

## **WIPO General Assembly**

**Fifty-Sixth (26<sup>th</sup> Ordinary) Session**  
**Geneva, July 6 to 14, 2023**

### **REPORT**

*adopted by the WIPO General Assembly*

1. The WIPO General Assembly was concerned with the following items of the Consolidated Agenda (document A/64/1): 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 18, 19, 21, 26 and 27.
2. The reports on the said items, with the exception of items 8, 10(i), 10(iii), 11, 13, 18 and 19 are contained in the General Report (document A/64/14).
3. The reports on items 8, 10(i), 10(iii), 11, 13, 18 and 19 are contained in the present document.
4. Ambassador Ms. Tatiana Molcean (Republic of Moldova), Chair of the WIPO General Assembly, presided over the meeting. Ambassador Mr. Alfredo Suescum (Panama) was elected Chair of the Assembly; Ms. Mercy K. Kainobwisho (Uganda) was elected Vice-Chair.

## ITEM 8 OF THE CONSOLIDATED AGENDA

### COMPOSITION OF THE PROGRAM AND BUDGET COMMITTEE

5. Discussions were based on document [WO/GA/56/1](#).

6. Introducing the agenda item on the Composition of the Program and Budget Committee (PBC), the Legal Counsel drew the attention of delegates to document WO/GA/56/1. She noted that, as explained in the working document, the Committee consisted of 53 members and its membership was established once every two years, during an ordinary session of the WIPO General Assembly. She recalled that the PBC consisted of members selected by the WIPO General Assembly, following informal consultations among the Member States. The Legal Counsel recalled that the mandate of the current members of the PBC was to expire in the current year, and new members must therefore be elected to serve for two years. It was proposed that the new members be elected for the period starting from the close of the present session, to the close of the next ordinary session of the WIPO General Assembly in 2025. The Legal Counsel informed delegations that the Secretariat was currently compiling the list of submissions for nominees for the PBC, and that the Secretariat would be circulating an informal document shortly.

7. The Delegation of Switzerland, speaking on behalf of Group B, thanked the Secretariat for preparing document WO/GA/56/1 on the composition of the PBC and announced that the Group had submitted to the Secretariat the nominations of its members for the period 2023-2025. Group B was of the view that the PBC was a well-functioning body, as was demonstrated at the recently concluded 2023 PBC sessions. Indeed, in the current year, the PBC had been able to deliver several recommendations to the WIPO General Assembly and to the Assemblies of the Member States of WIPO.

8. As there were no further requests for the floor, the Chair informed delegations that informal consultations among WIPO Groups were held prior to the Assemblies. In that context, the Chair announced that there were various proposals on the table and, further noted that with regard to the actual composition of the PBC, the Secretariat was still compiling the list of countries nominated by WIPO Groups.

9. Therefore, the Chair stated that Agenda Item 8 would be kept open and to which she would revert after the Secretariat had finalized the list based on the latest submissions. Reopening Agenda Item 8, the Chair invited the Legal Counsel to provide an update.

10. The Legal Counsel announced that following informal consultations among Group Coordinators, agreement had been reached on the composition of the PBC. The list of the 53 members proposed for the PBC for the period from the close of the present session to the close of the next ordinary session of the WIPO General Assembly in 2025, was contained in the draft decision displayed on the screen for the delegations' information.

11. Noting that there were no requests for the floor, the Chair thanked Group Coordinators and delegations for the cooperation in the consultations on nominating members for the proposed composition of the PBC as presented by the Legal Counsel. The Chair then proposed the following the decision paragraph.

12. Following informal consultations among Member States, the following States were unanimously elected by the General Assembly as members of the Program and Budget Committee for the period starting from the close of the present session to the close of the next ordinary session of the General Assembly:

Algeria, Argentina, Belarus, Brazil, Canada, Chile (2025), China, Colombia, Czech Republic, Ecuador (2024), Egypt, El Salvador, Estonia, France, Germany, Ghana, Guatemala, India, Indonesia (2025), Iran (Islamic Republic of) (2024), Italy, Japan, Kenya, Kyrgyzstan, Lithuania, Mexico, Morocco, Namibia, Nigeria, Pakistan, Panama, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Singapore (2025), Slovakia, South Africa, Spain, Sweden, Switzerland (*ex officio*), Tajikistan, Tunisia, Türkiye, Uganda, United Arab Emirates, United Kingdom, United States of America, Uzbekistan, Viet Nam (2024), Yemen (53).

## ITEM 10 OF THE CONSOLIDATED AGENDA

### REPORTS ON AUDIT AND OVERSIGHT

(i) Report by the Independent Advisory Oversight Committee (IAOC)

13. Discussions were based on documents [WO/GA/56/2](#) and [A/64/7](#).

14. The Chair of the WIPO IAOC, made the following statement:

“Thank you very much, Madam Chair. Excellencies, distinguished Delegates, those present in this room and online, good afternoon. My name is Igors Ludboržs, and I am the current elected Chair of the Independent Advisory Oversight Committee. The Vice-Chair could not join the meeting in person today, due to a “last-minute change” in the presentation of our agenda item.

“Allow me to give you a very brief summary of the important activities undertaken during the reporting period by the Committee, as contained in our Annual Report, which was presented in document [WO/GA/56/2](#). It is a pleasure to report that the Committee now functions with seven members, duly elected and representing each Regional Group. The Committee is fully constituted and functions effectively according to its Terms of Reference: this includes holding briefings with Member State at the conclusion of each of its quarterly sessions.

“More in specifics, with regard to Internal Oversight, the Committee reviewed the 2023 Annual Oversight Workplan of the Internal Oversight Division and the implementation of the 2022 and 2023 Workplans. This included reviewing five reports pertaining to two Audits, one combined Audit and Evaluation, one Validation, and one Advisory. The Committee was also updated on the status of ongoing investigation cases.

“With regard to External Audit, the Committee discussed with the representatives of the External Auditor, which in this case was the National Audit Office of the United Kingdom, the planning for and interim results of the Audit of the 2022 WIPO Financial Statements. Although not covered in our current Annual Report, I would like to add that in our most recent session about one month ago, the Committee welcomed the unqualified opinions without modifications on – first of all – the 2022 Financial Statements, and then the regularity of WIPO revenue and expenses for the year ended December 31, 2022, and noted the comments and recommendations made in the Long-Form Report. More about that in the following item of the External Auditor which will be presented early next week.

“With regard to the Financial Reporting, the Committee took note of the changes in the Financial Statements of the year 2022, compared to the year 2021. The Committee also

had extensive discussions with the Secretariat of investments and on the ASHI – the After Service Health Insurance.

“With regard to Risk Management and Internal Controls, the Committee noted the progress in Risk Management and welcomed the further development. The Committee also reviewed the controls pertaining to the Security and Information Assurance, as well as to Procurement.

“With regard to the Ethics Office, the Committee reviewed the Annual Report of the year 2022 and the implementation of its workplan 2022 and 2023. The Committee also followed up on the development of new or revised policies in the field of Ethics.

“With regard to the Office of the Ombudsperson, the Committee reviewed outgoing Ombudsperson’s Activity Report for 2021 and some updates for the year 2022 and has since received updates from the interim Ombudsperson.

