitó también a la OMPI a través de su Director general, y en particular expresó su aprecio al presidente de la Conferencia diplomática, quien con su liderazgo había permitido que la Conferencia diplomática lograra adoptar un tratado histórico que contribuiría a la protección de sus valiosos recursos genéticos y de los conocimientos tradicionales de sus Pueblos Indígenas y comunidades locales asociados a éstos. La Delegación señaló que, Perú, como país megadiverso y multicultural, había establecido hacia cerca de 30 años marcos legislativos robustos para la salvaguardia de sus recursos y conocimientos tradicionales, garantizando además la equidad y el acceso justo a sus beneficios para sus comunidades. No obstante, seguían sufriendo la apropiación indebida de sus recursos en otras jurisdicciones, habiendo identificado cerca de 400 casos de biopiratería relacionados con alrededor de 50 recursos originarios del Perú, incluyendo la maca, sacha inchi, yacón, entre otros. La Delegación de Perú explicó que, por lo anterior, habían abordado

esas negociaciones con el sentido de responsabilidad que les daba su rica biodiversidad, la necesidad de saldar deudas históricas con sus Pueblos Indígenas y comunidades locales, y el peso de más de 20 años de negociaciones. Si bien les hubiera gustado un resultado más ambicioso, consideraron que el tratado era un primer gran paso para que las normas de propiedad intelectual aportaran a la protección de la riqueza biológica y de los saberes ancestrales de los pueblos indígenas. La Delegación señaló que ese día, a través de ese tratado histórico, el multilateralismo se ponía en el centro y les recordaba que sí era posible encontrar soluciones eficaces a desafíos globales, en ese caso avanzando hacia la construcción de un sistema de propiedad intelectual más justo, más equitativo y responsable.

215. The Delegation of AUSTRALIA welcomed the momentous achievement at the Diplomatic Conference, and the historic occasion it was for Indigenous Peoples around the world. It congratulated and thanked the Indigenous Caucus for their diversity, knowledge, and for keeping the Diplomatic Conference focused on what was important. The Indigenous Caucus' contribution had been invaluable. It also appreciated the representation and role of the Pacific Island countries over many years, but importantly the previous two weeks. After 24 years, it applauded the creativity and tenacity that Member States had demonstrated to be able to move to common ground in achieving consensus for the Treaty. It concluded by stating it was humble and honoured to stand there, as Australia's Ambassador for First Nations People, with the President of the Diplomatic Conference, on the right side of history.

216. La Delegación de URUGUAY felicitó al presidente por la magnífica conducción de los trabajos, destacando que, como dijeron en su intervención inicial, estaban en buenas manos y lo habían comprobado. Destacó que, en el Comité Directivo de la Conferencia, donde el presidente marcaba el timing, pudieron comprobar su sabiduría y su deseo de que ese ejercicio terminara con el éxito que estaban celebrando. Reconoció la magnífica tarea de las presidentas de las Comisiones y de la Secretaría de la OMPI, cuya experiencia y profesionalismo fueron fundamentales para alcanzar el resultado. También destacó la importancia de los Coordinadores Regionales en la consecución del texto. La Delegación señaló que enfrentaron tres desafíos importantes. Primero, cómo compatibilizar el sistema de patentes con el conocimiento colectivo. Segundo, cómo compatibilizar aspectos técnicos y diplomáticos en un ejercicio casi inédito donde los diplomáticos se convirtieron en técnicos y los técnicos en diplomáticos, logrando esa simbiosis gracias a la experiencia del presidente. Tercero, ese ejercicio tenía los antecedentes de 20 años de negociaciones y los tropiezos de todo el sistema multilateral, que habían sufrido quienes se dedicaban a él. Expresó satisfacción por el resultado logrado en ese tema particular, sino también por la demostración de que el sistema multilateral sobrevivía y tenía buena salud. Subrayó la importancia de ratificar el tratado y demostrar que la OMPI volvía a ser un foro de negociación diplomática. El tratado no solo reconocía una compensación, sino una compensación histórica a los Pueblos originarios e Indígenas.

217. The Delegation of the RUSSIAN FEDERATION thanked the Director General, the President of the Diplomatic Conference and participants for their professional interactions during the work of the Diplomatic Conference. It noted with satisfaction the successful conclusion of work on the text of the WIPO Treaty. It believed that the final text of the Treaty was the result of diligent work done by all sides, and the spirit of compromise built up during the negotiation process that had lasted many years. It considered that decision as truly historic and fully shared the joy over the extremely positive and consensual outcome. Despite some complications in the negotiation process, it was happy to say that the spirit of constructive cooperation prevailed

among participants, thanks to which a balanced international Treaty had been produced. The Treaty would be used to promote development for all. In the light of the tasks ahead, including preserving biodiversity and traditional knowledge, it supported the idea that the intellectual property system should work to benefit every person. The Treaty would be particularly valuable and important to the Delegation, given the natural and ethnocultural wealth of the Russian Federation.

218. The Delegation of NAMIBIA aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. There were days, but there was also the day and that day was May 24, 2024. May 24, 2024, would be marked for generations as the day that had laid a foundation in the international intellectual property structure for the recognition and contribution of genetic resources and associated traditional knowledge to the promotion and advancement of everyone's life. The Delegation expressed its empathy for all the delegates for their sleepless nights and relentless efforts that had been invested during the previous two weeks. It admired all delegates for building bridges of consensus. WIPO Member States had lived up to the spirit of accommodation, consideration, compromise, inclusivity, flexibility, good faith, pragmatism, and open constructive engagement. As a mother who delivered a baby, May 24, 2024, had made participants forget all the pains, the frustration, the sleepless nights, the years of negotiations, the process that had got everyone there, because that day had brought all delegations a newborn baby, the reason to celebrate. The Delegation expressed its appreciation for the President of the Diplomatic Conference, the Presidents of the Main Committees, one of which happened to be presided by a Namibian, Ms. Vivienne Katjuongua, the Director General and the Secretariat at large, for their outstanding leadership. It also congratulated all delegates who, despite their respective national interests, had come together and agreed to lay a new foundation in the international intellectual property structure. The global intellectual property system had matured, and the new Treaty was a testament to that. It was honoured to be part of a community where genetic resources and traditional knowledge were valued for their contribution to solutions and improved life experience. Local communities, as diligent stewards, had held, maintained and preserved their resources and knowledge from generation to generation for the good of all. However, misappropriation continued to undermine the role of local communities, and it also violated the sacred knowledge and threatened the sustainability of their resources. Therefore, the Delegation congratulated the participants for rising to the demand of creating an inclusive and responsive intellectual property legal instrument, which would safeguard the interests of local communities in the intellectual property system and contribute to a fair and equitable sharing of benefits. It remained steadfast in its resolve to ratify the Treaty and implement it effectively. It called on all Member States to demonstrate their commitment to the ratification of the treaty and its full implementation at the national and international level.

219. The Delegation of the ISLAMIC REPUBLIC OF IRAN expressed its gratitude to the President of the Diplomatic Conference, the Director General, and all delegations for their efforts in making the Diplomatic Conference a success. The Treaty was the first step in realizing a balanced and fair international intellectual property system that encompassed the interests of genetic resources and associated traditional knowledge providers, on one hand, and the rights of inventors, on the other. The adoption of the Treaty was undoubtedly owed to the twenty years of efforts by the Member States of WIPO. It acknowledged and honoured the individuals involved in the process over the past years. The finalization of the Treaty within WIPO reflected the organization's commitment and seriousness in supporting all forms of intellectual property rights and aiding economic development in developing countries. It hoped

that the significant achievement could play a more effective role in supporting the rights of genetic resources and associated traditional knowledge holders by considering modern technologies in the field of genetics.

220. La Delegación de COLOMBIA expresó su más sincero agradecimiento al presidente y a todo el equipo de trabajo de la OMPI, encabezado por su Director general, por su importante trabajo y valiosa dedicación al frente de la Conferencia diplomática. Señaló que el éxito de la Conferencia no hubiera sido posible sin su tutela y guía en la metodología de las negociaciones. La Delegación recordó que hacía 25 años, cuando Colombia tomó la iniciativa de traer a la OMPI la necesidad de discutir sobre la propiedad intelectual y los recursos genéticos y los conocimientos tradicionales asociados a estos recursos, tenía la convicción de lograr un consenso para garantizar su protección y uso adecuado. Aunque había sido un camino largo, habían llegado al puerto esperado. La Delegación celebró el acuerdo de un instrumento internacional que garantizaba la eficacia, transparencia y calidad de las patentes respecto a los recursos genéticos y los conocimientos tradicionales asociados a los recursos genéticos, e impedía que se concedan erróneamente patentes para invenciones que no fuesen nuevas ni conllevaran actividad inventiva en lo que respecta a ellos. Celebró el hito histórico que significaba la suscripción del tratado para el reconocimiento de los saberes tradicionales y ancestrales de sus pueblos indígenas, afrodescendientes y otras comunidades locales, y muy especialmente, para los pueblos de la Comunidad Andina. La Delegación enfatizó que ese debía ser el primer paso de muchos para seguir avanzando en la labor necesaria para asegurar y reconocer el valor que tenían en la consolidación de un verdadero desarrollo sostenible y en paz. Manifestó que Colombia, con orgullo, se suscribía al tratado, seguro de que brindaría herramientas de gran valor para asegurar que los recursos genéticos y los conocimientos tradicionales asociados a ellos se pusieran al servicio de todos y todas. Afirmó que el Gobierno del Cambio seguiría trabajando en la consolidación de un sistema de propiedad intelectual al servicio de la sociedad y del bien común para el conjunto de la población y especialmente para las comunidades autóctonas. La Delegación de Colombia invitó a la OMPI y a todos sus Estados miembros a mantener el impulso de trabajar en el reconocimiento y la protección de los conocimientos tradicionales y las expresiones culturales. Reconoció que quedaba mucho camino por recorrer y que el tratado marcaría la ruta ideal a seguir en esa labor.

221. The Delegation of SOUTH AFRICA aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. It commended the President of the Diplomatic Conference for the excellent manner in which he had presided over the Diplomatic Conference. It acknowledged the President's exceptional diplomatic skills, stewardship and the sterling work he had undertaken together with the Bureau, which had brought the Diplomatic Conference to a successful conclusion. The Delegation also expressed its gratitude to the Director General and the Secretariat for the invaluable expertise and support they had provided to ensure the successful negotiations. It paid tribute to all the women and men who had worked tirelessly and burned the proverbial midnight oil to produce the extraordinary outcome that ushered in a new era of inclusivity in the intellectual property system. It was satisfied that after more than two decades, agreement was reached on the ground-breaking Treaty. That was a testament to WIPO's normative capability and Member States' commitment to a fair, just, and equitable global intellectual property system. Over the previous 12 days, Member States, the Indigenous Caucus, and civil society had risen to the occasion and converged around an imperative for a treaty that set new norms and values and provided for a mandatory disclosure requirement. The Treaty responded to a call by Indigenous Peoples and local committees for recognition and inclusion in the international intellectual property system. It believed that the

Treaty would bring intellectual property closer to the people and provide the framework for using intellectual property as a catalyst for socio-economic growth and development, thus contributing to the achievement of the 2030 Agenda for Sustainable Development. The Delegation affirmed that South Africa would take all the necessary steps to use the Treaty to strengthen its frameworks and expeditiously trigger processes for the ratification of the Treaty. The new Treaty had proven that the multilateral system could deliver, and that it was possible to restore trust. It hoped that the achievement would rub off on other key multilateral processes, notably in the context of the currently negotiated treaty on pandemic prevention and preparedness as well as on the Summit of the Future processes.

222. La Délégation de la FRANCE a tenu à saluer chaleureusement l'engagement personnel, le sens de l'équilibre et du réalisme du Président de la Conférence diplomatique pour l'adoption de ce traité historique. La Délégation a salué les présidents des Commissions, les coordinateurs régionaux, le Directeur général et tout le Secrétariat de l'OMPI pour leurs contributions essentielles. La France, tout comme les États membres de l'Union Européenne, s'est réjoui de ce succès pour le multilatéralisme. La Délégation a senti de la part de tous les groupes régionaux une vraie flexibilité et a constamment plaidé en ce sens. Les délégations se sont unies pour atteindre les mêmes objectifs, renforcer la protection des ressources génétiques, en tenant compte des droits des peuples autochtones, sans compromettre le droit des brevets ni brider l'innovation. La Délégation a affirmé qu'elle y voyait un succès pour la protection des ressources génétiques, pour la reconnaissance des savoirs traditionnels des peuples autochtones. Elle a ajouté que cette nouvelle étape renforcerait la mise en œuvre du Protocole de Nagoya et contribuerait à l'atteinte des objectifs de la Déclaration des Nations Unies sur les droits des peuples autochtones. L'adoption du traité était un succès pour la propriété intellectuelle, dont dépendait notre capacité à innover pour améliorer notre santé et notre sécurité alimentaire, ainsi qu'un succès pour l'OMPI, notamment dans la perspective de la future conférence diplomatique qui se tiendrait à Riyad en novembre. La Délégation a invité les États membres à passer à présent au beau défi de la mise en œuvre du traité.

223. La Délégation du BURKINA FASO s'est associée à la déclaration de la Délégation du Kenya faite au nom du Groupe africain, et a félicité le Président de la Conférence diplomatique pour sa remarquable conduite des travaux ainsi que l'équipe qui l'a accompagné durant la Conférence diplomatique. La Délégation a remercié le Groupe africain pour l'esprit de consensus et d'unité dont il a su faire preuve et a particulièrement remercié la Délégation du Kenya pour la coordination de ce groupe. La Délégation a salué l'esprit de co-construction qui a guidé toutes les délégations et qui a conduit au couronnement de ces travaux. Cet aboutissement a illustré l'esprit de Genève. La Délégation s'est félicitée de la conclusion de cet instrument juridique international sur la propriété intellectuelle relative aux ressources génétiques et aux savoirs traditionnels associés aux ressources génétiques. Sa conclusion a marqué un tournant décisif dans les efforts visant à mieux prendre en compte les enjeux liés à la préservation et à la valorisation équitable du précieux patrimoine génétique et des connaissances traditionnelles séculaires de l'humanité. La Délégation a indiqué qu'elle fondait beaucoup d'espoir sur le nouvel instrument, lequel permettra la valorisation et la reconnaissance du riche patrimoine des communautés locales. La Délégation a invité l'ensemble des parties contractantes à ne ménager aucun effort en vue de lui donner effet dans les meilleurs délais.

224. La Delegación de MÉXICO felicitó al Presidente por haber llevado a buen puerto las negociaciones sobre el Tratado de la OMPI sobre la Propiedad Intelectual, los Recursos

Genéticos y los Conocimientos Tradicionales conexos. Agradeció también al Director general de la OMPI por todo el apoyo brindado para la celebración de la Conferencia diplomática. Señaló que había sido un camino difícil en el que México, basado en el enfoque del Director general, había buscado que la propiedad intelectual beneficiara a todas las personas. Indicó que, para el caso del tratado, México había buscado que no solo contribuyera a una mayor transparencia en el sistema de patentes en cuanto al uso de recursos genéticos y los conocimientos tradicionales asociados a los recursos genéticos, sino también que no dejara de lado la importancia de proteger el uso de los recursos genéticos y el vínculo intrínseco de los conocimientos tradicionales de los Pueblos Indígenas asociados a esos recursos. México mantuvo en el marco de esa negociación una comunicación cercana con los representantes de los Pueblos Indígenas como muestra de su compromiso con ellos. Afirmó que habían dado un gran paso histórico y que México continuaría con las consultas internas necesarias para ser parte del tratado. Aseguró que trabajarían para contribuir a que el tratado, gracias al requisito de divulgación, evitara el uso no autorizado de los conocimientos ancestrales de sus pueblos indígenas. Agradeció nuevamente el liderazgo en ese proceso, el trabajo del presidente de la Conferencia, el Director general y su extraordinario equipo, las y los intérpretes por su gran trabajo, las delegaciones y los representantes de los pueblos indígenas. Expresó su gratitud por la muestra de compromiso para ese gran logro del multilateralismo.

