



**MALAWI STATEMENT TO THE 58TH WIPO GENERAL ASSEMBLIES,
SEPTEMBER 24 – OCTOBER 2, 2018**

MR. CHAIRMAN,

On behalf of the Malawi Delegation, I am delighted to see you returning to your seat as chairman of these Assemblies. I wish to express my Delegation's confidence in your able leadership to steer the discussions of this Session of the General Assemblies over the next few days.

My Delegation would also like to sincerely thank and commend the Director General of WIPO, Mr. Francis Gurry, and the members of staff of WIPO for their collective efforts as well as for the excellent documentation prepared for these series of WIPO Assemblies.

My Delegation associates itself with the Statement delivered by Morocco on behalf of the African Group and wishes to reaffirm its desire for a balanced intellectual property system that accommodates, and is particularly responsive, to the interests of less developed countries which still have a considerable way to go in their efforts to building the capacity to generate and exploit IPRs.

In this regard, Mr Chairman, the Malawi Delegation wishes to acknowledge with gratitude the support and technical assistance that WIPO continues to render to our country in order to help our Government raise the profile of the intellectual property

system in the country, develop the capacity of officers in our IP office and other key stakeholder institutions as well as assist in the on-going modernisation of the IP office. This year, WIPO conducted several workshops including the following: one on Enhancing the Competitiveness of Small and Medium-sized Enterprises (SMEs) through Effective Use of the Intellectual Property System; (2) a National Meeting for Members of the Legal Affairs Committee of the Parliament of Republic of Malawi on the Strategic Use of the Intellectual Property (IP) System for Economic, Cultural, Social and Technological Development; and finally, a National Workshop on The Development of the Technology and Innovation Support Center (TISC) Network in Malawi. In October, we shall hold a workshop on intellectual property and traditional knowledge.

In the copyright sphere, we are grateful for WIPO's support for a study visit to Poland on the implementation of the private copy levy system in Malawi. Once successfully implemented in Malawi, the Private Copy System will immensely contribute to the creative sector. We also are grateful for the technical support relating to the domestication of the Marrakesh Treaty. It is our hope that once the Treaty is domesticated, it will make it possible for the visually impaired persons to also contribute positively to the socio-economic development of the country.

Mr Chairman

The intellectual property system plays an important role of stimulating creativity and innovation as well as facilitating commerce for economic growth and development. Malawi continues to make progress in its efforts to modernize its intellectual property system in order to maximize the realization of the benefits associated with protection of intellectual property for national development. In this regard Mr. Chairman, our newly enacted Trademarks Act, among other things, provides for the

international application of trademarks under the Madrid Protocol. You will therefore be pleased to note, Mr. Chairman that during these Assemblies, I will be depositing Malawi's Instrument of Accession to the Madrid Protocol. In the coming year, we look forward to completing the review of the statutes on patents and designs. And more importantly, we look forward to launching our policy on intellectual property which focuses on building our national capacity to generate and exploit IPRs.

Mr Chairman,

Malawi has participated in the past three sessions of the IGC in the current biennium. We remain cautiously hopeful that this will be the mandate that finally delivers on the long-held aspirations of our people for an instrument or instruments that will provide for the protection of intellectual property and traditional knowledge, genetic resources and traditional cultural expressions. It does not reflect well on this important organization that negotiations should go on and on, without a possible end in sight. Malawi supports the initiative for protection not because we want to block access to our traditional knowledge, genetic resources and folklore. We seek protection because we want the custodians and creators of this knowledge to derive recognition and value from their role in creating and preserving this knowledge. When the owners of this knowledge benefit from it, they will be incentivized to keep building on this knowledge for the benefit of us all. Protection will also incentivize them to jealously safeguard their environment, and flora and fauna for the benefit of generations to come.

Mr Chairman,

It is imperative therefore that IGC negotiations should be conducted in the spirit of good faith and with sensitivity to the needs and aspirations of the poor custodians of

this knowledge and not the interests of multinational companies. I believe that the successful conclusion of these negotiations that have been going on for far too long, will lead to a win-win situation for both the custodians of this knowledge and those that seek to exploit this knowledge for various purposes.

MR. CHAIRMAN,

My Delegation recognizes the significance of decisions to be taken during the Assemblies and pledges to engage constructively in discussions in order to find solutions that are acceptable to all member states.

The Delegation of Malawi wishes all member states fruitful deliberations during these Assemblies.

I thank you