“With regard to the Implementation of Oversight Recommendations, the Committee followed up on implementation status of recommendations from the IOC, the External Auditor, the Joint Inspection Unit, as well as from the side of the Committee itself, and welcomed the renewed emphasis and commitment to the implementation of those recommendations by the Secretariat. The Committee spent a considerable amount of time to follow up on these recommendation and we are pleased with what has been achieved.

“The Committee also reviewed WIPO's Monthly Investment Reports for compliance with the guidelines. I would like to add that, as noted in our Annual Report, the Committee’s proposed amendments to its Terms of Reference, which have been presented separately to the 36<sup>th</sup> session of the Program and Budget Committee, are contained in the document WO/PBC/36/10.

“In conclusion, Madam Chair, on behalf of the Committee, I would like to express my appreciation to the Director-General, the Secretariat staff and, in particular, to Mr. Frederick Anthony Samuels who assisted us with all administrative matters, as well as the External Auditor, for the information provided to the Committee, and the excellent cooperation received from all.

“Thank you, Madam Chair.”

15. The Delegation of Switzerland, speaking on behalf of Group B, thanked the IAOC for the report, as contained in document WO/PBC/36/2, and the IAOC Chair for presenting it. The Group expressed its gratitude to the Committee for the crucial role in the advisory and oversight mechanism of WIPO. The Group valued the IAOC’s interaction with Member States, especially through the regularly held information meetings after each IAOC sessions. The Group expressed its appreciation of the interaction between the IAOC, the External Auditor, the Secretariat and the Director General on the issues discussed and reviewed, as it helped to improve the follow-up process on recommendations and to strengthen cooperation. Regarding substantive comments, the Group recalled its statement as delivered to the 36<sup>th</sup> session of the PBC. Thanking the Committee again for its efforts, the Group looked forward to continuing regular interaction in Geneva between the IAOC and the Member States.

16. The Delegation of Poland, speaking on behalf of the Central European and Baltic States (CEBS) Group, commended the work undertaken by the Committee and the IOD, thanking them for their comprehensive reports. The Group welcomed the interaction between the IAOC and the IOD, stating that such close cooperation was crucial for ensuring sound oversight and management of the Organization, as well as significantly improving the process of the implementation of the issued recommendations. The Group appreciated the IAOC’s studied

direct linkages of the various activities to the Medium-Term Strategic Plan 2022-2026 (MTSP), suggested a mapping exercise of risks, and paid attention to the risk management and financial reporting. The Group also highly valued the work of the IOD, believing it contributed towards the continuous improvement of the effectiveness and transparency of the Organization. Moreover, the Group felt the IOD played an important role by supporting WIPO in strengthening controls, accountability, transparency and learning, and in introducing innovative and fit-for-purpose tools and practices that enabled the Organization to move towards the highest standards in risk management and program delivery. Furthermore, the Group welcomed the results of the evaluation and investigative activities carried out by the IOD, acknowledged the recommendations of the external and internal oversight bodies were elaborated, and as it had endeavored to further effectiveness and efficiency of the Organization, encouraged the Secretariat to continue working on such very sound implementation.

17. The Delegation of Ghana, speaking on behalf of the African Group, thanked the IAOC for its report and commended the IAOC for its diligent efforts in independently assessing WIPO's activities, policies and management practices. The Group felt that the IAOC's role in promoting transparency, accountability, and good governance in WIPO was essential in ensuring the effective and efficient functioning of the esteemed Organization. While acknowledging the Committee's efforts to evaluate WIPO's performance in implementing the recommendations from previous reports, the Group urged the Organization's Management to consider those recommendations seriously and to respond appropriately in promptly addressing any identified shortcomings. The Group felt that a proactive approach to implementing the IAOC's recommendations would contribute to the continuous improvement of WIPO's operations, and ensure effectiveness in fulfilling its mandate. Moreover, the Group noted the IAOC's recommendation for more in-depth discussion, regarding investment of WIPO as well as a review of the governance framework for managing WIPO's investments portfolios.

18. The Delegation of China thanked the IAOC for providing the annual report, appreciating the Vice-Chair's presentation to the PBC, the Committee's work and achievements over the past year, and the contributions of the four outgoing members. China had participated in the information sessions of the past year. The Delegation was very pleased to note the close interactive engagement between the IAOC, the Director General and the Secretariat, as well as the External Auditor, which if felt had provided a large number of independent external evaluations, and accomplished both external and internal evaluation work of the Organization. The Delegation was delighted that the Committee had provided suggestions regarding data security of the Organization, which it had already noted during the PBC. The Delegation felt it was important to continue maintaining oversight of the Cloud Project, the results of which it expected would improve the service provided to the users, while maintaining long-term benefits and developments for the Organization. In safeguarding all the supervisory functions, the IAOC was ensuring its effectiveness while exerting its independence. The Delegation hoped the IAOC would continue to cooperate with the key players in reviewing the implementation of all recommendations and in so doing, assist the Organization in its development.

19. The Delegation of the Russian Federation thanked the IAOC for the excellent cooperation with the Member States throughout the year, and expressed its gratitude for the part played by the Committee in improving the oversight and accounting mechanisms of WIPO, and organizing Information Meetings for Member States Representatives, which it felt was a good practice within the United Nations (UN) system. The Delegation hoped such practice would be preserved in the coming years, and that the IAOC would establish a regular channel of communication with the Joint Inspection Unit (JIU), with the aim of strengthening the various supervisory bodies, and making WIPO more open to such a group. This practice already existed in other UN organizations. The interaction between the IAOC and the External Auditor was deemed an important part of its mandate, particularly during a transition phase from the incumbent External Auditor to the new one. The Delegation hoped that the IAOC would give its opinion on the setting up of a separate body for After Service Health Insurance (ASHI) matters

before the next PBC session, and called upon the Secretariat to take due account of the observations and proposals made then by the IAOC.

20. The Delegation of Colombia expressed its gratitude to the IAOC for the report, and its appreciation for the transparency exercise that was being held. The Delegation took note of the reports submitted to the WIPO General Assembly, paying particular attention to the analysis of the financial accounts of the Organization, highlighting the importance of a broader discussion concerning WIPO's investments. Furthermore, the Delegation took note of the risk management aspect, and internal supervision or oversight, with a view to improving best practice in the Organization and improving the procurement system, expressing its confidence that there would be an improvement in the oversight system, and improved implementation of recommendations, in terms of professional ethics and mediation.

21. The IAOC Chair thanked the Group Coordinators and delegations for the appreciation and positive comments expressed for the work of the Committee. Regarding the issue raised by the Delegations of China and the Russian Federation on the subject of cyber-security (and what the Committee's future work on this would entail), the Chair echoed the statement made previously in the PBC by the IAOC's Vice-Chair. The IAOC took the comments very seriously, the subject was at the top of its agenda and would be considered in due time – most likely during the Committee's next session. Given that a new Director, IOD, would be appointed shortly, and that the Organization was transitioning from the current to the new External Auditor, it would be prudent to implement a single audit approach involving the efforts of all parties concerned (that is, the Secretariat, the IOD, the External Auditor, the IAOC and, if and where necessary, the JIU.) Notwithstanding, the IAOC Chair sought to reassure the WIPO General Assembly of the IAOC's commitment to addressing the matter in as effective a manner as possible, by engaging both the external and internal audit mechanisms.