225. The Delegation of PAKISTAN aligned itself with the statements delivered by the Delegation of Indonesia, on behalf of the LMCs, and the Delegation of the Islamic Republic of Iran on behalf of the APG. It congratulated the Director General, the President of the Diplomatic Conference and all the delegates whose efforts had been instrumental in achieving the landmark instrument. It marked a triumph for multilateralism and a testament to the collective resolve. The Treaty represented the culmination of over two decades of persistent efforts and negotiations, embodying the shared commitment to reform and rectify historical inequities in the global intellectual property system. It believed that the achievement had been made possible by the spirit of collaboration, compromise and mutual understanding that had marked the discussions. The carefully crafted consensus achieved was a powerful affirmation of the ability to work together towards common goals. The Diplomatic Conference also inspired hope that further multilateral efforts would strengthen the global intellectual property regime in a way that brought more equity, addressed the rights of Indigenous Peoples and protected the interests of all Member States. It reaffirmed its commitment to continuing the collaborative efforts in the spirit of good faith and solidarity.

226. The Delegation of TRINIDAD AND TOBAGO aligned with the statement delivered by the Delegation of Brazil, on behalf of GRULAC. It recognized the historic nature of the adoption of the Treaty, which had occurred in the early hours of the morning. It celebrated the spirit of compromise and hope that had prevailed, and the fact that delegations had not allowed the perfect to be the enemy of the good. It was fitting to recognize not just the final phases leading up to the adoption of the treaty, but also the 25 years of effort and intensive technical work that had paved the way for the important achievement. The new Treaty filled an important gap in the international legal architecture relating to the disclosure requirement. It agreed that the Treaty reflected a careful balance and constituted a technically sound agreement. The Delegation thanked the President of the Diplomatic Conference for his stellar stewardship and highlighted that the process had truly benefited from the depths of the President's experience. It also applauded and commended the Presidents of the Main Committees and the wider Steering Committee. In addition, it thanked the Director General and the Secretariat who were instrumental to the success of the conference. It extended special thanks to the GRULAC, all

Member States, and all representatives of Indigenous Peoples and local communities. It concluded by stating that the Treaty was a win for WIPO, a meaningful evolution of the global intellectual property system, as well as an important win for multilateralism during a particularly challenging year. It hoped that that success could inspire similarly positive outcomes in other key multilateral spaces.

227. The Delegation of KAZAKHSTAN expressed its profound commitment to the principles and objectives of the Treaty. Repeating the words of the Director General, the Treaty demonstrated to the world that multilateralism was alive and worked for the benefit of all people and societies. It expressed its appreciation to the President of the Diplomatic Conference and the Director General for their dedication, professionalism and leadership that were instrumental for the success of the Diplomatic Conference. It also expressed its deepest gratitude to the Presidents of the two Main Committees, the Vice-Presidents, the Group Coordinators, the WIPO professional and technical staff, and, of course, all Member States. It stated that participants had demonstrated an inspiring example of what it meant to serve a common cause wholeheartedly. It urged participants to continue to work together to ensure the effective implementation of the Treaty to fully harness the potential of genetic resources and associated traditional knowledge.

228. La Delegación de GUATEMALA felicitó al presidente y reconoció su labor, destacando que su liderazgo había llevado al éxito de la Conferencia. Agradeció también el trabajo de las Comisiones principales y el Comité directivo. La Delegación de Guatemala se unió a la alegría que embargaba la sala, celebrando la conclusión de un instrumento que contenía años de trabajo y esfuerzo. Reafirmó lo expresado por el GRULAC y manifestó con mucha satisfacción el poder de decir misión cumplida. Destacó las manifestaciones de apoyo y flexibilidad de cada una de las delegaciones presentes, pues, gracias a ellos, lograron concluir un tratado por consenso que permitiría fortalecer la eficiencia, transparencia y calidad del sistema de patentes, a fin de evitar la concesión errónea de patentes relacionadas con esa materia. Expresó su esperanza de que el tratado entre en vigor en un futuro cercano. Finalmente, la Delegación agradeció a la OMPI a través del Director general por la preparación de la Conferencia diplomática. Reconoció el excelente trabajo realizado por la Secretaría, el equipo de conferencias, audio, media, intérpretes y traductores, y cada una de las personas que pusieron un granito de arena para facilitar los trabajos y hacerles sentir cómodos durante las largas jornadas en esas dos semanas. Reafirmó que, tal como lo expresó al inicio de la declaración, era un momento de enhorabuena para todos. Era tiempo de celebrar y reafirmar que la propiedad intelectual era para todos.

229. La Delegación de CHILE expresó su profundo agradecimiento a la Secretaría de la OMPI y a todas las delegaciones, en especial a aquellas que componían el GRULAC a cuya declaración se adhirieron, por su arduo trabajo y dedicación. Indicó que ese logro era fruto del esfuerzo y disposición colectivos para mostrar flexibilidad y buscar puntos comunes. Extendió un saludo especial al Director general de la OMPI, por su liderazgo y visión, los cuales fueron fundamentales para el éxito de la Conferencia. Agradeció sinceramente al presidente de la Conferencia, por su guía y compromiso, que fueron esenciales para alcanzar ese acuerdo. Durante las negociaciones, habían sido testigos de la capacidad de adaptación y la voluntad de compromiso de todos los participantes. Gracias a ello, habían alcanzado un consenso significativo en torno a un instrumento jurídico que protegía de manera justa los recursos genéticos y los conocimientos tradicionales, logrando una victoria invaluable para el multilateralismo. Destacó que el acuerdo no solo resguardaba la biodiversidad y los

conocimientos ancestrales que formaban parte de su identidad, sino que también fomentaba la innovación, permitiendo a las partes implementar las obligaciones de acuerdo con sus legislaciones nacionales. La claridad y la simplificación en el documento eran testimonio del esfuerzo conjunto por crear un marco práctico y efectivo. La Delegación enfatizó que el resultado de la Conferencia marcaba un paso crucial hacia sus objetivos comunes, asegurando un futuro donde los derechos de sus pueblos fueran respetados y la innovación continuara prosperando. Expresó su orgullo de haber sido parte de ese histórico logro y reafirmó su compromiso de seguir colaborando estrechamente para la implementación efectiva del instrumento.

230. La Delegación de PANAMÁ destacó que, por más de dos semanas, delegados, expertos y otros participantes habían entablado diálogos para abordar uno de los desafíos más complejos de la propiedad intelectual. Afirmó que ese esfuerzo colectivo, iniciado hace más de 20 años, había culminado con un instrumento sólido y equilibrado para todas las partes. El acuerdo logrado sería una herramienta clave para la protección de los recursos genéticos y los conocimientos tradicionales asociados, y sería la base para una participación justa y equitativa de los beneficios. Estaba particularmente complacida por el espíritu de colaboración demostrado durante la Conferencia diplomática, testimonio de un compromiso con el progreso y el respeto mutuo. Destacó que ese espíritu sería esencial a medida que se avanzara en la implementación de las iniciativas acordadas. Extendió su más profundo agradecimiento y felicitaciones a todos quienes, por más de dos décadas, se habían dedicado a alcanzar ese objetivo. Expresó un especial agradecimiento a Brasil por su coordinación y liderazgo impecable para lograr mantener la unidad del GRULAC en la negociación y al presidente de la Conferencia diplomática. Afirmó que Panamá cree en la propiedad intelectual como catalizador del crecimiento económico, el desarrollo cultural y el progreso social. Reafirmó el compromiso de su país en continuar con ese importante trabajo y fomentar un entorno donde la innovación prospere, la creatividad se celebre y los derechos de propiedad intelectual se protejan y se respeten.

231. La Delegación del ECUADOR señaló que el Ecuador, como país comprometido con la protección de un acceso legítimo a los recursos genéticos y los conocimientos tradicionales, celebraba ese día histórico como un avance significativo en el ámbito internacional de la propiedad intelectual. Reconoció y honró a los Pueblos Indígenas y comunidades locales por su incesante lucha y a todos los predecesores que iniciaron ese largo pero histórico camino. Afirmó que el tratado representaba un hito en la búsqueda del balance en normas internacionales de propiedad intelectual y de la protección de la diversidad biológica del mundo, en especial de los países megadiversos, y la protección del valioso conocimiento tradicional de los Pueblos Indígenas y comunidades locales. Expresó su anhelo de que ese compromiso impulsara un desarrollo sostenible para las generaciones presentes y futuras, y que ese gran esfuerzo de dos décadas de intercambio de visiones salvaguardara una convivencia armónica de los intereses de los estados, los pueblos indígenas, las comunidades locales y el sector de la innovación. Extendió su agradecimiento a todos quienes dirigieron esa embarcación y a todos quienes remararon no solo hacia un buen puerto, sino también hacia un nuevo horizonte.

232. The Delegation of SINGAPORE aligned itself with the statement delivered by the Delegation of the Islamic Republic of Iran. It was honoured to join the consensus in adopting the Treaty, which was the latest to join the WIPO family of treaties and the first of its kind in WIPO. It expressed its heartfelt appreciation to the President of the Diplomatic Conference for his direction and leadership. It also thanked the Presidents of the Main Committees for their

hard work and, in the words of the President of the Diplomatic Conference, for doing the heavy lifting. The Officers of the various Committees' tireless efforts had made it possible to achieve a positive outcome. The Delegation also expressed its appreciation to the Director General, the Secretariat, the Traditional Knowledge Division and the Office of the Legal Counsel for their roles in ensuring the success of the Diplomatic Conference. It acknowledged the hard work of the many teams working behind the scenes, including the Conference Services team, the Diplomatic Engagement and Assembles Affairs Division, interpreters and colleagues who managed the live drafting, who had been instrumental in facilitating the work of the Diplomatic Conference. The Treaty represented the culmination of almost 25 years of work, not just of those present in the room but of many who had worked on the issues in the past. The adoption of the Treaty by consensus spoke to the value of multilateralism, global cooperation and international law. As a strong supporter of multilateralism and international law, the Delegation was proud to have been part of the Diplomatic Conference. It was grateful to all fellow delegates for their constructive engagement, spirit of compromise and flexibility throughout the process. The experience had demonstrated the cohesion, unity, and trust amongst WIPO Member States, putting them in good stead for future work within WIPO in advancing the intellectual property system, including the upcoming Diplomatic Conference in November. That illustrated that the reward for hard work was more hard work. In closing, it reaffirmed its continued strong commitment towards multilateralism and to the work of WIPO.

233. The Delegation of BANGLADESH aligned itself with the statements delivered by the Delegation of the Islamic Republic of Iran, on behalf of APG, and the Delegation of Indonesia, on behalf of the LMCs. The Delegation joined others in celebrating the historic moment of the concluding of the first ever WIPO Treaty to address the interface between intellectual property, genetic resources and traditional knowledge. It appreciated the able leadership of the President of the Diplomatic Conference in steering the Diplomatic Conference towards the culmination of success. It also appreciated the hard work and able stewardship of the Presidents of Main Committees I and II for their efforts in finding landing zones during the negotiations held in the previous two weeks. It recognized the important contribution of the President of the Drafting Committee. The Delegation also recognized the important contribution of all Vice-Presidents and members of Main Committees I and II, the Credentials Committee and Drafting Committee. It appreciated the excellent work done by the Secretariat led by the Director General. It commended the hard work of the support staff and interpreters during the Diplomatic Conference. It acknowledged the contributions of the Chairs, delegates and participants at the IGC sessions over the previous two decades. Finally, it also appreciated all the distinguished delegates who had worked diligently day and night in the last two weeks towards the adoption of the Treaty. The consensus achieved together was a manifestation that multilateralism was the best way to address shared concerns despite the differences amongst all countries. It looked forward towards the successful implementation and operationalisation of the new WIPO Treaty.

234. La Délégation du NIGER a remercié le Président de la Conférence diplomatique et s'est vivement félicitée de l'adoption du Traité sur la propriété intellectuelle, les ressources génétiques et les savoirs traditionnels associés. La Délégation s'est associée à la déclaration faite par la Délégation du Kenya au nom du Groupe africain. La Délégation a déclaré que cet instrument était historique, équilibré, juste et représentatif des préoccupations essentielles des parties prenantes. Son adoption n'a semblé possible que grâce à l'immense sagesse, à la grande expérience de l'environnement multilatéral et à la conduite des travaux par le Président de la Conférence diplomatique. La Délégation a félicité également l'ensemble des autres membres du Bureau, notamment les deux Présidentes des Commissions principales I et II. La

Délégation a remercié et félicité le Directeur Général et le Secrétariat pour la bonne organisation et la réussite de la Conférence Diplomatique, ainsi que pour le précieux soutien fourni aux délégations durant les travaux. La Délégation a remercié les coordonnateurs régionaux et l'ensemble des délégations pour leur engagement, leur ténacité, mais aussi leur flexibilité qui permirent de célébrer ce moment historique. Pour la Délégation du Niger, qui était demandeur, cette adoption a constitué une double célébration, puisqu'elle est intervenue à la veille de la Journée de l'Afrique, célébrée le 25 mai de chaque année. La Délégation a estimé que le traité contribuerait à améliorer la situation des peuples, des communautés et du pays dans ce domaine, et permettrait d'atteindre les objectifs de développement durable en rapport avec son objet.

235. La Delegación de PARAGUAY agradeció al presidente, al Director general de la OMPI, a los Coordinadores de los distintos Comités por su esfuerzo, liderazgo y por las largas horas de trabajo para lograr ese resultado ambicioso. Indicó que era un honor dirigirse a la audiencia en ese momento histórico tras dos semanas intensas de negociaciones en la Conferencia diplomática. Celebró la adopción de un tratado que demostraba su compromiso por la protección de los recursos genéticos y los conocimientos tradicionales asociados. Afirmó que ese acuerdo, aprobado por consenso, esperó pacientemente 25 años para convertirse en el primer tratado de la OMPI que aborda la vinculación entre la propiedad intelectual, los recursos genéticos y los conocimientos tradicionales, y expresó su seguridad de que no esperaría mucho tiempo para su entrada en vigor. Expresó su más sincero agradecimiento a todos los que hicieron posible ese gran logro, en especial a la coordinación del GRULAC, a cuya declaración la Delegación de Paraguay se adhería, a los representantes de los Pueblos Indígenas, y a todo el equipo de la OMPI cuyo apoyo fue invaluable. También agradeció a todas las delegaciones que participaron con dedicación y esfuerzo colaborativo, destacando que su esfuerzo y perseverancia fueron clave para lograr ese resultado después de largos 25 años y de mucho trabajo. La Delegación afirmó que, para Paraguay, ese instrumento representaba un avance significativo y crucial hacia un futuro más justo y respetuoso de su rica herencia cultural. Reconocer y proteger esos derechos, como mencionaron en sus palabras de apertura, era un acto de justicia para sus Pueblos Indígenas y comunidades locales y constituía un paso necesario para generar condiciones socioeconómicas para una sociedad más justa y equitativa. Ese importante instrumento era una apuesta clara al fortalecimiento del multilateralismo, que estaba siendo cuestionado por la opinión pública internacional por su falta de resultados.

236. The Delegation of the UNITED ARAB EMIRATES congratulated the Director General on the success and historical moment of the adoption of the Treaty. It commended his leadership and efforts undertaken to make progress to achieve the success, results and consensus on the legal instrument. It congratulated the President of the Diplomatic Conference, who had showed wise leadership in managing the negotiations and discussions smoothly. The Delegation also thanked the Presidents of Main Committees I and II, the Officers of the other Committees, the Secretariat and the interpreters for their efforts and for their good preparation of the works of the Diplomatic Conference. It thanked all Member States that had participated in the deliberations. The adoption of the new Treaty was a success for WIPO because it would strengthen patent law with regards to genetic resources and associated traditional knowledge. It had been the pleasure of the Delegation to participate in the work of the Diplomatic Conference and contribute actively to deliberations within the APG. The commitment of the Delegation reflected the importance the United Arab Emirates gave to genetic resources and traditional knowledge. It looked forward to future results, and to a fantastic future for the intellectual property system.