22. The WIPO General Assembly took note of the "Report by the WIPO Independent Advisory Oversight Committee (IAOC)" (document WO/GA/56/2).

(iii) Report by the Director of the Internal Oversight Division (IOD)

23. Discussions were based on documents [WO/GA/56/3](#) and [A/64/7](#).

24. The Officer in Charge, Internal Oversight Division (IOD), stated that in line with the Internal Oversight Charter, IOD was pleased to present an overview of oversight activities undertaken by the IOD during the reporting period, January 1, 2022 through December 31, 2022. The Officer in Charge, IOD, mentioned that the annual report was included in document WO/GA/56/3. On the implementation of oversight plans, the year 2022 marked the start of the operationalization of the MTSP 2022-2026 and, as part of its contribution to the Foundation Pillar, and in line with the Oversight Strategy, IOD conducted engagements and made recommendations, to support the achievement of the Organization's areas of strategic focus. IOD Oversight Plan for 2022 was prepared considering a number of factors including risk ratings, relevance, oversight cycle, and feedback received from WIPO Management and Member States. Prior to its finalization, the draft Oversight Work Plan was also submitted to the IAOC, for its review and advice. IOD continued to work with the Director General and Sector Leads, to take account of their feedback in oversight work and priorities. At the reporting date, IOD had implemented the 2022 Oversight Plan and the implementation of 2023 work plan was on track. During the reporting period, IOD audits, evaluations, and investigations covered the following key operational areas: Management of Assets, Supplies and Materials; Enterprise Risk Management (ERM); Hague Platform Project; Individual Contractor Services (ICS) and Temporary Employment Agencies; WIPO Japan Office; ASHI Claims Data; Validation of the 2020/21 WIPO Performance Report; WIPO Standing Committees; and Meta-Synthesis of Regional Divisions Evaluations. The following engagements were started in 2022, and had been reported during the first semester of 2023: combined Audit and Evaluation of the Office of

the Legal Counsel (OLC); combined Audit and Evaluation of the Patent Cooperation Treaty (PCT) Operations and Customer Relations; Audit of the development of the Global Innovation Index (GII) relations; Impact Evaluation of Women Entrepreneurs (Phase 1). IOD mainstreamed gender issues in all its audit and evaluation engagements to the extent relevant. In regard to investigations, during the reporting period, 32 new cases were registered (which constituted a 28 per cent increase from 2021) and 21 cases were closed. As of December 31, 2022, 24 cases were pending, including six at the preliminary evaluation stage, 10 at the full investigation stage and eight on hold pending action by another entity. Of the pending cases, 19 were opened in 2022, four in 2021, and one in 2020. In 2022, there was only one investigation case in which a particular allegation was substantiated, pertaining to workplace harassment. As of December 31, 2022, the average length of time it took to complete an investigation was 171 calendar days, which was within the target of six months. On status of implementation of oversight recommendations, IOD continued to follow up on open recommendations using TeamMate+ system. That tool enabled interactive dialogue with management for an effective follow-up of implementation of open recommendations. As of December 31, 2022, there were 94 open recommendations including 30 of high and 64 of medium priorities. IOD recommendations constituted 86 per cent of all open oversight recommendations. Fifty-two IOD recommendations and three recommendations from the report of the External Auditor were added to the recommendations management system during 2022. Thirteen external audit recommendations and 73 IOD recommendations were closed during the same period. On consultative and advisory services, in addition to its planned oversight work, IOD continued to provide professional advice as requested on policy documents, evaluations, business processes or the regulatory framework. Advisory to the Regional Divisions (Latin America and the Caribbean (LAC) and Asia and the Pacific (ASPAC)) to develop a monitoring and evaluation online platform, and to advice on the process of searching, analyzing and selecting best options to implement that objective. IOD provided guidance during the development of the final platform solution and testing, and during the iteration process of collecting and analyzing data. Moreover, the Evaluation Section advised on the design phase of the external evaluation of WIPO Re: Search; on benchmarking and self-evaluation of National IP Strategies (NIPS) and on self-evaluation elements for the LAC Division. In addition, IOD also conducted a study to increase the use of Evaluation recommendations in intellectual property (IP) and development programs. The Internal Oversight Strategy 2022 - 2023 identified the slow implementation of recommendations as a key risk that could potentially result in limiting the expected transformational impact. That engagement used behavioral science to identify barriers, reduce frictions and other contextual elements, to enable managers to timely implement recommendations issued through evaluation reports. In addition, IOD reviewed the methodology for the validation of the WIPO Performance Report, initially developed in 2008, and which needed to be revised to better align with, among others, the evolution of the Results Framework, and the strategic landscape, while integrating lessons learned over the years. The ensuing revised methodology increased the validation coverage, enhanced the validation criteria, and introduced new components to support increased cross-sector collaboration. IOD also issued a pilot memorandum on the analysis of selected procurement related transactions through the use of data analytics for continuous auditing. IOD did not make formal recommendations on the work done on continuous auditing. However, findings were discussed with the relevant internal stakeholder(s) and remediations were verified during a subsequent continuous auditing exercise. Regarding relations with other oversight bodies, IOD regularly attended the sessions of the IAOC, reporting on the implementation of the internal oversight plan, discussing oversight results and the status of recommendations, and seeking their advice. IOD supported the work of the External Auditor through the validation of ASHI claims, and by providing other inputs and information as required. IOD regularly met with the Ombudsperson and with the Chief Ethics Officer to ensure good coordination and complementary support. On other oversight work, IOD had completed a data analytics project that had enhanced its capacity to conduct continuous auditing exercises. A pilot test had been conducted on procurement transactions. IOD would continue to test the various scripts developed through this project, with



a view to identifying the most effective set of tests that would be regularly run to support and enhance its assurance process. As part of its ongoing effort to better explain and advocate for the internal oversight function, IOD continued to reach out to colleagues within WIPO through presentations given to new staff in the induction training, the IOD Newsletter, the IOD Dashboard, online trainings, and presentations to Management and Sector Leads as and when required. In terms of satisfaction surveys, IOD continued to seek feedback from colleagues on the quality of its oversight work, through client satisfaction surveys after each assignment. The analysis of consolidated survey results indicated an average satisfaction rate of 85 per cent for post assignment surveys and 77 per cent for after one-year surveys. On networking, during the reporting period, IOD continued its active and useful collaboration and networking with other UN system organizations and entities. In particular, IOD actively participated in: the United Nations Evaluation Group (UNEG) Annual General Meeting in January 2022, leading the UNEG Executive Committee, and actively participating in the execution of the UNEG Annual work plan; the United Nations Representatives of Internal Audit Services (UNRIAS) webinars and attended the 14<sup>th</sup> UNRIAS and 51<sup>st</sup> RIAS Meetings in Vienna, in September 2022; IOD also attended the 22<sup>nd</sup> Conference of International Investigators (CII) in June 2022, in Luxembourg; and during that period, IOD was requested to conduct an investigation on behalf of another UN agency, as done in the past. On operational independence of IOD, during the reporting period, no instance/activity occurred that could be considered as jeopardizing the operational independence of IOD. There was no actual or perceived interference in the work of IOD. The scope of oversight activities had been decided by IOD based on risk assessment, comments and feedback received from WIPO Management, the IAOC and the Member States, as appropriate. In terms of resources, to discharge its mandate, the 2022 budget of IOD amounted to 2,715 million Swiss francs, which represented 0.69 per cent of WIPO's budget for the same period. Overall, the level of human and financial resources had been adequate for IOD to cover the priority areas as identified in its 2022 oversight plan. The use of non-personnel resources, coordination of oversight activities, as well as effective use of IT tools, played an important role in supporting the implementation of the plan. With regards to training, the continued professional development of IOD's staff was essential to its capacity to deliver and effectively support the Organization. In accordance with WIPO's training policy, IOD established an annual training plan for staff members to attend various training activities, to acquire new knowledge, technical skills and other competencies that would contribute to increasing operational effectiveness and efficiency in undertaking oversight assignments. On average, each IOD staff member attended 10 days of training in 2022. The Officer in Charge, IOD, thanked the delegations for their kind attention and was happy to receive any comments or answer any questions.

25. The Delegation of Switzerland, speaking on behalf of Group B, thanked IOD for its 2022 report contained in document WO/PBC/36/5 and its work undertaken in an independent manner. The Group also expressed its gratitude for the presentation of the report. As internal controls and WIPO's efficient and prudent use of resources were key to the Organization, Group B appreciated the hard efforts of IOD to work in cooperation with the IAOC and the External Auditor. The report gave Member States a comprehensive overview of WIPO's functions and Member States considered it as a valuable source of information as well as a point of reference throughout the year. Group B looked forward to the timely implementation of all IOD recommendations. With regards to the investigative activities, Group B encouraged the Secretariat to swiftly implement the 94 open recommendations, of which 30 were of high priority and 64 were of medium priority.

26. The Delegation of Poland, speaking on behalf of the CEBS Group, commended the work undertaken by the IAOC and the IOD and thanked them for their comprehensive reports. The CEBS Group welcomed the interaction between the IAOC and the IOD as such close cooperation was not only crucial for ensuring sound oversight and management of the Organization, but also it significantly improved the process of the implementation of the issued



recommendations. The CEBS Group recalled its statements delivered with regards to these documents during PBC/36. The CEBS Group also highly valued the work of the IOD and believed that it contributed towards the continuous improvement of the effectiveness and transparency of the Organization. Moreover, the IOD played an important role by supporting WIPO in strengthening controls, accountability, transparency and learning and in introducing innovative and fit-for-purpose tools and practices that enabled WIPO to move towards the highest standards in risk management and program delivery. Therefore, the CEBS Group welcomed the results of evaluation and investigative activities carried out by the IOD. The CEBS Group also recognized that recommendations of the external and internal oversight bodies were elaborated with the endeavor to further effectiveness and efficiency of the Organization, thus the Group encouraged the Secretariat to continue working on their sound implementation.

27. The Delegation of the Russian Federation thanked the IOD for preparing the report and noted the need for regular review of the efficacy of WIPO's investment policy. The Delegation believed that fully taking into account potential risks was key for the stable financial situation of the Organization and hoped that the Secretariat, would in a timely fashion and completely implement the recommendations put forward by the IOD.

28. The WIPO General Assembly took note of the "Annual Report by the Director of the Internal Oversight Division (IOD)" (document WO/GA/56/3).

## ITEM 11 OF THE CONSOLIDATED AGENDA

### APPOINTMENT OF THE EXTERNAL AUDITOR

29. Discussions were based on document [WO/GA/56/4](#).

30. The Secretariat stated that the six-year term of the current WIPO External Auditor, the Comptroller and Auditor General of the United Kingdom, would come to an end on December 31, 2023. According to the WIPO Financial Regulations, the six-year term is nonrenewable consecutively. Therefore, it became necessary to launch a selection procedure for the appointment of a new External Auditor for a new six-year term, covering the financial years 2024 - 2029. The Secretariat recalled that the selection procedure for appointing the WIPO External Auditor was established and approved by the WIPO General Assembly in October 2009, as contained in document WO/GA/38/20. The selection procedure approved by the WIPO General Assembly in 2009 was strictly applied in the case at hand. The Secretariat described the main milestones of the selection procedure. The procedure was launched on February 10, 2022, when the Director General invited all WIPO Member States, except the United Kingdom, to nominate a candidate for an External Auditor. The deadline for each candidate to submit a proposal expired on June 30, 2022. In the meantime, a selection panel was established, composed of seven Member States, each representing one of the WIPO Member States regional groups: Algeria, on behalf of the African Group; the Dominican Republic, on behalf of the Group of Latin American and Caribbean Countries (GRULAC); Germany, on behalf of Group B; India, on behalf of the Asia and the Pacific Group; China; the Russian Federation, on behalf of the Central Asian, Caucasus and Eastern European Countries (CACEEC); and Slovakia, on behalf of the CEBS Group. The selection panel met for the first time in July 2022, and elected Mr. Jakub Slovak (Slovakia) as President and Mr. Mohamed Bakir (Algeria) as Vice-President. At its first session, the selection panel adopted its rules of procedure and agreed on the criteria on the basis of which the candidates' proposals would be assessed. Six criteria were selected: independence, qualifications and training of staff; experience and capacity; audit approach and strategy; proposed audit reports structure/timing;

and cost. By the deadline of June 30, 2022, five proposals for the post were received. These five proposals were subject of a preliminary evaluation by the WIPO Secretariat, which was then reviewed by the IAOC. This joint preliminary evaluation was then submitted to the selection panel for its consideration. The selection panel considered this in great depth and, at the end of this process, decided to shortlist three candidates, namely, the Audit Board of Indonesia, the Auditor General of Kenya, and the Comptroller General of Chile. These three shortlisted candidates were invited to Geneva at the beginning of 2023 to make an oral presentation to the selection panel. The purpose of which was to allow for the members of the panel to better understand the candidates and obtain any further information, or clarifications in order to facilitate the selection procedure. Following those oral presentations, the selection panel thoroughly considered each proposal and begun its deliberations. The selection panel found that all the three shortlisted candidates had submitted very serious and solid proposals and that each of them would be in a position to assume the role of WIPO's External Auditor, providing very good quality services. In addition, the selection panel considered that the three shortlisted candidates had also shown strong independence, work objectivity and high professionalism and knowledge in fulfilling their responsibilities. Therefore, it would specifically be looking into the details that would enable it to make a final recommendation. After lengthy discussions and reflections, the members of the panel did reach a consensus. In accordance with that consensus, the panel recommended to the WIPO General Assembly the Audit Board of Indonesia as WIPO External Auditor for a period of six years to begin on January 1, 2024.

31. The WIPO General Assembly appointed the Audit Board of Indonesia as the WIPO External Auditor for a period of six years to begin on January 1, 2024.