237. The Delegation of the DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA congratulated everyone on achieving the successful outcome with collaborative efforts. The Treaty was a historical event that had not only put an end to a two decade-long negotiation but was also an important milestone in strengthening the global intellectual property system. Intensive discussions and negotiations had continued up until the last moment. The successful conclusion of the Diplomatic Conference demonstrated to the international community that it was possible to overcome difficulties with wisdom and joint efforts. It hoped that the positive spirit and conclusive trend shown in the Diplomatic Conference would also continue in implementing the Treaty. The Delegation extended its special appreciation to the President of the Diplomatic Conference, to the Director General, and to the WIPO staff for their excellent stewardship and dedicated efforts to lead the Diplomatic Conference to a success. The successful conclusion of the Diplomatic Conference would send a positive message to other international organizations and inspire them to move forward to achieve common goals. It wished everyone further success.

238. The Delegation of THAILAND congratulated the President of the Diplomatic Conference on the successful conclusion of the historic event and acknowledged the time, energy and stamina he had given in leading the Diplomatic Conference. It expressed its gratitude for his leadership and diplomatic skills, which had been very useful to the conclusion of the Diplomatic Conference. It also congratulated the Secretariat and the Director General, who had been working tirelessly, and all the support staff. That was a moment of triumph, not only for the participants, but for Indigenous Peoples around the world, the local communities, as well as to those in the areas related to intellectual property, genetic resources and traditional knowledge. The Delegation shared that that was not only historic for intellectual property, but a historic achievement for multilateralism. Political commitment, flexibility and strong leadership were the ingredients to come to a successful outcome. It particularly appreciated the fact that the mandatory disclosure requirement, together with appropriate sanctions and remedies, would enhance transparency in the use of genetic resources and associated traditional knowledge without hindering innovation, which would foster shared benefits for all parties. Before concluding, it wished to thank the Presidents of Main Committees I and II, who had shown exemplary leadership and to whom the Delegation was thankful and grateful.

239. La Delegación de la REPÚBLICA BOLIVARIANA DE VENEZUELA expresó gratitud en nombre del pueblo de la República Bolivariana de Venezuela y de su presidente Nicolás Maduro, y unió su voz a la celebración de todos los Pueblos Indígenas y comunidades locales por ese histórico logro del multilateralismo. Expresó que, en honor de la sabiduría y el legado de sus ancestros, adoptaron ante ese honorable organismo internacional un tratado de vital importancia para la protección de sus recursos genéticos y conocimientos tradicionales. Afirmó que ese tratado era la expresión de su compromiso con la justicia social, la defensa de los más vulnerables y la preservación de su patrimonio. Felicitó al presidente de la Conferencia por su liderazgo e incansable labor presidiendo la Conferencia. Agradeció a la República de Colombia por haber traído a ese foro hace más de dos décadas esa iniciativa que hoy se concretaba. Extendió su reconocimiento al Director general y a su eficiente equipo, a las presidentas de los Comités principales y a todos los actores anónimos que contribuyeron a ese logro a lo largo de ese proceso. Afirmó que los recursos genéticos y los conocimientos tradicionales son tesoros invaluables que pertenecían a los Pueblos Indígenas, resultado de miles de años de sabiduría y experiencia acumulada en armonía con la naturaleza. Expresó que eran la base de su identidad cultural, su cosmovisión y su forma de vida, de la cual debían seguir aprendiendo.

Subrayó que el tratado era un paso fundamental para proteger esos recursos y garantizar que los Pueblos Indígenas fueran los principales beneficiarios de su uso, estableciendo mecanismos claros para el acceso a los recursos genéticos y conocimientos tradicionales con el consentimiento previo e informado de los Pueblos Indígenas y un reparto justo de los beneficios. La Delegación señaló que su país era uno de los más megadiversos del planeta, albergando una riqueza natural y cultural sin parangón. Expresó que los Pueblos Indígenas venezolanos habían desarrollado un profundo conocimiento de esa riqueza y habían sido sus guardianes durante siglos. Afirmó que el tratado era un reconocimiento a la sabiduría y a la cosmovisión de los Pueblos Indígenas, un compromiso con su futuro y con el futuro de su país y de la humanidad. Concluyó afirmando que el tratado era un paso adelante en la construcción de un mundo más justo, más inclusivo y sostenible. Expresó su gratitud al presidente y a todo el equipo de trabajo, instando a seguir haciendo historia en favor del bien de la humanidad, de los Pueblos Indígenas, de la paz y del reconocimiento de los derechos ancestrales de sus pueblos originarios.

240. La Delegación de ARGENTINA se asoció a la declaración pronunciada por la Delegación de Brasil en nombre del GRULAC. Expresó su agradecimiento a la Presidencia y a las autoridades que asumieron con compromiso y entusiasmo la ardua tarea de guiar los trabajos de esa Conferencia diplomática; así como a la Secretaría y a todo el personal de la OMPI por la impecable organización del evento. Destacó, sobre todo, el trabajo realizado por los técnicos y delegados y la flexibilidad demostrada por los Países miembros sin la cual ningún acuerdo hubiera sido posible. En lo sustantivo, se congratuló por haber conseguido un instrumento internacional vinculante tendiente a combatir la apropiación indebida y a garantizar la transparencia mediante el establecimiento de la exigencia de divulgación del país de origen y/o de la fuente de los recursos genéticos y los conocimientos tradicionales asociados a ellos en las solicitudes de patentes. Afirmó que ello representaba un hito histórico y, desde su perspectiva, constituía el primer paso legal sobre el cual se debería continuar construyendo en respeto de los derechos de propiedad intelectual y en consonancia con la agenda para el desarrollo de la OMPI y sus 45 recomendaciones. El resultado adoptado era una muestra cabal de que el sistema multilateral y esa organización en particular podía producir resultados equilibrados y efectivos en materia de propiedad intelectual, respetando los derechos de los países en desarrollo.

241. La Delegación de EL SALVADOR agradeció al presidente, por su liderazgo y compromiso a lo largo de ese proceso, que habían sido fundamentales para el éxito de la conferencia. Agradeció también a las presidentas de las Comisiones I y II por su hábil conducción de las diversas sesiones de negociación, y celebró el trabajo constructivo de todas las delegaciones. Agradeció al Director general de la OMPI y todo el equipo de la Secretaría, por el invaluable apoyo brindado para la culminación exitosa de la negociación del tratado internacional. La Delegación se sumó a la declaración pronunciada por el representante del GRULAC e hizo eco del sentimiento de orgullo por la constructiva y destacada participación de su región en las negociaciones, así como de la colaboración con el resto de los Grupos Regionales. Para la Delegación de El Salvador, fue un honor participar en ese momento histórico para la OMPI y sus miembros, que contribuía al fortalecimiento de un sistema de propiedad intelectual equilibrado, fomentando la innovación y promoviendo, a su vez, el respeto de los derechos de los titulares, de los recursos genéticos y los conocimientos tradicionales asociados. El tratado internacional era una contribución importante al fortalecimiento del multilateralismo y una muestra de los logros alcanzados con el trabajo constructivo de todos los miembros y el espíritu de colaboración y compromiso que debía prevalecer en el ámbito

multilateral. La Delegación de El Salvador esperaba que ese triunfo brinde ímpetu a la agenda normativa de la organización y constituya una referencia para todos sus trabajos en el futuro.

242. The Delegation of UGANDA aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. It joined all speakers in congratulating the President of the Diplomatic Conference on the successful conclusion of the Diplomatic Conference, which had resulted in the new WIPO Treaty. It applauded the Director General and the entire team for their significant investment and excellent organization. It appreciated all the Group Coordinators, the experts and those who had navigated through the challenges of negotiation in the last 25 years. It congratulated all stakeholders on the successful milestone that had been achieved. The Treaty was victory for everyone. The Delegation wished now for everyone to work toward the objectives of the Treaty.

243. La Delegación de COSTA RICA agradeció al presidente y su equipo, así como al Comité directivo de la Conferencia Diplomática sobre Propiedad intelectual, Recursos Genéticos y Conocimientos Tradicionales asociados, por su trabajo y liderazgo durante las dos arduas semanas de negociación. Celebró el consenso de la Conferencia diplomática al aprobar el instrumento. No obstante, la Delegación consideró importante dejar manifiesta su posición con respecto a algunos aspectos del mismo. Para Costa Rica, el Tratado sobre Propiedad Intelectual, Recursos Genéticos y Conocimientos Tradicionales asociados debería vincularse con otros tratados que garanticen de manera explícita los derechos humanos y la conservación y el uso sostenible de la biodiversidad. Costa Rica había participado, de forma constructiva y de buena fe durante toda la negociación. Había extrañado mayor flexibilidad para reformular las propuestas que consideraba indispensables para lograr una mayor transparencia, robustecer el sistema de patentes y salvaguardar la propiedad intelectual, garantizando un reparto justo y equitativo de los beneficios derivados del uso de la biodiversidad. El tratado no se ajustaba a sus niveles de ambición ni a sus estándares nacionales en materia legal relacionados con los temas de propiedad intelectual sobre recursos genéticos y sus derivados, y de la biodiversidad tanto silvestre como domesticada, así como la protección del conocimiento tradicional de los Pueblos Indígenas y comunidades locales, incluyendo afrodescendientes. Había esperado que el instrumento sirviese para enriquecer los estándares con los que ya contaban nacionalmente o por lo menos preservar como mínimo lo contenido en su legislación. Sin embargo, la Delegación reconoció que era una buena base para el desarrollo de sistemas nacionales en la materia, sobre todo en aquellos estados donde aún la legislación era incipiente, y proveía un marco mínimo para ese desarrollo que permitiera la innovación y protegiera el conocimiento ancestral y los conocimientos tradicionales asociados. La Delegación expresó su esperanza de que, para la elaboración de futuros instrumentos, se pudiera tener un nivel mayor de ambición que ayudara al desarrollo de estándares en materia de propiedad intelectual y que, a la vez, tuviera en cuenta las necesidades de las personas en el terreno y su desarrollo. Agradeció al Director general por su liderazgo al frente de la organización, y la estrecha colaboración y trabajo con su país y los países de su región.

244. The Delegation of MOROCCO thanked the President of the Diplomatic Conference, the Presidents of the Main Committees, the Secretariat as well as the Director General for their tireless efforts to reach the very successful outcome. It also thanked all delegations that had showed flexibility, worked in good faith and taken responsibility so that a successful outcome could be reached. The positive outcome provided a reason to hope, particularly considering recent crises in international diplomacy. It also wished to thank the translators and interpreters,

and everyone who had worked continuously towards the historic moment. The results of the Diplomatic Conference marked a stage for all to protect genetic resources and associated traditional knowledge. That would be a base to create the social and economic fabric for Morocco. Traditional knowledge, including the process and technology, and trade were also a basis for resilience and would help build a better future for societies across the world. The full participation in the negotiations between different delegations had allowed the achievement of the positive result. The Delegation was pleased and honoured to have taken part in those efforts. Morocco had worked through its chairing of the 2020 and 2021 sessions of the General Assembly and tried to relaunch the negotiating process. It concluded by reiterating the importance of the Treaty that would strengthen patent systems and the global intellectual property system. However, it was not an end in itself, but only the beginning. It would strengthen one of the arms of the intellectual property system. It hoped that there would be a process of cooperation to strengthen intellectual property and promote creativity, as well as protect genetic resources and associated traditional knowledge, which would benefit all.

245. The Delegation of the HOLY SEE expressed its deep gratitude to the President of the Diplomatic Conference and the Director General for their leadership, and extended its thanks to the Presidents of Main Committees I and II for their skilful handling of the process towards a successful outcome. It also expressed appreciation to the Secretariat for their unwavering effort and tireless support. The Delegation welcomed the adoption of the Treaty that established an international mechanism marking a significant step forward in the collective dedication to safeguarding invaluable genetic resources and associated traditional knowledge. It particularly commended the constructive approach taken by all the parties involved in the negotiation process, which reflected a profound commitment to fostering multilateral cooperation, achieving compromise and advancing a dynamic, inclusive and forward-looking intellectual property system that benefited everyone. The Delegation appreciated with satisfaction the participation of Indigenous Peoples and local communities in the process, as well as the incorporation of language that accommodated their needs within different national contexts and constitutional arrangements. It reaffirmed the importance of excluding human genetic resources from the scope of the Treaty, as set forth in Article 2, and agreed upon throughout the preparatory works. That underscored that respect for human dignity remained the foremost shared principle that underpinned the coexistence, the sanctity of human life and the common good.

246. The Delegation of SAUDI ARABIA aligned itself with the statement delivered by the Delegation of the Islamic Republic of Iran, on behalf of the APG. It thanked the President of the Diplomatic Conference, the Director General and all participants. It congratulated the intellectual property community on the positive result. After more than two decades of tireless work, exchanges of experiences and negotiations on the very important matter within the IGC, everyone could now celebrate the birth of a new Treaty, which underscored the importance of multilateral treaties to strengthen the intellectual property system. It congratulated all Presidents of the Committees on the positive result and congratulated all delegations for their tireless work over the previous two weeks. It hoped that the Diplomatic Conference the Design Law Treaty (DLT) would be similarly successful and reminded delegations that Saudi Arabia would be hosting that Diplomatic Conference. The Delegation wished to welcome everyone to Saudi Arabia in the autumn.

247. La Délégation de la COTE D'IVOIRE s'est associée à la déclaration de la Délégation du Kenya au nom du Groupe africain et s'est félicitée de la conclusion heureuse de la Conférence diplomatique dédiée à l'adoption d'un traité, qu'elle a qualifié de crucial, relatif à la propriété

intellectuelle sur les ressources génétiques et les savoirs traditionnels associés. La Délégation a également remercié le Président de la Conférence diplomatique et son équipe pour les efforts qu'ils ont consenti et leur engagement déterminé, lesquels ont permis d'aboutir à cet accord historique. La Délégation a exprimé sa reconnaissance à l'adresse du Directeur général et au Secrétariat pour avoir créé les conditions favorables à la tenue de la Conférence diplomatique. La Délégation a salué les efforts déployés, durant plus de deux décennies, par les différents pays, les experts, les groupes régionaux, les représentants des diverses organisations non gouvernementales, ainsi que les peuples autochtones, tous ces efforts ayant permis d'aboutir au traité. La Délégation a souligné que cet instrument représentait une grande avancée dans le processus d'utilisation équitable et durable des ressources génétiques, tout en respectant et en protégeant les droits des créateurs et des communautés locales. Un équilibre délicat a été trouvé entre innovation et conservation d'une part, et entre droits individuels et biens communs d'autre part. La Délégation a ajouté que l'adoption du traité, envoyait un message fort au monde entier, celui d'une volonté commune de promouvoir l'équité sociale et environnementale, tout en soutenant l'innovation et le progrès scientifique, démontrant quelle union autour d'un enjeu commun pour le bien-être de l'humanité et de la planète était possible malgré les différences de point de vue. La Délégation a déclaré qu'il était désormais du devoir collectif des participants de mettre en œuvre les dispositions de ce traité avec diligence et détermination. La Délégation s'est dite convaincue que, grâce à une coopération continue, cette vision pourrait être transformée en réalité tangible pour les générations présentes et futures.