32. The Delegation of the Russian Federation thanked the selection panel for their work. The Delegation supported the recommendation on the appointment of the agreed candidate, the Audit Board of Indonesia. The Delegation deemed it wise in the future to make some changes to the existing selection procedure for the External Auditor which had been approved many years prior in keeping with the practice of other organizations at that time. The Delegation stated that times had indeed changed and the current procedure allows for the emergence of a potential conflict of interest at this stage of the initial assessment of the application. The Delegation recalled that the evaluation matrix is done by the Secretariat which is an object of external audit in this way, the Secretariat, intentionally or not, had the possibility of having an impact on the selection process at an early-stage in completing the evaluation matrix. The Delegation believed that these functions should be transferred either to the IAOC or directly to the selection panel. The Delegation expressed that this would help to minimize the risk and allow for an objective assessment of proposals. The Delegation hoped that changes would be made before the next cycle of the selection of the External Auditor.

33. The Secretariat stated that it had taken note of the comment made and would discuss it internally.

34. The Chair re-read out the adopted decision paragraph.

35. The Delegation of Indonesia, speaking in its national capacity and on behalf of the Audit Board of the Republic of Indonesia, extended its deepest gratitude for the overwhelming support and trust placed in Indonesia following the appointment of Indonesia to the role of External Auditor for the period of 2024 to 2029. The Delegation was honored and humbled by the appointment and pledged its unwavering commitment to fulfilling its responsibilities with the upmost diligence, integrity, dignity, and transparency. The selection process leading to the appointment had been rigorous and comprehensive. The Delegation expressed its sincere appreciation to all parties including to Member States on the selection panel who had actively participated and contributed in the process. The Delegation took the opportunity to confirm its unwavering dedication to the principles upheld by WIPO particularly in the areas of intellectual property rights (IPRs), innovation and the promotion of creativity. The Delegation recognized

the significance of the External Auditor's role in ensuring the effective and efficient use of resources within the Organization as well as promoting transparency and accountability in financial management. The Delegation firmly believed in the power of partnerships and cooperation, and pledged to work closely with the WIPO Secretariat, Member States and other stakeholders to foster an environment that encourages innovation, safeguards IPRs, and supports the growth and balance of sustainable global intellectual ecosystems. The External Auditor's team of skilled professionals are equipped with extensive experience in auditing and financial oversight and stood ready to carry out its duties diligently and impartially. The Delegation expressed its deep gratitude for the trust bestowed upon Indonesia by Member States and emphasized that the External Auditor would devote its best efforts to uphold high standards of professionalism, transparency and accountability in its role. The Delegation looked forward to fruitful collaboration in its tenure as External Auditor.

## ITEM 13 OF THE CONSOLIDATED AGENDA

### REPORTS FROM WIPO COMMITTEES

#### (i) The Standing Committee on Copyright and Related Rights (SCCR)

36. Discussions were based on document [WO/GA/56/5](#).

37. The Secretariat introduced document WO/GA/56/5, the Report on the Standing Committee on Copyright and Related Rights (SCCR), and aligned itself with the statement delivered by the Director General in celebrating the tenth anniversary of the Marrakesh Treaty, expressing the hope that many more Member States would join in that remarkable effort. The Secretariat reported that the previous meeting of the SCCR took place in March 2023, and was held for five days in a hybrid format. Discussions covered all agenda items. Regarding the draft treaty on broadcasting organizations, the Secretariat mentioned constructive exchanges among Member States to seek consensus. An updated version of the Chair's text would be submitted to the November session for further deliberation. Regarding exceptions and limitations, the Secretariat highlighted the comments provided by Member States and observers on the draft toolkit for the preservation of cultural heritage institutions (libraries, archives and museums), and the adoption of a work plan proposed by the African Group. Discussions on the agenda item "Other Matters" had continued in the Committee, including on the resale right in the field of visual arts, the status of stage directors in the area of live arts, and the public lending right to benefit authors. The Secretariat noted the innovative work within the SCCR, including the information session it had organized for the March meeting on the online music streaming market, including new business models and their impact on the creative industry ecosystem. That new format, which the Secretariat had successfully tested during the previous session of the SCCR in an information session to discuss the impact of the COVID-19 pandemic on the creative industries ecosystem, had been renewed at the request of the Committee on the more recent topic of new business models for the music industry. The Secretariat emphasized that music industry professionals were invited to participate in an open discussion and that the session was organized keeping in mind geographical diversity and the representation of all segments of the value chain, including artists, composers, performers and distribution platforms, thereby helping to enlighten the Committee on the issues at the heart of that debate. In conclusion, the Secretariat expressed appreciation for the interest shown by the Committee in achieving tangible results that benefit rightsholders and users in a very complex environment. The Secretariat emphasized the need for dialogue, exchange of good practices, and finding viable solutions for the benefit of all stakeholders worldwide.

38. The Delegation of Switzerland, speaking on behalf of Group B, expressed gratitude for the Committee's work on the draft treaty for broadcasting organizations. The Group mentioned the importance of considering technological developments and the need for broadcasting

organizations to address the illegal use of program-carrying signals. The Group was committed to engaging constructively in future SCCR sessions. On limitations and exceptions, it acknowledged the recent work on the toolkit for preservation, looked forward to the scoping study on research, and expressed readiness to continue discussions on the work program adopted by the Committee.

39. The Delegation of China expressed support for the Committee's efforts in discussing the protection of broadcasting organizations and limitations and exceptions. The Delegation hoped that consensus could be reached soon, particularly with respect to substantive matters related to the treaty on the protection of broadcasting organizations, in order to provide a solid foundation for convening a diplomatic conference.

40. The Delegation of the Russian Federation expressed appreciation for the constructive work on the draft treaty for broadcasting organizations and underscored the importance of the treaty containing guiding principles to protect the rights of broadcasting organizations. The Delegation hoped for a new version of the document, which would bring the Committee closer to reaching consensus. The Delegation stated that the protection of theater director's rights was an important issue and theater directors often do not receive fair remuneration because the legal mechanisms, either at national or international levels, were not sufficiently effective. The Delegation expressed readiness to work with the Secretariat and other Member States on the protection of theater director's rights. The Delegation also emphasized the significance of exceptions and limitations for libraries, archives, research, educational institutions, and the preservation of cultural heritage. The Delegation thanked the Secretariat for its work on that topic, in particular for the consultations and the questionnaire on protecting the rights of theater directors in various legal systems. The Delegation noted that it would like to see more analysis and dialogue on the issue of limitations and exceptions and that the system of limitations and exceptions should respond to the needs of online education and research. The Delegation stated that national limitations and exceptions were the most effective tool for ensuring respect for the interests of society in that area, taking into account the specific circumstances and needs of each country. The Delegation underscored that the absence of a guiding principle at the international level made it more difficult to get cross-border access, and that slowed down the development of culture and progress. The Delegation hoped that the Committee would be able to continue its discussions on copyright, bearing in mind the interests of the Member States.

41. The Delegation of Uganda aligned itself with the statement made by the Secretariat. The Delegation highlighted its support for exceptions and limitations for persons with disabilities, educational and research institutions, libraries, and archives. The Delegation shared that as a country, it had recently acceded to various copyright treaties including the Marrakesh Treaty and that it was in the process of consolidating all its treaties into the amendment of its copyright and neighboring rights law. The Delegation affirmed its commitment to support the process.

42. The Delegation of Spain expressed full support for the work of the SCCR. It emphasized the importance of moving towards a consensus on convening a diplomatic conference on broadcasting organizations, with a modern treaty text taking into account the needs of the twenty-first century. The Delegation also highlighted the relevance of discussions in the Committee, in particular on copyright in the digital environment and on the resale royalty right. The Delegation recommended including those topics on the standing agenda of the SCCR in the near future.

43. The Delegation of the Republic of Korea emphasized the need for enhanced and updated protection for broadcasting organizations, particularly in the fast-paced digital era with changing technologies. It was time to adopt an international instrument to provide protection for broadcasting organizations and the Delegation committed to continued engagement and constructive discussions on this agenda item. The Delegation also expressed appreciation for the toolkit on preservation, document SCCR/43/4. The cross-border presentations were also

valuable. The Delegation looked forward to further discussions at SCCR/44, including sharing experiences and best practices on limitations and exceptions for libraries, archives, educational and research institutions, as well as persons with disabilities.

44. The Delegation of the European Union and its member states reiterated its commitment to progressing towards a worldwide treaty for the protection of broadcasting organizations. It acknowledged the work done on the draft treaty text, which provided a good basis for further discussions. The European Union stressed the importance of ensuring that the treaty responds to technological realities of the twenty-first century and expressed readiness to engage in further discussions to ensure appropriate protection for broadcasting organizations. The Delegation also highlighted its readiness to engage in constructive discussions on exceptions and limitations, in particular based on the work program adopted at SCCR/43. The Delegation emphasized its belief that libraries, archives and museums play a crucial role in the dissemination of knowledge and information and culture, along with the preservation of history. It also recognized the importance of educational and research institutions, and people with disabilities. The Delegation of the European Union reiterated its past position that it could not support work toward a legally binding instrument at the international level for these topics. The focus should be WIPO supporting capacity building for WIPO Members and improving their national legislation within the existing international copyright framework. In terms of other agenda items, should the SCCR agenda be expanded to cover additional items in the future, the Delegation recommended including the topic of the Author's Resale Right on the permanent agenda of the SCCR.

45. The Delegation of Iran (Islamic Republic of) highlighted the importance of the work program of the SCCR and of balanced progress on all agenda items. The Delegation welcomed the progress made during the previous Committee meeting as regards the protection of broadcasting organizations; however, it still saw some issues like fixation rights that needed clarification and provided some substantive comments on the draft treaty text. First, it was important that the Committee undertook text-based negotiations with a view to reaching a consensus to prevent signal piracy. Second, in line with the 2007 WIPO General Assembly mandate, the work should focus on broadcasting organizations in the traditional sense. Third, the needs of the broadcasting organizations as well as the rights of the public to access information needed to be considered. Fourth, the definition of broadcasting should be limited only to traditional broadcasters and the types of transmission exploited by traditional broadcasters, protecting the signal without affecting the underlying content. Fifth, webcasting or net casting was not a part of the WIPO General Assembly mandate regarding the broadcasting treaty, and expanding the scope of the treaty would increase costs and affect access to broadcasts in developing countries. Concerning limitations and exceptions, the Delegation welcomed different toolkits and the information session, as well as the cross-border presentations. It stressed the importance of an international balance in IP protection systems and called for the development of a comprehensive treaty on limitations and exceptions taking into account the different levels of development in Member States. The Delegation expressed support for the African Group's proposal on a draft work program on exceptions and limitations and looked forward to further consideration of that issue. It took note of the discussion on the artist's resale right and supported its inclusion in the work of the committee. It could ensure fair economic success of artistic works around the world, and therefore could contribute to the cultural economy and creative industries, provided that a harmonized set of rules could be developed.

46. The Delegation of India expressed gratitude to the Member States for their constructive engagement during the session. It acknowledged the Committee's efforts in preparing the toolkit on the artist resale right (document SCCR/43/INF/2), emphasizing its potential to promote awareness, understanding, and effective implementation of artist resale rights globally. The Delegation highlighted the role of India's IP law in balancing the rights of IP owners with the broader public interest and in providing adequate protection and incentives for creators and

innovators while also promoting access to knowledge, fostering competition, and safeguarding consumers' interests. The Delegation expressed support for the African Group's proposal for a draft work program on exceptions and limitations, document SCCR/43/8, which it believed would foster inclusivity, creativity, and collective benefits for all stakeholders within copyright regimes. India also looked forward to discussions on the analysis of copyright related to the digital environment (document SCCR/43/7) presented by GRULAC. Additionally, it reiterated its commitment to promptly concluding a well-balanced treaty that safeguards the interests of broadcasting organizations while addressing the development concerns of developing countries and least developed countries (LDCs).

47. The Delegation of France supported the statements made by Group B and the Delegation of the European Union and its member states. The Delegation stated that the treaty on the protection of broadcasting organizations was a priority, and noted that in line with the mandate given by the Assemblies in 2019, it was appropriate that the work had moved forward significantly during the March 2023 session, including taking into account the technical developments that had taken place in recent years. The Delegation also welcomed the inclusion of the resale royalty right as an item on the SCCR's standing agenda.

48. The Delegation of Poland, speaking on behalf of the CEBS Group, welcomed the organization of information sessions ahead of SCCR/43, which had been very helpful in progressing the work done by the Committee. The Group affirmed its commitment to concluding work on the adoption of the treaty for the protection of broadcasting organizations and stressed that the work based on the Chair's draft text served as an effective approach to moving towards a meaningful treaty. It emphasized the need for an effective legal instrument reflecting contemporary technological realities with forward looking provisions, and ensuring equal protection of broadcasting transmissions over computer networks. The Group also acknowledged the important role of libraries, archives, museums, and educational institutions in the social and cultural development of society. It was also of special interest to the Group that global copyright infrastructure would ensure access to works for persons with disabilities. The CEBS Group took note of the African Group's proposal for a draft work program on limitations and exceptions, and was ready to further explore some of the proposed steps in the African Group's draft work program that could complement an evidence-based approach. The Group supported two lines of actions, which included in particular the presentations on cross-border issues, a scoping study on limitations and exceptions and research, and a toolkit on preservation. Concerning the Committee's work on other matters, it reiterated its support for the inclusion of the resale royalty right on the agenda of the Committee as a standing item, as this important topic was highly relevant to the mandate of the SCCR. The Group noted the second, shorter SCCR session scheduled for November 2023, and emphasized its members' commitment and active engagement to ensure the progress of the work within the SCCR.