248. La Delegación de HONDURAS se adhirió a la declaración realizada por la Delegación de Brasil en nombre del GRULAC. Expresó un sincero agradecimiento y reconocimiento al Director general de la OMPI, por su liderazgo, y al presidente, por su destacado desempeño, crucial para el éxito de la Conferencia que estaba culminando, y a través de la cual los participantes se estaba atendiendo a una deuda histórica en relación con la protección de la innovación y, a su vez, de la biodiversidad y los recursos genéticos, y conocimientos tradicionales asociados de los pueblos indígenas y las comunidades locales, así como también la participación justa y equitativa en los beneficios derivados de su uso. Agradeció también a las presidentas de las Comisiones I y II por la extraordinaria conducción de las sesiones. Su habilidad para guiar las deliberaciones con imparcialidad y eficacia fueron esenciales para alcanzar los acuerdos que se estaban celebrando. La Delegación de Honduras reconoció y agradeció la labor de todos los presentes, en esa sala en la que se enfrentaron desafíos complejos que, gracias a sus compromisos, fueron superados. La Conferencia había sido un testimonio del poder del diálogo, la diplomacia y el multilateralismo para abordar cuestiones globales críticas y, como resultado, se habían logrado importantes avances en la protección y el uso justo y sostenible de los recursos genéticos y los conocimientos tradicionales, reconociendo y respetando los derechos de los Pueblos Indígenas y las comunidades locales. Aunque el trabajo no se había terminado, se habían sentado las bases para una futura colaboración y acciones concretas. Confirió en que los acuerdos y compromisos alcanzados en la Conferencia tendrían un impacto duradero y positivo en la gestión de los recursos genéticos y conocimientos tradicionales a nivel global. La Delegación de Honduras expresó su compromiso para tomar los siguientes pasos en el camino hacia la firma del tratado, el cual demostraba la importancia de la no fragmentación del derecho internacional. Deseó a todos un regreso seguro a sus capitales y continuo éxito en sus esfuerzos. Confiaba en que juntos podían construir un futuro más sostenible y equitativo para todos.

249. La Délégation de la SUISSE s'est dit satisfaite d'avoir réussi, grâce à un effort conjugué, à finaliser ce nouveau traité après tant d'années de négociations. La Délégation a exprimé sa

sincère gratitude au Président de la Conférence diplomatique et à tous les participants pour l'avoir mené. La Délégation a adressé ses plus vifs remerciements au Directeur général ainsi qu'au Secrétariat pour l'organisation de la Conférence diplomatique à Genève. La Délégation s'est déclarée convaincue que ce traité avait le potentiel de contribuer à une meilleure protection des ressources génétiques et des savoirs traditionnels associés, tout en soutenant les innovations. Elle a ajouté qu'en mettant en œuvre ce traité, il faudrait garder à l'esprit ces objectifs, notamment le renforcement de l'efficacité, de la transparence et de la qualité du système de brevet. La Délégation a souligné que la sécurité juridique était cruciale pour tous, tant pour les fournisseurs que pour les détenteurs des ressources génétiques et des savoirs traditionnels, en particulier les peuples autochtones et les communautés locales, mais aussi pour les innovateurs.

250. The Delegation of FINLAND thanked the President of the Diplomatic Conference and all delegates for the adoption of the Treaty. It was a historic moment. It believed that all participants would remember the long days and nights dedicated to that matter of a unique nature in the WIPO context. It sincerely thanked the tireless efforts of the Indigenous Caucus, the Chair of the Indigenous Caucus, the Saami Parliament of Finland, and all the representatives of Indigenous Peoples in the Diplomatic Conference. It was pleased that the Treaty ensured that the disclosure requirement covered the traditional knowledge associated with genetic resources of Indigenous Peoples and local communities in all Contracting Parties to the Treaty. It joined the congratulations expressed by the European Union to the Presidents and Vice-Presidents of Main Committees I and II, who had done an excellent job. It also thanked the architect of the instrument, Mr. Ian Goss, and also former IGC Chair, Ms. Lilyclaire Bellamy, and the IGC Vice-Chair, Mr. Jukka Liedes. The Treaty was also an exceptional achievement for the Director General and everyone at the WIPO Secretariat, Assistant Director General Kwakwa, the Legal Counsel, and in particular, the Traditional Knowledge Division led by the excellent Mr. Wend Wendland who together with his knowledgeable team, among others Ms. Fei Jiao and Ms. Daphne Zografos Johnsson, had made over the past two decades considerable efforts and amazing results to increase the inclusiveness of the Treaty for Indigenous Peoples and local communities. That Treaty was an important step on the path of recognizing the valuable genetic resources and associated traditional knowledge in the global intellectual property system and was a true celebration for multilateralism.

251. La Délégation de MADAGASCAR s'est associée à la déclaration faite par la Délégation du Kenya au nom du Groupe africain. La Délégation a adressé ses vives félicitations pour l'excellente conduite de la Conférence diplomatique par son Président pour aboutir à ce traité international, étendant ses félicitations aux Présidents des Commissions principales et différents Comités, ainsi qu'à tous ceux qui avaient contribué à la réussite de la Conférence diplomatique. La Délégation a exprimé sa gratitude au Directeur général, au sous-directeur général, et à l'ensemble du Secrétariat de l'OMPI pour leur dévouement tout au long des travaux. La Délégation s'est félicitée de l'aboutissement la Conférence ayant mené au traité. La Délégation a estimé que ce traité historique répondait aux attentes et aux préoccupations de nombreux pays, y compris la Délégation de Madagascar, en termes de sécurisation des ressources génétiques et des savoirs traditionnels associés. La Délégation a indiqué que depuis des années, des appropriations illicites et des exploitations sans partage des avantages avaient privé les populations autochtones et les communautés locales des bénéfices et retombées de l'exploitation de leurs richesses et savoirs. La Délégation a relevé que le présent traité aiderait le gouvernement malgache dans sa démarche stratégique inclusive et participative visant à la mise en place d'une infrastructure juridique efficace pour une

sécurisation de ses ressources génétiques et savoirs traditionnels associés. Ce traité historique introduira une nouvelle ère pour la protection des ressources génétiques et des connaissances traditionnelles associées, une protection qui passerait désormais des peuples autochtones et des communautés locales au monde entier. La Délégation a exprimé le souhait que les États membres fussent à la hauteur de cette nouvelle responsabilité en ratifiant le traité puis en le mettant en œuvre dans un futur proche.

252. The Delegation of BRAZIL aligned itself with its previous statement delivered on behalf of GRULAC. It thanked the Director General, distinguished delegates and the President of the Diplomatic Conference. It also thanked all members of the Brazilian Delegation, the Ministers of Foreign Affairs, of Indigenous Peoples, and of the Intellectual Property Institute, which had shown how solid the team had been. It also thanked the Director General and the entire Secretariat for their efforts to ensure the success of the Diplomatic Conference. The Delegation had come to the Diplomatic Conference imbued with a sense of responsibility with regards to the task ahead. While it had been aware of the challenges and the fact that there had been different views on certain aspects of the lengthy negotiations, the Delegation had been sure that a positive outcome would be reached. After two long weeks of intensive work, the Delegation could go home with the feeling that it had fulfilled its duty. It felt proud that the Treaty was worthy of the concerns and interests of Indigenous Peoples and traditional communities. With the conclusion of the instrument, participants had made a historic step to strengthen the international intellectual property system. The establishment of a mechanism to disclose the origin of genetic resources and associated traditional knowledge would contribute to modernizing the agenda of WIPO and would unequivocally underscore the links between protecting intellectual property, innovation, and protecting the environment, biodiversity as well as ensuring that there was a fair approach to defending Indigenous Peoples and local communities' interests. It believed that it was fundamental to ensure transparency and inclusiveness. The Delegation was honoured to represent different Indigenous Peoples of different biomes and to have lived up to issues of their interests. It remained convinced that it was only through dialogue and negotiation and respecting peoples' differences as well as participating constructively that the international community would be able to overcome global challenges. The Delegation concluded by noting that it appreciated for having been able to deliver its statement in Portuguese and hoped that the Portuguese language would become more present in WIPO's work.

253. La Delegación del ESTADO PLURINACIONAL DE BOLIVIA expresó su reconocimiento al Presidente, a su equipo, al Director general de la OMPI, a la Secretaría, a las delegaciones provenientes de todos los Grupos Regionales, y en especial a los representantes de los Pueblos Indígenas por su incansable compromiso, flexibilidad y trabajo que permitieron celebrar ese momento histórico para el sistema multilateral. Agradeció también a la coordinación del GRULAC y se asoció a la intervención que dio Brasil en nombre del Grupo Regional. La Delegación afirmó que ese tratado era un primer paso importante en el reconocimiento de la sabiduría milenaria y conocimientos ancestrales de sus antepasados, de sus pueblos indígenas y su valioso aporte en beneficio de la Humanidad y de la madre tierra. Si bien el tratado no contemplaba todas sus aspiraciones, representaba un esfuerzo por alcanzar un consenso y equilibrio en las diferentes visiones. El Estado Plurinacional de Bolivia siendo un país diverso con una inmensa riqueza cultural, entendía ese Tratado como un avance del sistema de propiedad intelectual y un esfuerzo por acercarlo a la gente, a sus pueblos. Entendía el tratado como una base para que, en reconocimiento y complementariedad a sus legislaciones nacionales y supranacional, se garantice la

transparencia, la equidad y se evite la apropiación indebida. Era un documento que había tratado de plasmar amplias discusiones en las que se había resaltado la importancia y la deuda histórica que el mundo tenía con los conocimientos y prácticas ancestrales de los Pueblos Indígenas. El instrumento sentaba las bases mínimas para que la propiedad intelectual coexistiera con la diversidad y patrimonio cultural bajo principios de transparencia, participación, inclusividad, equidad, cooperación y en línea con la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas. El Estado Plurinacional de Bolivia había adoptado hace décadas una posición pionera en la búsqueda de la protección efectiva de los conocimientos tradicionales asociados a los recursos genéticos, y continuaría comprometida con la defensa de los derechos de los pueblos indígenas para que sus saberes y conocimientos fueran valorados, respetados y protegidos. Agradeció el esfuerzo de todos por alcanzar ese resultado.

254. The Delegation of KYRGYZSTAN welcomed the positive conclusion of the Diplomatic Conference and the development of such an important Treaty. Kyrgyzstan, amongst other countries, had already adopted a law on the protection of genetic resources and associated traditional knowledge. The Delegation would begin to work on the protection of traditional knowledge and wished to receive support from WIPO in its endeavours.

255. The Delegation of the SOLOMON ISLANDS was honoured to join the historic occasion to mark the conclusion of the Diplomatic Conference and the adoption of the Treaty. It congratulated all delegates at the Diplomatic Conference for their hard work and commitment, which had been truly inspiring and remarkable, and the hallmark of multilateralism and a global family. It congratulated the President of the Diplomatic Conference, as well as the respective Presidents of the Main Committees. It also thanked the Director General and the Secretariat for hosting the Diplomatic Conference and allowing delegates to travel from the distant shores of the Pacific to the beautiful city of Geneva. It also recognized and expressed special thanks to its fellow colleagues from the blue Pacific continent: Samoa, the Cook Islands, Fiji, Kiribati, Nauru, Niue, the Marshall Islands, Tonga, Vanuatu, and as well as its big brothers, Australia and New Zealand. It also recognized that the Diplomatic Conference stood on the shoulders of those who had pioneered and dedicated many years of their professional lives to the important cause for Indigenous Peoples and local communities. The Solomon Islands was rich in genetic resources and traditional knowledge. It was proud of the wisdom and the worthy customs of its ancestors, mindful of its common and diverse heritage and conscious of its common destiny. Pacific islanders would enact aspects of their traditional knowledge in their everyday lives. In many remote Pacific islands, where access to basic living amenities was difficult, Pacific islanders depended on traditional knowledge and natural resources of their general well-being. The Delegation was proud and confident that the historic new Treaty would provide international protection for Indigenous Peoples. That protection would also contribute to the national economy and community development of the Solomon Islands. It believed that the Diplomatic Conference had achieved a meaningful instrument that struck the right balance between the rights of inventors and, more importantly, of all peoples, particularly the owners of traditional knowledge. It remained committed to taking forward the important next steps to bring the Treaty to life. The Delegation looked forward to continued cooperation with everyone.

256. The Delegation of INDIA extended its heartfelt gratitude to the President of the Diplomatic Conference, the Vice-Presidents, and all Officers, including the Presidents of Main Committees I and II and the Drafting Committee for their relentless pursuit and efforts to achieve a balanced outcome to the Diplomatic Conference. It also wished to place on record its

appreciation for the Director General and his entire team for the meticulous preparations, organization and conduct of the Diplomatic Conference, which had followed the most balanced and inclusive process possible over the course of the previous two weeks. It acknowledged the work and efforts of all the IGC office bearers and experts who had devoted many years of their professional lives to take the process to a successful conclusion, and also the former IGC Chair, Ian Goss, under whose authorship the text of the Basic Proposal had been prepared. The Treaty marked a historic milestone in the collective efforts to safeguard genetic resources and the associated traditional knowledge within the intellectual property and the multilateral system. India, a nation rich in biodiversity and cultural heritage, had long recognized the intrinsic value of genetic resources and traditional knowledge. Those resources not only held scientific and economic importance but also embodied the spiritual and cultural essence of Indian communities. Throughout the Diplomatic Conference, all delegations had engaged in robust discussions, exchanged diverse perspectives and negotiated in the spirit of cooperation and mutual respect. The Delegation believed that the Treaty reflected delegates' shared commitment to creating a balanced and equitable framework that respected the rights and interests of all stakeholders. It acknowledged, however, that challenges still remained, and nuances needed careful consideration. However, the progress made signified the collective resolve to address those complexities with a pragmatic and inclusive approach. It wished for everyone to continue to build on the foundations laid here, transforming commitments made into tangible actions to benefit present and future generations.

257. The Delegation of JAMAICA stated that multilateral policy was often described as a marathon rather than a sprint. The journey to that point had been a very long marathon, and it found it almost surreal that the Diplomatic Conference had crossed the finish line. For the past two decades, and certainly over the previous 11 days, delegations had engaged in countless dialogues, collaborative discussions and tireless negotiations. It wished to celebrate the historical achievement for WIPO and multilateralism, signalling that countries could collaborate and coalesce around issues of global importance. The Treaty represented a significant step forward in ensuring the adequate protection of genetic resources and associated traditional knowledge. For Jamaica, the Treaty was more than just a legal document. It was a legal recognition that the intellectual property system was functional and could offer necessary protection for genetic resources and associated traditional knowledge. The Delegation extended heartfelt gratitude to all delegates, experts and Indigenous stakeholders who had dedicated their time, effort and expertise to the process. Their unwavering dedication and collaborative spirit had been instrumental in reaching the agreement. The Delegation commended the President of the Diplomatic Conference for his sterling leadership and pragmatism, and expressed appreciation to the members of the Steering Committee and other elected Officers, including Ms. Lilyclaire Bellamy from Jamaica, for their valuable efforts which had contributed to the historic outcome. That success would not have been possible without the tremendous support from the Director General and the incredibly dedicated team of the Secretariat. It wished to commend their excellent organization and exemplary support of the Diplomatic Conference, ensuring that discussions had been productive, and the needs of delegates had been met, including the provision of much-needed coffee. The professionalism and diligence of the Secretariat had been invaluable. Moving forward, it believed that it was imperative to translate the Treaty's outcome into tangible actions. Implementation would be key. The frameworks which had been established must be ensured, especially the disclosure requirement, to be effectively operationalized. That would ensure that Jamaica's vibrant heritage, which included genetic resources and associated traditional knowledge, was protected and preserved. In conclusion, the Delegation wished to celebrate the achievement with the

understanding that there would be more work ahead. It believed that the journey would require continued commitment and collaboration as the IGC worked to conclude similar instruments for traditional knowledge and traditional cultural expressions.

258. The Delegation of NEPAL was honoured to address the plenary at the Diplomatic Conference which had achieved the long-awaited Treaty. It believed the Treaty marked a historic moment in the collective effort to safeguard genetic resources and traditional knowledge. It thanked the President of the Diplomatic Conference and the Director General for their excellent steering of the Diplomatic Conference. In the journey to the Treaty, there had been extensive dialogue demonstrated by mutual understanding and trust among all delegations. It believed that the proposed final document would be a cornerstone in safeguarding the valuable genetic resources and associated traditional knowledge passed down through generations. It would lay a foundation for scientific advancement and innovation, especially in agriculture, pharmaceuticals, and biotechnology. It believed that the Treaty would foster innovation for sustainable development and build trust among inventors and researchers. It urged delegations to move forward with sheer commitment to implement the legal instrument and wished for a future where the world's natural and cultural heritage was utilized sustainably and protected for the benefit of generations.

259. The Delegation of CAMBODIA aligned itself with the statement made by the Delegation of the Islamic Republic of Iran, on behalf of APG, and by the Delegation of Indonesia, on behalf of the LMCs. It extended sincere appreciation to the President of the Diplomatic Conference, the Bureau and all Committees for their exceptional leadership and skilful facilitation of discussions and negotiations throughout the Diplomatic Conference. It wished to join other delegations in expressing gratitude to the Director General, the Secretariat, the Traditional Knowledge Division, and all interpreters for their hard work and dedication in supporting the Diplomatic Conference. Their tireless efforts were instrumental in achieving the historical milestone. The Delegation also extended gratitude to the capable APG Coordinator and her team for their dedication and commitment during the conference. Additionally, it acknowledged and thanked other Groups for their flexibility and constructive engagement, which had enriched the deliberations and contributed to the successful conclusion of the Diplomatic Conference and a historical Treaty on genetic resources and associated traditional knowledge that would promote intellectual property for inclusive growth to all.

260. The Delegation of NIGERIA aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. It recalled that Nigeria was a country of over 218 million people with abundant genetic resources and a tapestry of local communities. It thanked those who had tread the road for so long and so faithfully: ADG Edward Kwakwa; the Director of the Traditional Knowledge Division, Mr. Wend Wendland; the nimble, agile and utterly brilliant Legal Counsel, Ms. Anna Morawiec Mansfield; and the indefatigable Ms. Fei Jiao of the Traditional Knowledge Division. It expressed its gratitude to them and explained that they were the invisible hands and feet and breath that had kept the delegations going, who had put up with delegations' silly questions, who had answered them at all hours of the night and morning and stayed the course. As many delegations had mentioned, the adoption of the Treaty marked a new day. It had been rarely heard that a multilateral organization would produce a new treaty in difficult terrain on a new subject matter at the intersection of human rights, innovation and trade. The new Treaty proved that it was possible. The intellectual property world looked different than it had been the day before because of the Treaty. In 1883, the signing of the first international patent treaty had involved a select group of a few European countries, represented by

predominantly white men. It contrasted that with the Diplomatic Conference, which epitomized diversity - diversity of peoples, nations and ethnicities. The journey had cost lives, had written much in the history book of nations, but yet it remained the beacon of hope that multilateralism, collaboration, the honor of all people and the opportunities to work together remained vital for the collective human aspirations. The Delegation acknowledged that the work done, while not without flaws, was emblematic. The work had been not ideal, but it was iconic. It was not perfect, but it was pragmatic. It was not all delegations should have done, but delegations had done most of all that they could do. It recalled a wise saying from a family member that: "at the end of a journey, look back at those who travelled with you and find out who you would want with you if you were ever stranded on a deserted island." The Delegation proceeded to recognize several individuals who had been instrumental in that journey. It commended Mr. Marco d'Alessandro from Switzerland for his unwavering passion and commitment to precision; Ms. Krisztina Kovacs, representing formerly the European Union and then the CEBS Group, for her bridge-building acumen and meticulous attention to detail; Mr. Luciano Mazza from Brazil for consistently seeking rational and intentional deliberation, regardless of the situation's intensity; Mr. Dominic Keating from the United States of America for his steadfast focus on innovation and for reminding delegations of the two worlds that should coexist in the Treaty; Ms. Jennifer Corpuz and Mr. Preston Hardison of the Indigenous Caucus for their gracious tenacity; Ms. Ainna Vilengi Kaundu from Namibia for her uncompromising personal integrity; the Japanese delegation for their politeness and precision; and Mr. Anthony Mathenge of the African Group for his modesty in leading a rambunctious group. Furthermore, the Delegation expressed its gratitude to the often overlooked yet vital contributors - security personnel, cleaners, and bartenders at the coffee bar - whose efforts had ensured the smooth conduct of the proceedings. The Delegation extended its highest commendation to Mr. Ian Goss, the architect of the text and former IGC Chair. His extraordinary leadership had been pivotal to the success of the Diplomatic Conference. Mr. Goss was credited with crafting the text and laying the foundation upon which the Treaty rested. The Delegation emphasized that while foundations were vital and supported everything, they often went unrecognized. It honoured Mr. Goss for his fairness, reason, humility and integrity - traits rare in today's world. The Delegation also expressed heartfelt thanks to Professor Margo Bagley, whose tireless efforts in drafting and elucidating the text had been invaluable, particularly in guiding those initially reluctant to engage fully. It concluded by acknowledging the collective achievement, metaphorically comparing it to the birth of a child and recognizing the extraordinary nature of such an accomplishment. Yet, new-born babies were hungry. The Treaty was hungry, hungry for implementation, and for attention. The Delegation preferred not to call it a new-born, but an adopted child. As with all adoptions, the greatest work was to ensure that it felt part of the extraordinary family that was WIPO.

261. La Delegación de CUBA felicitó al presidente por su liderazgo en la conducción de la Conferencia diplomática, así como a las vicepresidentas y al Director general de la OMPI, y a la Secretaría por los logros alcanzados. Hizo suyas las palabras de la delegación de Brasil en nombre del GRULAC y celebró el momento histórico sobre la adopción de un Tratado de la OMPI sobre Propiedad Intelectual, Recursos Genéticos y Conocimientos Tradicionales Asociados: firmó que el reto estaba por delante; hacer suya la implementación del Tratado internacional.

262. The Delegation of SAMOA congratulated the President of the Diplomatic Conference, all appointed Officers, the Director General, the Secretariat, and the entire WIPO family for the groundbreaking success. It stated that that was a step in the right direction and a positive

indicator of the ongoing work on traditional knowledge and traditional cultural expressions. Samoa and other developing countries in the Pacific and beyond would need support in implementing the Treaty. It expressed its gratitude for reflecting Samoa's wishes in the Treaty and acknowledged the support of the PIFS and the Pacific family in the negotiations. The Delegation emphasized the importance of unity with saying that "united we stand, divided we fall". It referenced the value of hard work by stating that all hard work brought a profit, but mere talk led only to poverty. The Delegation congratulated everyone involved, noting that many years of negotiations and the late nights of hard work and consensus building had paid off. That milestone achievement brought hope in multilateralism.

263. The Delegation of ETHIOPIA aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. The day had heralded a significant milestone in intellectual property with the achievement of a historic treaty safeguarding genetic resources and associated traditional knowledge. After two decades of robust discussions and collaboration, consensus had been reached to preserve the world's invaluable heritage for collective benefits. Recent weeks had underscored that through sincere engagement and collaboration, multilateralism could yield consensus on international instruments benefiting the global community. The Delegation extended its heartfelt gratitude to the President of the Diplomatic Conference and the Director General for their pivotal roles in achieving consensus on critical issues. Their guidance had been instrumental in steering the Diplomatic Conference to such a momentous conclusion. Special thanks were also extended to the Presidents of Main Committees I and II, whose dedication and hard work had been indispensable in navigating the Treaty's complexities. Looking ahead to the Treaty's implementation, the Delegation envisioned a future where genetic resources and associated traditional knowledge would be protected and responsibly utilized. The Treaty represented a collective commitment to honour and share the world's heritage, ensuring it remained a source of knowledge and prosperity for generations. In closing, the Delegation expressed its profound appreciation to WIPO and its Director General for their exceptional leadership throughout the journey. The Secretariat and all staff participating in this Diplomatic Conference were thanked for their dedication and hard work in adopting the historic Treaty.

264. The Delegation of LESOTHO aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. It congratulated the President of the Diplomatic Conference, the Vice-Presidents, and other Officers of the Diplomatic Conference for the way they had conducted the proceedings. The Delegation further applauded the Director General and the Secretariat for the historic event. Under his inclusive leadership, negotiations that had spanned many years had concluded, culminating in a treaty. It recognized the invaluable contribution of Indigenous Peoples and local communities from around the globe in shaping the Treaty. The previous two weeks had not been easy, but it was pleased that all parties had negotiated in the spirit of inclusivity, pragmatism, and flexibility. Those efforts resulted in the momentous occasion of adopting the Treaty. The landmark Treaty would strengthen the global intellectual property system, particularly the patent system, known for its paramount role in achieving the Sustainable Development Goals such as fighting hunger, protecting food security, and promoting good health. Lesotho, like other African countries, was endowed with genetic resources and associated traditional knowledge passed down through generations. Despite that wealth, African countries lost substantial revenue that could benefit holders of traditional knowledge and their communities due to misappropriation of funds and valuable assets. The Delegation hoped that implementation of the Treaty would enhance efficacy, transparency, and quality in the patent system. In conclusion, the Delegation

commended the demonstration of multilateralism that enabled reaching the finish line together as a WIPO family. It urged all Member States to utilize their policy space at regional and national levels to implement the Treaty effectively, protecting valuable resources and preventing misappropriation.

265. La Délégation du SENEGAL s'est associée à la déclaration de la Délégation du Kenya au nom du Groupe africain et a remercié le Président de la Conférence. La Délégation a également félicité l'ensemble le Secrétariat et les délégations pour le travail exemplaire ayant abouti à ce résultat. La Délégation a félicité le Directeur général pour les impulsions données et son ouverture, tout en lui témoignant sa gratitude pour toutes les dispositions prises à l'endroit des délégations. La Délégation a rappelé que les savoirs traditionnels, les expressions culturelles traditionnelles et les ressources génétiques avaient mobilisé beaucoup d'énergie depuis plus de deux décennies. Le succès de la Conférence a démontré que le multilatéralisme n'était pas rayé du jargon diplomatique. La Délégation a relevé bien au contraire que ce succès ouvrait des opportunités vers d'autres succès au sein de l'OMPI sur d'autres sujets aussi importants comme la Conférence diplomatique de 2024 sur le droit des dessins et modèles organisée à Riyad. La Délégation a par ailleurs rappelé que négocier un accord était une chose, mais que l'appliquer effectivement en était une autre. La Délégation a appelé toutes les parties prenantes à faire preuve de la même détermination pour la mise en œuvre de cet accord historique. La Délégation a affirmé qu'elle ne ménagerait aucun effort dans ce sens et qu'il en allait de même du Groupe africain, rappelant que le traité concernait le cœur de ses richesses liées aux savoirs traditionnels et aux ressources génétiques.

266. The Delegation of TAJIKISTAN expressed its gratitude for the active engagement of all participants and commended the successful conclusion of the Diplomatic Conference. The Delegation thanked the Director General, the President of the Diplomatic Conference, the Vice-Presidents, and members of the Credentials and Drafting Committees for the historic decision and outcome. Special thanks were extended to the Secretariat for their tireless work in preparing and disseminating documents, as well as to the interpreters. It acknowledged the dedication of Member States in narrowing gaps and moving closer to consensus during the two-decades-long negotiations. It commended all stakeholders for their flexibility in striking a balance between the protection of intellectual property and the preservation of genetic resources and traditional knowledge associated with genetic resources, which led to the successful conclusion of the Diplomatic Conference. The Delegation viewed the legal instrument not only as a victory and affirmation of the rights of Indigenous Peoples and local communities but also as a great opportunity for sustainable development, innovation, and the well-being of Tajikistan's diverse population.

267. The Delegation of TIMOR-LESTE congratulated the President of the Diplomatic Conference and the Bureau for their efforts and capable leadership leading to the successful conclusion and adoption of the Treaty. The Delegation also extended congratulations to the Director General and his team for their unwavering contribution and hospitality, which had contributed to the success of the Diplomatic Conference. The moment marked a historic achievement after decades of negotiations. It commended Member States, Observers, representatives of Indigenous Peoples and local communities, as well as the coordinators of the Groups for their hard work, flexibility, and constructive engagement in navigating the complex intersection between intellectual property rights, genetic resources and traditional knowledge. The adoption of the Treaty would certainly strengthen the protection of Timor-Leste's unique traditional knowledge and associated genetic resources. As a developing country in the initial

stage of developing its intellectual property sector, Timor-Leste recognized the importance of the Treaty in protecting and preserving its cultural heritage and biodiversity.

268. The Delegation of ISRAEL thanked the President of the Diplomatic Conference, the Director General, the Presidents of Main Committees I and II, the Secretariat, and everyone else involved in making the Treaty possible. The Delegation recognized the importance of the Treaty as a measure to promote transparency and quality in the patent system concerning genetic resources and traditional knowledge associated with genetic resources, as expressed in the Treaty's objectives. It was confident that the Treaty would play a positive role in fostering innovation for the mutual benefit of all participants in the patent system.

269. The Delegation of ZIMBABWE aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. It expressed sincere appreciation to the President of the Diplomatic Conference, as well as to the Presidents of Main Committees I and II, the Director General, and the Secretariat for overseeing the successful Diplomatic Conference. The Delegation was grateful for the opportunity to participate in the conclusion of the historic Treaty. It was deeply thankful for the dedication and spirit of compromise demonstrated by all delegations throughout the extensive negotiations that had culminated in the adoption of the significant legal instrument. The collective efforts and sacrifices made by all involved had not gone unnoticed. The Delegation acknowledged all efforts in achieving that milestone. It believed that the Treaty represented a promise of respect and fair treatment for Indigenous Peoples and local communities. The Delegation chanted a slogan and noted that the Treaty, having been adopted on the eve of the commemoration of Africa Day, would be a double celebration for Africa. The Treaty contributed to the conservation of biodiversity and promoted sustainable development, which Zimbabwe and Africa warmly welcomed. In conclusion, the Delegation assured of its commitment to fully implement the Treaty.

270. La Délégation du CANADA a félicité le Président de la Conférence diplomatique, les Présidentes des Commissions principales I et II, les Vice-présidents, tous les autres responsables de la Conférence diplomatique, ainsi que le Directeur général et le sous-directeur général pour la conclusion réussie du traité sur la propriété intellectuelle relative aux ressources génétiques et aux savoirs traditionnels associés. La Délégation a réitéré son appréciation pour la flexibilité dont toutes les délégations avaient fait preuve tout au long des négociations, observant que cette flexibilité avait permis de parvenir à un résultat consensuel. La Délégation a remercié en particulier les peuples autochtones qui avaient participé pour leurs positions et leurs perceptions, ainsi que le Secrétariat, la Conseillère juridique et son équipe, les traducteurs, les interprètes et tous les autres membres du Secrétariat de l'OMPI impliqués. La Délégation a fait observer que la ligne d'arrivée n'aurait pas pu être franchie sans eux. The Delegation wanted then to take a moment to personally thank members of the Canadian Delegation. It noted that Canada was more fortunate than most to have several technical experts here from across several ministries in the Canadian government. The Delegation acknowledged their hard work and the many personal sacrifices over the past two weeks and also over the many years to get there. The outcome achieved at WIPO through those negotiations would foster innovation, enhance transparency in the patent system regarding genetic resources and associated traditional knowledge, and most importantly, ensure the effective participation of Indigenous Peoples and local communities in the ongoing work of the newly created Assembly. It recalled that Canada had been a signatory of the UNDRIP and had been firmly committed to achieving the ends of that instrument. It celebrated the conclusion of the Treaty as an important step forward on the path to reconciliation with Indigenous Peoples in

Canada. The Delegation extended its gratitude and congratulations to the National Chief of the Assembly of First Nations (AFN), Ms. Cindy Woodhouse-Nepanak; the CEO of the AFN, Mr. Craig Gideon; and the AFN representatives, Mr. Stuart Wuttke and Mr. Adam Williamson, for their wisdom, guidance and presence over the past two years and over those past two weeks. It was proud of having witnessed the historic moment at WIPO and looked forward to continuing the work together in achieving the objectives of the Treaty.