49. The Delegation of Ghana, speaking on behalf of the African Group, acknowledged the progress made on various agenda items, particularly the engagement with limitations and exceptions to copyright for libraries, archives, educational and research institutions, and persons with disabilities. The Group was pleased about the adoption of its proposal on limitations and exceptions, following a few amendments. The African Group reaffirmed the importance of ensuring access to knowledge, education, and cultural heritage through appropriate limitations and exceptions. It expressed its commitment to contribute actively to the discussions at the forty-fourth session of the SCCR, and called for a balanced international copyright framework that fosters creativity, innovation, and access to knowledge for all. As regards the protection of broadcasting organizations, the Group noted that the item had been on the agenda since 2007 and had not moved at the required pace. In principle, the Group supported a signal-based approach separate from the copyright rights in the underlying content on the signals. The topic remained an important priority for the region, considering the vital role of broadcasters in transmitting information and knowledge. The Group looked forward to an instrument that rewarded creativity and guaranteed access to knowledge and information for the

benefit of society. The Group noted that the preamble failed to mention the countervailing interest against which the broadcaster's rights are to be balanced, and suggested drawing information from the preamble of other WIPO treaties, which recognize the need for balancing the rights of authors and larger public interests, particularly education, research, and access to information. Considering the provisions on limitations and exceptions, the Group observed that the terms in the draft text were more restrictive than other international conventions and did not include the explicit authorization of exceptions and limitations, for example for research, or for fixation of ephemeral copies by a broadcasting organization or by users of compulsory licenses. The African Group expected that the treaty would achieve a balance of exclusive rights and exceptions and limitations, taking into account the larger public interest, particularly with regard to access to information. It asked the Secretariat to fully implement the toolkit on preservation, to ensure its wide dissemination through WIPO's website and other means, and to use it to provide technical assistance to Member States. The African Group deemed it imperative to begin work on the principles and objectives as set forth in the limitations and exceptions work program, and to ensure a balance in the selection of experts invited to speak during the following SCCR session. The Group remained committed to working towards a balanced international copyright framework, fostering creativity, innovation, and access to knowledge for all.

50. The Delegation of Venezuela (Bolivarian Republic of), speaking on behalf of GRULAC, highlighted the celebration of the ten-year anniversary of the adoption of the Marrakesh Treaty. It saw the Marrakesh Treaty as a source of inspiration, because it proved that a development agenda for IP offered opportunities to all people and especially those who were most vulnerable. Thus, it emphasized the need for continued work to develop consensus on a development agenda based *inter alia* on reasonable exceptions and limitations to IP. Success required investment in education, protecting cultural heritage, and guaranteeing access to people with disabilities. The Group recognized the efforts of civil society organizations, including some present in the room at that time, in advocating for the Marrakesh Treaty's adoption, and urged its full implementation.

51. The Delegation of Qatar underscored the importance of supporting the work of the SCCR and hoped for more cooperation among Member States. The Delegation highlighted the importance of protecting broadcasting organizations, which was a priority for Qatar. It urged Member States to show flexibility in order to build consensus on fundamental pending issues. The Delegation also expressed its willingness to host a diplomatic conference for the conclusion of a treaty on the protection of broadcasting organizations when the time was right.

52. The Delegation of Japan stressed the importance of protecting broadcasting organizations as an important and high-priority agenda item. Some meaningful progress was made during face-to-face expert discussions in SCCR/43, although substantive discussions were limited by the time available to discuss this topic. The Delegation hoped for more substantive discussions on that matter during the following SCCR session, and suggested minimizing the process of delivering general statements, as planned for SCCR/44. The Delegation also emphasized the value of sharing experiences and information on limitations and exceptions among Member States in order to deepen mutual understanding. The Delegation encouraged not only the exchange of advanced good practices, but also information about real needs and practical challenges, in the context of implementation of copyright legal frameworks. The Delegation looked forward to contributing to discussions at the next SCCR session in a constructive manner.

53. The Delegation of Brazil welcomed the discussions on future work that had started in the SCCR. The Delegation underscored the significance of the work on limitations and exceptions to copyright, particularly in the digital environment, and the need to strike a balance between the rights of creators and the public interest with respect to access to and use of works. It stressed the importance of promoting an appropriate environment for innovation and the dissemination of



knowledge, as well as fair remuneration for creators. The Delegation welcomed the second session of the SCCR in 2023, and hoped that the Committee would return to the past practice of having two sessions per year. The second session in 2023 would be a good opportunity to discuss the development of the digital environment, in order to promote the best conditions for participation of artists and other workers within the creative industries, to ensure they benefit from the gains of the digital environment. Given the importance for copyright, the Delegation believed the discussion on copyright and related rights in the digital environment should become a standing item on the Committee's agenda. The issue was vital for artists, authors, and rights holders, and its importance would increase further with the rapid expansion of the use of artificial intelligence (AI). The Delegation also highlighted recent regional activities held in Brazil, including a seminar on audiovisual rights and the streaming environment, as well as a meeting for the heads of copyright offices in Latin America. The Delegation expressed support for the candidacy of Ms. Vanessa Cohen, Director of the IP Office (Costa Rica), to chair the Committee during the 2024-2025 biennium, and indicated that the GRULAC countries fully supported this proposal. The Delegation celebrated the 10<sup>th</sup> anniversary of the signing of the Marrakesh Treaty, a vital international instrument to facilitate the inclusion of persons with visual impairments.

54. The Delegation of Malawi aligned itself with the statement made by the Delegation of Ghana on behalf of the African Group. The Delegation acknowledged the progress made in the Committee's work and reaffirmed its commitment to supporting the Committee's efforts, particularly in achieving consensus on the draft treaty for the protection of broadcasting organizations and a balanced international copyright system with regard to exceptions and limitations. The Delegation also appreciated the adoption of its proposal, along with Panama and Sierra Leone, for a scoping study on the public lending right, and believed the study would highlight the importance of public lending to the creative sector.

55. The Delegation of Botswana aligned itself with the statement made by the Delegation of Ghana on behalf of the African Group. It recognized the ongoing work of the SCCR on the protection of broadcasting organizations and limitations and exceptions to copyright. The Delegation appreciated the progress made by the Committee, including the approval of the African Group's proposal for a draft work program on exceptions and limitations. It looked forward to the presentation of the second part of the toolkit on preservation for cultural heritage institutions. The Delegation emphasized the significance of the scoping study on the public lending right for future discussions within the SCCR, as it will provide the SCCR with a comprehensive view of the application of the public lending right.

56. The Delegation of the United States of America extended its support to the work of the SCCR and aligned itself with the statement made by the Delegation of Switzerland on behalf of Group B. The Delegation supported updating protection for broadcasting organizations in the digital age according to the terms of the 2006-2007 WIPO General Assembly mandate, which called for a signal-based approach to provide protection for the activities of broadcasting organizations in the traditional sense. The Delegation favored a narrow and focused scope of protection, consistent with the mandate. The Delegation noted that the draft text on broadcasting under discussion still required significant work. The Delegation also highlighted the importance of exceptions and limitations in the current international copyright framework; they allow countries to tailor limitations and exceptions to their own national, social, cultural, and economic policies. It proposed an informed discussion within the SCCR to provide information to facilitate the use of non-binding guidelines such as toolkits for Member States to tailor exceptions and limitations to their own needs, for example when crafting national laws and policies for libraries, archives, museums, and educational and research institutions. The Delegation also supported work aimed at deepening the Committee's understanding of national copyright limitations and exceptions for persons with disabilities other than visual impairment.