271. The Delegation of NEW ZEALAND stated that it was an honour to speak at such a historic moment. The Delegation was delighted that everyone had come together and completed the Treaty. It acknowledged Indigenous Peoples and all present. The Delegation offered a traditional proverb to everyone: “The food of leaders is discussion”. That proverb highlighted the importance of discussion, the building of understanding, and the sharing of knowledge, while recognizing the intergenerational benefits of knowledge. The discussions had led to the creation of an international Treaty, which future generations would benefit from. Participants had showed that everyone could and should take the time to discuss, understand, and celebrate their cultural differences. All participants had benefited from that.

272. The Delegation of the UNITED KINGDOM congratulated the President of the Diplomatic Conference on guiding the Diplomatic Conference to its successful conclusion. The Delegation thanked the Presidents and Vice-Presidents of the various Committees, and all delegations for their hard work and positive spirit of cooperation. It expressed appreciation to the Director General, the Secretariat, as well as the interpreters and WIPO support staff for their hard work in preparing for the Diplomatic Conference and tireless efforts shown throughout. It also thanked the Indigenous Caucus for their participation in discussions, acknowledging the contributions and expertise that had brought new light and perspectives vitally important to the negotiations. The Treaty was built on the Basic Proposal and struck a delicate balance between transparency through new obligations and maintained incentives to innovate. In the Delegation’s understanding, the provisions harmonizing sanctions were critical to protecting the conferred rights of the patent holders and consequently, innovation. All delegations had worked with the intention of creating a treaty that brought transparency to innovations based on physical genetic resources and associated traditional knowledge within the patent system, aiming to prevent patents from being granted in error. The conclusion of the negotiations sent a strong signal of all Member States’ commitment to the multilateral system and the role that WIPO could play.

273. The Delegation of MALYSIA stated that the adoption of the Treaty marked a historic milestone in the collective journey towards the protection of genetic resources and associated traditional knowledge. It extended its gratitude to all delegates and the WIPO Secretariat for their unwavering dedication and commitment. It thanked the Director General, the Presidents of Main Committees I and II and other elected Officers for their exemplary leadership and guidance, which had been instrumental in addressing the complex negotiations and achieving a consensus that respected the diverse interests of all stakeholders. The Treaty was a culmination of 25 years of dedicated negotiations, reflecting the global recognition of the need to protect and preserve genetic resources and associated traditional knowledge. The Treaty was the first to address the interface between intellectual property, genetic resources and associated traditional knowledge and include provisions especially for Indigenous Peoples and local communities. It reaffirmed its determination moving forward. The Delegation believed that the successful adoption of the Treaty was a testament to the collective will and shared vision. It urged participants to continue to protect the invaluable heritage of genetic resources and

associated traditional knowledge for the benefit of present and future generations.

274. The Delegation of SUDAN aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group. It congratulated all delegations for the long-awaited outcome. It thanked the President of the Diplomatic Conference, the Vice-Presidents, the Presidents of Main Committees I and II, all Group Coordinators, representatives of Indigenous Peoples and local communities, and all participants for their efforts in ensuring full participation in the conference, which had achieved remarkable success, something to be proud of. It expressed its gratitude to the Director General, Assistant Director General Edward Kwakwa and the Secretariat for their dedicated efforts at the Diplomatic Conference. Their patience and professionalism had contributed significantly to the success. The Diplomatic Conference would not have succeeded without the high level of cooperation and willingness to negotiate and compromise. The Delegation welcomed the constructive spirit prevailing at the Diplomatic Conference and applauded the efforts of the African Group over the last two decades. Their flexibility, wisdom, and positive spirit had contributed to the current result. It firmly believed in the protection of genetic resources and associated traditional knowledge and considered them as the heritage of Indigenous Peoples and local communities and a key element of national spirit. It was not only a moral duty to protect that heritage but also crucial for ensuring sustainable development. The Delegation highlighted the multifaceted and complex challenges faced by developing countries in protecting genetic resources and associated traditional knowledge. Sudan had faced unprecedented challenges after rebel militia acts, supported by external factors, which had led to crimes against humanity and the extermination of Indigenous Peoples and local communities in the Darfur region. State infrastructure and research centres had been destroyed, and Indigenous Peoples and local communities had been displaced from agricultural areas. The Delegation called on all Member States to take the necessary measures to fully implement the provisions of the Treaty and achieve its objectives. The Treaty constituted an important step towards strengthening transparency and preventing the misuse and misappropriation of genetic resources and associated traditional knowledge.

275. The Delegation of BOTSWANA aligned itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. It stated that the conclusion of negotiations and the adoption of the WIPO Treaty was a historic moment. The instrument would significantly advance the intellectual property system and benefit Indigenous Peoples and local communities, which echoed Botswana's President, His Excellency Dr. Mokgweetsi Masisi's philosophy of leaving no one behind. Botswana would benefit from the Treaty, as it had vast genetic resources that had often been misappropriated. The Treaty would further strengthen the implementation of the Nagoya Protocol. The Delegation expressed its gratitude to the President of the Diplomatic Conference, his Vice-Presidents, and other Officers of the Diplomatic Conference for ensuring the success of the meeting. It also thanked the Delegation of Kenya for its leadership of the African Group, as well the leading negotiators within the African Group. It thanked delegations for the spirit of flexibility shown over the previous two weeks. The Delegation looked forward to the successful implementation of the Treaty, believing it would benefit many of its communities.

276. The Delegation of the LAO PEOPLE'S DEMOCRATIC REPUBLIC was honoured to participate in the Diplomatic Conference. It admired and understood the hard work and effort that all countries had achieved to finally adopt the Treaty after 20 years. It commended the President of the Diplomatic Conference, the Director General, the Secretariat and all Groups who had contributed and devoted their time. It expressed admiration for the hard work, effort,

patience and excellent work of everyone involved. The achievement was possible because of the leadership, unity, mutual assistance and flexibility everyone had shown. It believed that everyone wanted to support their countries' Indigenous Peoples and local communities by concluding the historical instrument. It also thanked the Presidents of Main Committees I and II, who had led the Diplomatic Conference, the interpreters, the Secretariat, and WIPO for their support. The Delegation stated that, as a country with more than 50 ethnicities, it was reassured that the Treaty would guide its future development. It reaffirmed its commitment to the Treaty and to making a better future for its communities.

277. The Delegation of the COOK ISLANDS stated that the adoption the Treaty was a pivotal moment that had been in the making for the past two decades. The Delegation expressed its gratitude to the President of the Diplomatic Conference, the Director General, and his diligent team for providing a platform for the crucial collective effort. The Delegation stated that the Cook Islands was a small island developing state and a significant ocean state, and a proud custodian of rich biodiversity, genetic resources and traditional knowledge. It deeply valued the resources within the blue Pacific continent and recognized that responsible stewardship was vital for their conservation and sustainable use. The Delegation firmly believed that intellectual property served as a tool for the betterment of humanity and future generations. It welcomed the breakthrough in the intellectual property system of recognizing what Indigenous Peoples and local communities had to offer. The Delegation acknowledged that the pace and scale of the crisis facing the global community was alarming. The common achievement, after years of consultations, discussions and late evenings, had brought hope to multilateralism.

278. The Delegation of the UNITED STATES OF AMERICA thanked and congratulated the President of the Diplomatic Conference for the successful conclusion of the Diplomatic Conference. It also extended its congratulations to the Presidents of Main Committees I and II, the Vice-Presidents, all other Officers of the Diplomatic Conference, as well as the Director General, and the Assistant Director General on their leadership in that process. The Delegation specifically thanked the President of the Diplomatic Conference and the Director General for their leadership, vision, long hours, and dedication to bring the Diplomatic Conference to a successful conclusion. In addition, it sincerely thanked the IGC Secretariat, the Legal Counsel, translators, interpreters, and all other WIPO staff involved. In its opening statement, the Delegation had called for an outcome that would provide meaningful improvements in transparency, particularly for Indigenous Peoples and local communities, without undermining the patent system and its incentives for innovation across the globe. It was pleased that the Treaty had appeared to have largely delivered on that balance. True compromise had required everyone to make difficult sacrifices. It had been especially meaningful that the Treaty had reflected WIPO's long-standing commitment to inclusivity and consensus-based outcomes. Turning to the Treaty text, it highlighted the importance of recognizing and respecting the interests, contributions and inclusive participation of Indigenous Peoples while retaining the patent system's incentives to innovate. The Delegation was pleased to provide its understandings of the Treaty. It had understood that nothing in the Treaty would authorize a Contracting Party to require a patent applicant to discover or determine the information specified in Article 3.1(a) or 3.2(a) in order to comply with the disclosure requirement specified in Article 3. The Delegation had understood that within Article 4, the filing date of a patent application was the earliest priority date claimed by the application, and existing national laws were those presently in force in a Contracting Party. It had understood that a sanction or remedy that operated to revoke, invalidate, render unenforceable or otherwise limit use of a patent, including through forced transfer of rights, was not an appropriate, effective, or permissible measure to

address a patent applicant's failure to provide the information specified in Articles 3.1 through 3.3 within the meaning of Article 5 of the Treaty. The Delegation had understood that Contracting Parties could and should implement the Treaty without derogating from their existing obligations under other international agreements concerning intellectual property. It had understood that the Assembly would decide whether to convene a Diplomatic Conference for the revision of the Treaty under Article 14, including as a result of the review referred to in Article 8, and that the Diplomatic Conference would be open and inclusive, consistent with WIPO practice. Looking ahead, as the Treaty implementation would approach, the Delegation urged Contracting Parties to recognize and respect the interests of Indigenous Peoples and strike an appropriate policy balance that retained the patent system's incentives to innovate and share knowledge with the world without imposing undue burdens on patent offices or their users. It expressed its hope that WIPO and Contracting Parties would work steadily and constructively towards achieving the outcome.

279. The Delegation of JAPAN aligned itself with the statement delivered by the Delegation of the Kingdom of Netherlands, on behalf of Group B, and the statement made by the Delegation of the United States of America. It expressed its sincere congratulations to the President of the Diplomatic Conference, the Presidents of Main Committee I and II, the Vice-Presidents, and the Committee Officers for their tremendous efforts in coordinating the negotiations and to all distinguished delegates for their constructive spirit towards the adoption of the Treaty. It also expressed its sincere gratitude to the Director General and the Secretariat for their hard work in organizing the Diplomatic Conference. It understood that, under Article 7, the Treaty did not affect and should not be interpreted as affecting in any way the rights and obligations of the Parties of other international agreements relevant to the Treaty. It believed that understanding was appropriately reflected in footnote 5 of Article 7. As Article 1 stipulated, the Delegation expected that the Treaty would achieve its objective of preventing the erroneous grant of patents by *inter alia* addressing matters relating to information systems, such as databases for patent offices in relation with Article 6.

280. La Delegación de la REPÚBLICA DOMINICANA agradeció al presidente por su dedicación durante las dos semanas de arduo trabajo. Extendió su aprecio al Director general, por su apoyo y entrega durante la Conferencia diplomática que, sin duda, había resultado en un hito para la OMPI y para los Países miembros. Su reconocimiento fue también dirigido a cada delegado y al personal de la OMPI por su esfuerzo y su consagración a los trabajos de la Conferencia diplomática. Se sumó a la intervención de la Delegación de Brasil, en nombre del GRULAC. Extendió también palabras de reconocimiento a un grupo destacado por su esfuerzo y su unidad, y agradeció a la coordinación. La Delegación de la República Dominicana afirmó que el tratado representaba la garantía de la calidad del sistema de patentes en relación con los recursos genéticos y los conocimientos tradicionales asociados a los recursos genéticos de una manera inclusiva y justa al momento que reconocía la sabiduría de sus antepasados.

281. The Delegation of the REPUBLIC OF KOREA extended its deepest appreciation to the President of the Diplomatic Conference, the Vice-Presidents, the Director General, the Secretariat and all delegates for their dedicated efforts and unwavering commitment, which had been instrumental in achieving the successful outcome at the Diplomatic Conference. The passion and dedication demonstrated over the past two weeks had been the cornerstone of the collective success. Despite the diverse viewpoints, everyone had remained united and had ultimately converged towards a common goal. The records of that accomplishment would be indelibly inscribed in the international intellectual property system, and history would remember

everyone's contributions. The Delegation shared the same understanding of the Delegations of the United States of America and Japan that the Treaty should be consistent with the goals of WIPO to promote the intellectual property system and not hinder innovation and creativity that benefitted all. The Delegation remained steadfast in its commitment to addressing the intellectual property system for the benefit and prosperity of all humanity. It looked forward to continuing its collaboration with everyone in such a noble endeavour.

282. La Délégation du BURUNDI s'est associé à la déclaration de la Délégation du Kenya faite au nom du Groupe africain, et a présenté ses sincères félicitations et remerciements au Directeur général, au Président de la Conférence diplomatique, aux présidentes des deux Commissions principales I et II, les Présidents des différents Comités, les interprètes et tous les participants, pour les efforts fournis, lesquels ont conduit à l'amélioration du texte initial et à l'adoption de ce traité historique. La Délégation a souhaité voir le traité mis en œuvre, à commencer par la signature et la ratification par les États membres, afin de pouvoir entamer la protection des ressources génétiques et des savoirs traditionnels associés aux ressources génétiques. La Délégation a affirmé que le pas franchi ce 24 mai a rassuré sur le fait que l'OMPI est en mesure à l'avenir de revoir et programmer les autres instruments en attente, dans le cadre d'une Conférence diplomatique, pour analyse, amélioration et adoption. La Délégation a remercié l'OMPI et lui a adressé ses vœux de réussite dans les travaux quotidiens qui vont dans le sens de l'amélioration de la protection de la propriété intellectuelle. La Délégation a exprimé le souhait de voir la coopération entre les États membres de l'OMPI s'intensifier.

283. La Délégation du CAMEROUN s'est associée à la déclaration faite par la Délégation du Kenya au nom du Groupe africain et a remercié et félicité le Président de la Conférence diplomatique pour l'excellent travail accompli durant les deux dernières semaines. La Délégation a salué la sagesse et l'expérience du Président, laquelle a contribué au succès des travaux. La Délégation salua également les efforts déployés par les Présidentes et Présidents des Commissions principales et des Comités, les membres des bureaux et l'ensemble des groupes, qui avaient fait preuve de clairvoyance et de flexibilité tout au long du processus de négociation. La Délégation a souligné que les efforts des États membres ne suffisaient pas à expliquer cette réussite, sans qu'il fut mentionné le travail considérable du Directeur général et de l'ensemble du Secrétariat, lesquels n'avaient ménagé aucun effort pour faciliter la recherche du consensus et les travaux de l'ensemble des Délégations. En tant que représentant le pays détenteur du deuxième plus grand potentiel de biodiversité dans le bassin du Congo, l'un des plus riches d'Afrique, la Délégation du Cameroun a salué l'adoption du traité, lequel impose aux demandeurs de brevets utilisant des ressources génétiques et des savoirs traditionnels de divulguer les informations telles que précisées par le trait. La Délégation a indiqué que son pays disposait déjà d'une loi régissant l'accès aux ressources génétiques, à leurs dérivés, aux connaissances traditionnelles associées et au partage juste et équitable des avantages issus de leur utilisation, ajoutant que la protection internationale des ressources génétiques et des savoirs traditionnels associés permettrait de renforcer le système de la propriété intellectuelle ainsi que la transparence et l'efficacité du système des brevets. La Délégation a admis que le texte conclu ne satisfaisait pas pleinement les attentes globales des pays demandeurs, mais la Délégation a ajouté qu'elle le considérait comme une base acceptable méritant toute leur appréciation. La Délégation a rappelé que les négociations avaient débuté il y a plus de deux décennies et que cette conclusion heureuse avait démontré qu'un dialogue constructif permettait de surmonter toutes les difficultés et de travailler à l'émergence d'un monde meilleur. La Délégation a ajouté que le Cameroun, pays résolument attaché au dialogue et à la recherche consensuelle de solutions aux questions multilatérales, avait foi dans le

multilatéralisme et était optimiste quant à l'application de bonne foi du traité, dont l'opérationnalisation dépendait de l'engagement unanime de toutes les parties. La Délégation a souligné la nécessité pour toutes les parties de faire de leur mieux pour que les espoirs suscités ne déçoivent pas les attentes des populations autochtones et des différentes communautés et nations. La Délégation a également souligné que ce traité devrait devenir la pierre angulaire d'une approche bénéfique pour les détenteurs de brevets basés sur les ressources génétiques et les savoirs traditionnels associés, ainsi que les peuples et États concernés. La Délégation a insisté sur le fait que l'euphorie de ce jour ne devait pas éclipser l'engagement de négocier dans quatre ans les points restés en suspens, comme précisé à l'Article 8 du traité. La Délégation a exprimé son appréciation envers les peuples autochtones dont le savoir et la connaissance avaient accompagné les efforts des peuples africains, d'Amérique et d'Asie vers le progrès à travers les millénaires. La Délégation a réaffirmé sa détermination à soutenir la mission de l'OMPI, afin de favoriser le développement de la propriété intellectuelle dans le monde entier, et plus particulièrement en Afrique et a manifesté son intention de contribuer à la Conférence diplomatique de 2024 sur le droit des dessins et modèles organisée à Riyad.

284. The representative of ARIPO thanked the President of the Diplomatic Conference, aligning itself with other delegations on the momentous occasion. He expressed his deep gratitude and admiration for the dedication and collaborative spirit that had defined the Diplomatic Conference. He noted that the journey towards a comprehensive international treaty on traditional knowledge and genetic resources had been inspiring, with that day marking the culmination of two decades of very important work. The representative extended his heartfelt appreciation to all the delegations for their unwavering commitment to promoting the protection and equitable benefit-sharing of traditional knowledge and genetic resources. Special thanks were extended to the President of the Diplomatic Conference, the Presidents of the Main Committees I and II, all Officers, and the Director General and his phenomenal team for their tireless efforts. He also commended the African Group coordinator and the coordinators of other Groups for their constructive engagements. The deliberations had underscored the importance of recognizing and reflecting the invaluable contributions of Indigenous communities, traditional knowledge holders, and local communities to the shared global heritage and biodiversity. He emphasized the need to ensure that their rights were safeguarded and that they benefited equitably from the commercialization and utilization of their knowledge and resources. He concluded by expressing a desire to carry that momentum forward towards a more just and sustainable future for all.

285. The representative of the SOUTH CENTRE congratulated all WIPO Member States on the successful conclusion of the WIPO Treaty. The representative stated that the Treaty signalled a collective commitment to build greater equity, respect and trust among users and providers of biodiversity and traditional knowledge. The representative expressed his optimism that the momentum generated by the Treaty would invigorate governmental efforts, in collaboration with Indigenous Peoples, to develop a comprehensive approach to regulating intellectual property that prevented the misappropriation of genetic resources and associated traditional knowledge. It emphasized that becoming a party to the Treaty and its domestic implementation were merely one piece of the puzzle and that additional measures were essential. Those measures included devising adequate guidance by patent offices to instruct patent applicants on how to comply with the disclosure obligation and formulating policies and guidelines for the rigorous application of patentability criteria during the examination of patents concerning animals, plants, and their parts and components. The measures also included advancing national ABS legislation in alignment with the CBD and its Nagoya Protocol.

Additionally, they involved advancing the rights of Indigenous Peoples, as enshrined in the UNDRIP, and the rights of peasants while upholding respect for their customary laws. The representative noted that the misappropriation of genetic resources and traditional knowledge continued undermining the sovereign rights of countries over their resources and the rights of Indigenous Peoples to control the sharing and use of their knowledge. It was imperative to address remaining gaps, such as the regulation of DSI, to prevent further exploitation without benefit-sharing. The representative hoped that the Treaty would soon enter into force. He noted the need to revisit and revise the WIPO Treaty in the near future to ensure it remained robust and effective. Article 5 of the Treaty restricted the policy space of Contracting Parties to revoke a patent upon wrongful disclosure, except in cases of fraudulent intent. However, Parties were not obliged to place an obligation on patent offices to verify the authenticity of the disclosure, though offices were not prevented from conducting such verification. Additionally, nothing in the Treaty prevented Contracting Parties from establishing regulations to revoke a patent when the right holder had not complied with the applicable ABS obligations, as that remained an aspect not addressed in the Treaty. The representative urged WIPO Member States to persist in negotiations to bring effective solutions for the protection of traditional knowledge, a task that was long overdue. He highlighted that the South Centre had, for the past two decades, assisted its Member States and other developing countries and Indigenous communities in that field. He extended an offer to provide technical assistance for the effective national implementation of the WIPO Treaty, the CBD and its Nagoya Protocol, and other relevant international instruments in a mutually supportive manner.

286. El representante de MALOCA INTERNATIONALE señaló que la inclusión de la Declaración de Derechos de los Pueblos Indígenas en un convenio de tipo comercial, como era el presente, era un ejemplo que otras instituciones internacionales de carácter económico podían seguir. Esperaba que se hubiera creado allí un precedente para la construcción de una gobernanza global basada en la libre determinación de los pueblos. Los conocimientos y recursos genéticos del sur global habían sido utilizados para generar enormes ganancias, dejando el amargo gusto de la biopiratería en sus territorios. El presidente de Colombia, Gustavo Petro, había reiterado en varios foros internacionales la posibilidad de una cancelación de la deuda a los países del sur para afrontar la crisis climática con los recursos financieros así liberados. Recordó que la ministra de Brasil no estaba presente porque debía hacer frente a las consecuencias del cambio climático en Suramérica. Aprovechó la oportunidad para hacer resonar el mensaje del presidente de Colombia en el seno de la OMPI, y evocó la posibilidad de una cancelación de la deuda del sur global a cambio de todas las riquezas generadas con la biopiratería de la que seguían siendo víctimas. Expresó su esperanza de que la cooperación técnica de la OMPI se basara en las mejores prácticas existentes, no en los bajos estándares acordados, porque tal había sido el precio, el bajo estándar, para ganar el consenso necesario para adoptar el tratado.

287. La représentante de HEALTH AND ENVIRONMENT PROGRAM (HEP) a rappelé que son organisation avait participé aux travaux du Comité intergouvernemental de la propriété intellectuelle relative aux ressources génétiques, aux savoirs traditionnels et au folklore depuis sa création. Elle a affirmé s'être personnellement engagée à porter ce sujet, pour le bien de tous les Camerounais et au-delà. HEP a examiné, travaillé et apporté son expertise en la matière afin de promouvoir et protéger la propriété intellectuelle et de parvenir à un accord sur un ou plusieurs instruments juridiques internationaux. La représentante a remercié particulièrement le Président de la Conférence diplomatique pour son engagement, sans oublier ceux qui l'avaient précédé dans ce rôle, notamment Mr. Ian Goss et l'ambassadeur Wayne

McCook. Elle a souligné que sans eux, l'adoption du traité n'aurait pas été possible et qu'ils purent compter sur le soutien sans faille du Directeur général, y compris de la part du précédent Directeur général, Mr. Francis Gurry. Les deux surent s'entourer de collaborateurs compétents qui ne ménagèrent pas leurs efforts pour arriver à un heureux résultat. Elle a observé que les délégations avaient conclu les travaux en adoptant le nouveau Traité de l'OMPI sur la propriété intellectuelle relative aux ressources génétiques et aux savoirs traditionnels associés. La représentante a noté que toutes les revendications n'avaient pas été retenues, tout en observant que c'était le gage pour tous d'un bon accord ne pouvant satisfaire personne entièrement. Elle à ce jour historique qui resterait gravé dans les esprits, ajoutant que l'on verrait comment ce traité allait déployer ses effets dans un proche avenir.

288. La représentante de CAPAJ señaló que los pueblos indígenas representaban el 6.2% de la población mundial, tenían presencia viva en al menos 90 países del mundo, y sus recursos genéticos y conocimientos tradicionales eran la base cultural, social y económica de sus pueblos. Esos recursos eran también un aporte significativo a la identidad y economía de sus países de origen. Ancestralmente, habían custodiado los recursos genéticos y conocimientos tradicionales que actualmente eran la base de la diversidad biológica y el sustento de las soberanías alimentarias y procesos de sostenibilidad ambiental en el mundo. Los Pueblos Indígenas eran custodios del presente y del futuro sostenible. CAPAJ había seguido el proceso de construcción del tratado y celebraba obtener un instrumento que les daba una base para transparentar el uso de sus recursos genéticos y conocimientos tradicionales en el sistema de patentes. Valoraban la flexibilidad mostrada por los Estados miembros y reconocieron la disposición, voluntad y liderazgo de la presidencia y la Dirección general de la OMPI. Tras concluir el proceso, regresarían a sus territorios con la responsabilidad de evaluar lo ocurrido allí y destacarían los logros y analizarían las dificultades encontradas en el camino. Tenían la responsabilidad de explicar a sus pueblos, el funcionamiento y el impacto de ese instrumento, de encontrar las metodologías comunitarias, así como las pedagogías indígenas adecuadas para darle sentido al Tratado con pertinencia cultural. Necesitaban hacerlo realidad en sus contextos y que fuera comprendido con sus cosmovisiones. Aspiraban a que, con base en la comprensión adecuada de ese instrumento, los pueblos indígenas pudieran convertirlo en una herramienta efectiva y eficaz para generar relaciones más equitativas. Aspiraban a que en el futuro inmediato se transversalizaran sus derechos consignados en la Declaración de las Naciones Unidas sobre los derechos de los Pueblos Indígenas para hacer positiva su participación plena y efectiva, incluyendo el consentimiento previo, libre e informado en los temas que les atañen. Agradeció a todos y todas quienes hicieron posible ese instrumento.

289. The representative of the NARF, speaking on behalf of NARF and the National Congress of American Indians, acknowledged their honored and beloved elder, a former Chair of the Indigenous Caucus, who was unfortunately not present to deliver the statement. The representative extended her sincere appreciation to the President for his diligent efforts and leadership throughout the two intensive weeks of negotiations. She commended the dedicated work of the Presidents of Main Committees, other conference Officers, the Director General, and the Secretariat. The representative expressed her gratitude to the Member States that had engaged respectfully with the Indigenous Caucus in a spirit of genuine cooperation to achieve the new Treaty. Under the President's guidance, a truly historic outcome had been achieved, marking WIPO's first Treaty to include Indigenous Peoples. The inclusion of Indigenous participation in the implementation of the Treaty, the acknowledgment of the UNDRIP, and an expressed commitment to achieving the aims of the UNDRIP were noted as promising steps.

However, she acknowledged that the Treaty fell short of fully protecting the rights of Indigenous Peoples. Looking ahead to the IGC negotiations regarding traditional knowledge and traditional cultural expressions, the representative expressed her optimism about building upon the accomplishments achieved. The goal was to work with Member States to ensure effective protections for those essential aspects of Indigenous Peoples' culture and life ways.

290. El representante de la FAAAT felicitó a todas las personas involucradas en el desarrollo de ese tratado histórico, a los miembros actuales, pero también anteriores del Caucus indígena, al personal de la OMPI, intérpretes y al personal de limpieza, y a todos y todas. Celebró ese nuevo instrumento, que era un paso en la lucha contra la biopiratería y compartió dos observaciones. Afirmó que el tratado exigía la divulgación para invenciones basadas en recursos genéticos e informaciones sobre secuencias digitales. Señaló que el texto final aclaraba que el término “basado en” significaba que los recursos genéticos o conocimientos tradicionales conexos solamente debían ser necesarios y que la invención debía depender de las propiedades específicas. Explicó que el texto final omitía “materialmente y directamente”, centrándose únicamente en criterios de necesidad y dependencia. Esos criterios se aplicaban también de forma indirecta y/o inmaterial. Por consiguiente, afirmó que una invención, si dependía de los recursos o conocimientos, aunque fuera de forma indirecta o inmaterial, debía divulgarse. Si una DSI, una secuencia de información digital, derivada de un recurso genético, era crucial para la invención patentada, entonces cumplía esos criterios de manera indirecta e inmaterial. Explicó que el recurso debía divulgarse. Los recursos utilizados en el desarrollo de una invención únicamente estaban exentos de divulgación si eran innecesarios y si la invención era independiente de las propiedades específicas de dicho recurso. Asimismo, alabó la retroactividad parcial del tratado. El Artículo 4 avanzaba significativamente la legislación internacional sobre derechos humanos, realizando derechos reconocidos en la Carta Internacional de los Derechos Humanos y otros tratados vinculantes y declaraciones de la Asamblea General como la Declaración de los Derechos de Pueblos Indígenas, y también la de los campesinos y campesinas. Si bien la no retroactividad en el Artículo 4 se aplicaba a la fecha de solicitud de patentes, no se aplicaba a la fecha de acceso a los recursos genéticos en particular. Esa retroactividad parcial respaldaba los esfuerzos de reparación de los abusos coloniales y postcoloniales, activando provisiones de las declaraciones de derechos de pueblos indígenas y de campesinas y campesinos, así como las directrices de Naciones Unidas sobre el derecho a interponer recursos y obtener reparaciones para víctimas de violaciones de derechos fundamentales. Remitió a la contribución detallada y referenciada que incluía más detalle y referencias de derecho internacional y que habían compartido con la Secretaría para su distribución a las delegaciones.

291. The representative of INBRAPI referred to the Paris Convention adopted in Paris in 1883, which served as the basis for the intellectual property and industrial property system. Since then, the intellectual property rights, genetic resources and knowledge of Indigenous Peoples, which had been improved and preserved within their territories, had been expropriated. She expressed the desire to ensure that the Treaty had an indigenous name: “The Roots of Wisdom”. “Roots” meant the base, the knowledge of Indigenous Peoples and local communities, as well as those territories which had the widest biodiversity across the planet. The representative noted that Indigenous Peoples had been leading the fight for their rights and the rights of their ancestors, the previous warriors who spoke languages understood by Indigenous Peoples. Gratitude was extended to the interpreters for their excellent work. She stressed the resilience and resistance of Indigenous Peoples, who remained unknown to many parts of the world because they were a part of nature. Their culture, sacred values, way of life,

and worldview should be seen as a whole. Special thanks were given to the President of the Diplomatic Conference for his courage and for showing the world that the blood of ancestors ran in his veins. The representative acknowledged the tireless battle of the Indigenous Caucus within the United Nations over the last 25 years, ensuring their recognition in the document. Tribute was paid to the founders of INBRAPI, who had joined the Delegation of Brazil in the first IGC session in 2001. The representative paid homage to all Member States and those who had worked over the last 25 years, celebrating the new WIPO Treaty. The representative acknowledged the 305 Indigenous Peoples in the six biomes of Brazil, including Amazon, Atlantic Forest, Caatinga, Cerrado, Pantanal and Pampa, where Indigenous Peoples preserved genetic resources and biodiversity. Appreciation was also given to the Ministry of Indigenous Peoples and all those working in the territories of Brazil to celebrate the results achieved. The representative called for the wisdom of shamans to guide the intellectual property system towards inclusion, equity, social justice, respect, and the implementation of free, prior, and informed consent, as well as equitable benefit-sharing concerning the commercial use of Indigenous knowledge and genetic resources. She thanked every delegation from different Member States that supported and heard their voices, leading to the fruition of the new Treaty.

292. Le représentant d'ADJMOR a remercié et félicité le Président de la Conférence diplomatique pour la brillante conduite de ses travaux qui se sont achevés dans un climat chaleureux et à la satisfaction générale. Le représentant s'est associé à la déclaration du Caucus autochtone. Il a ajouté que leurs peuples incarnaient une richesse culturelle et historique profonde, forgée par des siècles de tradition et de résilience. Il a expliqué que leur volonté d'étroite association avec les négociations de l'OMPI relatives aux ressources génétiques et aux savoirs traditionnels associés aux ressources génétiques, marquée par plus de 20 ans de participation de leurs représentants, avait justifié leur recherche d'un instrument qui reconnût leurs aspirations et protégeât efficacement leurs droits fondamentaux et inaliénables. Le représentant s'est dit confiant que l'instrument juridique international promouvrait la protection des ressources génétiques et des savoirs traditionnels, une production humaine aussi variée que la diversité culturelle mondiale. Il a exprimé l'espoir que les Parties contractantes mettraient tout en œuvre pour que cet instrument juridique international pût satisfaire les attentes de tous, grâce au respect de l'obligation positive de réaliser les objectifs, de protéger les droits de tous, et de ne pas porter atteinte aux droits des uns et des autres. Il a observé que l'accord obtenu entre les différentes parties au traité renforçait ainsi la posture de l'OMPI. Le représentant a mentionné que la Conférence diplomatique avait été marquée par une large participation des représentants autochtones et le représentant s'est réjoui de la considération manifestée par tous à l'égard du Caucus autochtone et de la prise en compte de leurs points de vue.

293. Le représentant du CENTRE DU COMMERCE INTERNATIONAL POUR LE DÉVELOPPEMENT (CECIDE) a exprimé sa gratitude envers le Directeur général, les Ministres présents, ainsi que les amis et collègues. Le représentant a rappelé qu'ils avaient pris des initiatives exploratoires dans ce sens, lesquelles, depuis la création du Comité intergouvernemental, avaient finalement abouti à quelque chose de concret. Il a rappelé que d'aucuns s'étaient montrés sceptiques, pensant que ces initiatives n'aboutiraient à rien. Il a cependant observé qu'il y avait eu un nouvel élan et que ce projet, maintenant bien établi, s'était concrétisé par le Traité de l'OMPI sur la propriété intellectuelle relative aux ressources génétiques et aux savoirs traditionnels associés. Il a souligné que l'adoption du traité était le résultat de négociations longues, transparentes et crédibles, sans aucune ambiguïté. Il a déclaré qu'il incombait à tous les pays de s'engager politiquement pour soutenir ce traité et

garantir sa mise en œuvre en élaborant des stratégies nationales appropriées. Le représentant a assuré que CECIDE ne ménagerait aucun effort pour contribuer à la divulgation du traité auprès des communautés locales et des peuples autochtones en Afrique. Il a noté que, compte tenu de la contribution significative de toutes les délégations qui avaient dépassé leurs intérêts légitimes pour trouver un accord consensuel, cela démontrait une nouvelle fois la dimension universelle de l'OMPI, ajoutant qu'avec l'adoption du traité, une nouvelle ère s'ouvrirait pour l'OMPI dans l'accomplissement de sa mission. Il a félicité tous les négociateurs des différents groupes, les Commissions principales et les Comités qui avaient été à la hauteur de la noble tâche qui leur avait été confiée à la suite de toutes ces années. Il a également félicité le président de la Conférence diplomatique pour la pugnacité, la sagacité et le tact avec lesquels il avait su diriger et conduire cette session, aboutissant à l'adoption du traité. Il a également félicité le Directeur général, et ses collègues, Mr. Edward Kwakwa et Mr. Wend Wendland, pour leur perspicacité et leurs efforts acharnés tout au long de ces travaux. Il a observé que toutes les négociations avaient été menées avec ténacité pour faciliter la communication entre les différents groupes régionaux et les États membres, afin de négocier dans les meilleures conditions possibles et aboutir au traité. Il a conclu en affirmant que tout devait être mis en œuvre pour permettre à la communauté internationale et aux différents peuples de bénéficier des trésors immenses de la propriété intellectuelle relative aux ressources génétiques et aux savoirs traditionnels. Il a déclaré que ce 24 mai était un grand jour, qui resterait mémorable dans l'histoire de l'OMPI, dans l'histoire de la lutte des peuples autochtones et des communautés locales pour la restauration de leur dignité et de leurs droits.

294. The representative of CISA commended the Diplomatic Conference on the document and the Indigenous Caucus given the circumstances of domestic law representation. The representative decried that Indigenous Peoples recognized under international law were not represented in the document and that Indigenous Peoples had not negotiated nor had a part in ensuring their recognition and protection in the document. As he said he was the appointed Ambassador of Alaska, the representative protested the provisions of the WIPO document that created an unlawful "legal standard" for the taking of property, traditional knowledge, genetic resources, territory, resources or any other form of property. Indigenous Peoples had absolute property title rights and should be promoting those rights based on absolute title rights. The 1974 Agreement should be a preamble, so that Indigenous Peoples recognized under international law were part of the agreement. The Agreement itself included the words "collaboration" and "obligation", and Indigenous Peoples should have participated separately and distinctly from the Indigenous Caucus. Alaska and Hawaii had been recognized under the UN Charter but their status had been denied when the United States of America had created some of those instruments. The rights of those who should have been sitting as sovereign equality under Article 1.2 had been denied. The Hawaiian Kingdom had been illegally overthrown. States had the right and obligation under international law to include Indigenous Peoples, but they had been excluded. The representative stated that many Indigenous Peoples had not participated or consented. Some Indigenous Peoples from North America, South America and the Pacific, recognized in international treaties, had walked out of the process. The Indigenous Caucus was negotiating under domestic laws, not including international law participants. The representative raised the issue of the decree by the Pope, which had been seen as the basis of discriminating law and policy for doctrines of superiority denying Indigenous Peoples, being not considered. Article 5 of the document would ensure, despite protests and denials at the Human Rights Council and other international organizations, that Indigenous Peoples had the capacity to protect themselves against such abuses. The representative insisted on the right to participate and correct those wrongs. He requested the

text to acknowledge that, and his participation would be allowed in other venues over the next four-year process. The representative thanked the representatives of the South Centre and FAAAT for their statements and recognition of deficiencies that needed to be addressed. The representative concluded by stating that continuing under the premise that land was for the white race was unacceptable. The representative asked for collaboration in the future, emphasizing that the document did not recognize or protect Indigenous Peoples.

295. Le représentant de L'ASSOCIATION POUR LA VALORISATION DU PATRIMOINE CULTUREL DES COMMUNES DU CAMEROUN (AVPC3) a remercié le Directeur général de l'OMPI pour l'invitation à participer à la Conférence diplomatique, visant à l'adoption d'un instrument juridique international historique qui allait révolutionner la propriété intellectuelle dans son ensemble. Le représentant a félicité le Président de la Conférence diplomatique ainsi que les différents Présidents et Vice-présidents des Commissions principales, des Comités et des groupes de travail pour leur brillante élection à leur poste respectif et pour la très bonne conduite des travaux, lesquels se sont achevés par la conclusion d'un important instrument juridique international. Le représentant s'est félicité d'avoir eu le privilège de contribuer à l'atteinte de ce noble objectif et d'avoir eu, entre autres, l'occasion de suggérer à l'OMPI de formuler une recommandation aux pays d'expression française de privilégier l'utilisation de l'expression « savoir traditionnel » adoptée et consacrée déjà par l'OMPI, plutôt que « connaissance traditionnelle » utilisée dans les textes et documents officiels, afin d'harmoniser la terminologie des différents documents officiels après la conclusion du traité. Le représentant a déclaré que l'AVPC3 s'engageait à œuvrer à la sensibilisation et la diffusion du contenu du traité par le biais de séminaires et d'ateliers auprès des détenteurs des ressources génétiques et des savoirs traditionnels, pour promouvoir l'exploitation optimale de ses différentes dispositions à leur avantage, ainsi qu'à la valorisation de ces biens économiques, au bénéfice de la communauté internationale et de l'humanité tout entière.

296. The PRESIDENT declared Agenda Item 13 closed.

Agenda Item 14 - Closing of the Conference by the President

297. The DIRECTOR GENERAL noted that all participants of the Diplomatic Conference had made history. For the first time in over a decade, a new WIPO Treaty had been adopted, which was the 27th WIPO Treaty. It was the first ever Treaty to connect the global intellectual property system with the wisdom, heritage and richness offered by Indigenous Peoples as well as local communities in the form of their genetic resources and associated traditional knowledge. The Director General recalled that when he had opened the Diplomatic Conference, he had acknowledged that the negotiations would not be easy. However, he had believed that if passion was married with pragmatism and participants summoned the spirit of flexibility, accommodation and consensus that had brought them to the threshold, participants would successfully cross it together. The negotiations had indeed been intense and difficult. Despite that, he observed a clear and shared purpose among the participants, recognizing the meaningful nature of the work, anchored by the long experience of many who had been involved in those discussions and negotiations for decades, driven by the energy of those who had understood the significance of the once-in-a-generation opportunity and inspired by the inclusion and presence of representatives from Indigenous Peoples and local communities. He remarked that the process had been infused with the spirit of friendship, camaraderie and mutual respect. The Director General stated that the categories of North and South had been

transcended with many bridge-builders among the delegates, which allowed them to cross the finish line together, by consensus, as one WIPO family. Two weeks before, he had asked everyone to show that the global intellectual property system, which had always been evolving since its inception 550 years ago, remained capable of careful and considered evolution. He asked everyone to show that intellectual property worked for everyone, everywhere. He commended delegates for delivering that in the form of a landmark agreement, that was inclusive, balanced, practical, and impactful. The Director General highlighted that for the first time, systems of knowledge and wisdom that had supported economies, societies and cultures for centuries were inscribed into the global intellectual property system. For the first time, the connection between Indigenous Peoples, local communities, and their genetic resources and associated traditional knowledge had been recognized by the global intellectual property community. Those were historic achievements, long championed by many Member States, that would safeguard wisdom, protect biodiversity, increase transparency in the patent system, and strengthen innovation. Leading up to the negotiations, everyone had been reminded that the purpose of WIPO was to protect intellectual property, which was indeed WIPO's role and his responsibility as the Director General. However, he asserted that to truly protect intellectual property, intellectual property protection must be made available to all and become a part of everyone's lives. No one could claim to have successfully discharged their duty to protect intellectual property and yet have people feel excluded or alienated from it. That groundbreaking agreement, with the first-ever disclosure requirement connected to genetic resources and associated traditional knowledge, was not just about intellectual property law. It was about people and communities who had felt excluded but could now see themselves included. The Director General emphasized that ancient wisdom and cultural heritage could also be a source of modern ingenuity, creativity, and innovation. He envisioned intellectual property as a bridge that would connect people in an increasingly divided world. The successful Diplomatic Conference demonstrated that multilateralism, despite its imperfections, remained the most important platform for the global community to change the world together. He acknowledged that that moment in time would not have been possible without the many generations who had come before them, and he wished to take a moment to honor and respect them. The Director General acknowledged that some of the contributors to their achievement were present in the room, such as Mr. Ian Goss, the former Chair of the IGC, while many others were not. He expressed his gratitude and appreciation to all of them. He took the opportunity to thank many other people who had made the day possible, marking the culmination of a 25-year journey. He thanked the delegates and the Group Coordinators, noting their hard work over the last two weeks, including late nights, early mornings, frantic running around, huddling, and intense efforts. He expressed his appreciation to the Group Coordinators for their challenging task of guiding delegates in the same direction. He also mentioned the Ambassadors and Ministers present, who had provided leadership along with those from the capitals, helping to find the necessary political compromises to reach the final stage. The Director General extended his gratitude to the Presidents of Main Committees I and II, Ms. Jodie McAlister and Ms. Vivienne Katjuongua, referring to them as the foster parents of the successful result they had achieved. He acknowledged the members of the Steering Committee and all Officers. Behind the scenes, Ms. Erika Almeida Watanabe Patriota and Ms. Cristina Vieira Machado Alexandre had also supported the President significantly. He addressed the President of the Diplomatic Conference, expressing that it had been an honor to work alongside him and witness his leadership, wisdom, energy, purpose in action and to know his long history at WIPO. He was particularly touched to learn that the President's father had been involved in the birth of WIPO when it had transformed from BIRPI to WIPO in 1974. The Director General also mentioned that the President's first Diplomatic Conference had been in 1989, humorously noting

that himself had been still in high school at the time. The Director General praised the President's wisdom, experience, breadth of knowledge, and personal commitment, which were instrumental in the success. The Director General also expressed gratitude to the numerous colleagues who had contributed to the success of the event. He noted that hosting a Diplomatic Conference at WIPO was uncommon, with the last full-scale event of that nature likely occurring in the late 1990s. He recalled that it was a much smaller affair back then. He emphasized the significant effort required to accommodate and provide an optimal environment for the 1200 attendees and thanked the various colleagues who made it happen. He began by thanking the Sector Leads, including the Assistant Director Generals and Deputy Director Generals. He particularly thanked Mr. Edward Kwakwa, who had dedicated many years to that cause and was now overseeing the Traditional Knowledge Division. He also mentioned Mr. Wend Wendland, Director of the Traditional Knowledge Division, noting his involvement in the process since 1997, even before joining WIPO. The Director General expressed deep appreciation for Mr. Wendland and his team's dedication. The Director General highlighted that the success was truly a result of teamwork, acknowledging the many colleagues who had supported Mr. Wendland. Some of those colleagues were no longer with them, but those who had contributed in the last few weeks were mentioned. He proceeded to thank Ms. Martine Coppola, Ms. Sara Fuentes, Ms. Fei Jiao, Ms. Mara Moreno, Ms. Tana McCauley and Ms. Cynthia Poullain for their collective effort. The Director General also wished to acknowledge and thank Ms. Anna Morawiec Mansfield, the Legal Counsel, for her invaluable assistance in navigating the complex legalities of the Diplomatic Conference. He highlighted the importance of legal procedures in such conferences and credited Ms. Morawiec Mansfield and her team for their instrumental role in achieving the current success. He reiterated that it was a team effort, acknowledging her colleagues, Ms. Christine Castro Hublin, Ms. Alexandra Lamothe, Mr. Max Wallot, Ms. Malwina Kopytek, Ms. Juliet Happy-Dumas, Ms. Raquel Mallo Alvarez and Ms. Lucie Princic. The Director General pointed out that while those sitting at the podium were visible, many others had worked tirelessly behind the scenes to ensure a great experience for the delegates. He mentioned the continuous provision of coffee, the tent for meetings and engagements, and the various events held throughout the weeks. He emphasized that those efforts required a significant number of dedicated individuals. He paid special tribute to those behind-the-scenes teams, noting that they had taken excellent care of the delegates from the moment they had arrived until they left. He acknowledged that those teams had stayed late and arrived earlier than the delegates, underscoring their hard work and dedication. He concluded by thanking all the teams involved in creating a positive delegates' experience under the directors Bérénice Bessièrè, Richard Lane and Mr. Anil Murthy. He then thanked the interpreters, the cleaners, the WIPO staff who volunteered to help. In closing, the Director General urged that the historic promises of today became the reality of tomorrow as soon as possible. As the depositary of the Treaty, he looked forward to receiving the instrument and supporting Member States as they worked towards translating text into action. The Director General promised to partner with everyone to build a global intellectual property ecosystem that would support innovators and creators everywhere and to build a better world for all.

298. The PRESIDENT echoed the words of the Director General and thanked everyone for their trust. He had appreciated the Director General's initiative in getting him involved in the Diplomatic Conference, which had been an excellent opportunity to participate in a historical endeavor. He was pleased that the legacy of all those who had worked on those issues over the years had been preserved. The President greatly appreciated for having been able to contribute to the success of an instrument that would be of value to Indigenous Peoples and local communities throughout the world. He was also grateful to have contributed to yet another

treaty at WIPO.

299. The PRESIDENT declared the Diplomatic Conference closed.