57. The Delegation of Morocco expressed support for the protection of broadcasting organizations in light of technological advancements and the evolving digital environment. The Delegation shared information about Morocco's reform efforts over the last 10 years to align its copyright framework with digital developments, consistent with international obligations and treaties. The Delegation pointed out the need to strengthen the role of authors and creators in protecting national identity and valuing culture and art, which are pillars of social development. With respect to the recent revision of the copyright and related rights law, the Delegation emphasized the importance Morocco has placed on protecting copyright in the digital environment, audiovisual works, and the press, while also ensuring access for the visually impaired in line with the Marrakesh Treaty. The Delegation welcomed the celebration of the tenth anniversary of the Marrakesh Treaty. The Delegation also highlighted the changes made within the Moroccan Copyright Office, with the implementation of a collective management structure, and modernization to strengthen and consolidate the office's work to keep pace with changes within the sector. It highlighted Morocco's initiatives to have a favorable environment to stimulate economic growth, promote a quality copyright system, optimize innovation, and strengthen IP protection. The Delegation expressed its commitment to strengthening Morocco's partnership with WIPO in order to strengthen its capacity in the copyright area for the benefit of its economic, social, and cultural development. It explained its overall objective: to support efforts to have a balanced copyright system in the interest of creators and innovators, in order to stimulate the economy.

58. The Delegation of Pakistan expressed appreciation for the work of the SCCR toward the conclusion of the broadcasting treaty. The Delegation called for a transparent and inclusive process for the finalization of the draft treaty, urging further deliberation on the need for a new set of exclusive rights for broadcasters, cable casters, and webcasters, and to elicit an understanding of the impact on public educators, existing copyright holders, online communicators, and new Internet technologies. The Delegation also highlighted the importance of limitations and exceptions, particularly for online education and research, and the need to protect the rights of creators and innovators. It expressed support for a binding international instrument that would cover technological advances and exceptions and limitations in copyright. The Delegation reiterated its support for the revised work program proposed by the African Group, which was adopted in March 2023, and which would be an important basis for guiding the future work of the committee.

59. The Delegation of Nigeria supported the statement made by the Delegation of Ghana on behalf of the African Group. The Delegation noted that work on the norm setting agenda of WIPO was progressing steadily. The Delegation highlighted the new copyright act signed into law as a result of its recent copyright digital reform process, which involved the implementation of treaties ratified in 2017, including the Marrakesh Treaty. It emphasized its commitment to inclusive public awareness campaigns and to addressing the needs of vulnerable stakeholders. The Nigerian Copyright Commission (NCC) took advantage of the theme of the 2023 World IP Day to launch a special initiative on empowering women in IP, with the overarching objective of providing a platform for the mentorship of women in creativity and innovation, to facilitate greater use of IP by women entrepreneurs and small and medium-sized enterprises (SMEs). The Delegation called for further work on limitations and exceptions, highlighting the need to focus on the principles and objectives outlined in the African Group's work program and to ensure balance in the selection of experts invited to speak at the upcoming SCCR. It urged the Secretariat to align technical assistance activities with the expansion of limitations and exceptions and generally to provide support in this area of work. The Delegation urged greater flexibility in ongoing SCCR discussions, keeping in mind the wide variety of stakeholders who were directly and indirectly affected by the work of the SCCR. The Delegation remained committed to participate activity in the ongoing Committee session in order to ensure outcomes in the interest of Member States.

60. The Delegation of Algeria associated itself with the statement delivered by Ghana on behalf of the African Group. It appreciated the progress made by the SCCR and emphasized the importance of facilitating progress on agenda items that had been ongoing for years, using transparent and balanced approaches in the Committee's work. The Delegation welcomed the adoption of the work plan on limitations and exceptions, document SCCR/43/8, proposed by the African Group. The work plan contained guidelines and specific processes for developing certain texts, including through intersessional work. The Delegation thanked the Secretariat for the preparation of the toolkit on preservation of copyrighted works in cultural heritage institutions, and looked forward to the presentation of the practices and challenges faced by researchers, at the 44<sup>th</sup> session of the SCCR. The Delegation considered that the current level of protection of broadcasting organizations was insufficient, given the technological progress in fixation and rebroadcasting, as well as the alarming piracy of signals within and across borders. Some progress had been made on the objectives and scope of protection. The Delegation stressed that some points of the Chair's text should be clarified before envisaging a diplomatic conference for the adoption of a treaty on broadcasting organizations. The Delegation reiterated its position that any additional protection for broadcasting organizations should avoid creating barriers to access to knowledge, and should protect the public interest in terms of education, institutional research, and access to technological innovation. It called for renewed discussions on copyright in the digital environment, recognizing the challenges faced by inventors and creators in the present and future. The Delegation reiterated its support for putting the topic of the resale royalty right on the standing agenda of the committee, to guarantee fair remuneration for visual artists wherever their works are sold.

61. The Delegation of South Africa aligned itself with the statement made by the Delegation of Ghana on behalf of the African Group. The Delegation expressed support for a global legal arrangement and treaty on limitations and exceptions to ensure access to copyrighted works for knowledge creation. It emphasized the need to expedite progress on the protection of broadcasting organizations, which had been on the WIPO agenda for a lengthy period without sufficient progress, and reiterated support for a signal-based approach. The Delegation also supported SCCR engagement on the resale right, which should be introduced at the global level to benefit originators of artworks when artwork is resold.

62. The Delegation of Chile expressed support for the statement delivered by the Delegation of Venezuela (Bolivarian Republic of) on behalf of GRULAC. The Delegation highlighted the importance of limitations and exceptions that promote education, research, the protection of cultural heritage, and access for persons with disabilities. This system benefits the IP system and society as a whole. It supported the modernization of the limitations and exceptions system proposed by the African Group and encouraged consensus building among Member States. The Delegation also called for a renewed agenda on copyright in the digital environment to address current and future challenges faced by inventors and creators, because the future was increasingly upon them.

63. The Delegation of Ukraine aligned itself with the statement delivered by the Delegation of Poland on behalf of the CEBS Group. It stressed the importance of the SCCR in working towards reaching a common understanding and consensus on limitations and exceptions and the protection of broadcasting organizations. The Delegation highlighted that business as usual was impossible due to the Russian Federation's full-scale war, launched in February 2022. More than 100,000 facilities had been damaged, including 85,756 residential buildings. 2566 educational and 559 medical institutions, 429 cultural and 134 religious buildings. These numbers did not include the damage in remote areas, in which the real level of destruction was much higher. Russian occupiers had damaged 1520 sites of cultural heritage and cultural infrastructure in Ukraine. Several hundred galleries and museums were destroyed. The damages had reached almost US\$7 billion. Despite these challenges, the IP system had continued to operate effectively to foster innovative development. The Delegation described Ukraine's efforts to benefit society through IP, particularly with respect to vulnerable groups of

the population. In January 2023, the Parliament ratified the Marrakesh Treaty, and on June 8, 2023, Ukraine deposited that Treaty instrument with WIPO. The Treaty would thus enter into force for Ukraine on September 8, 2023. The law on copyright and related rights, including provisions to implement the Marrakesh Treaty, was updated and adopted by the Parliament in December 2022. The extensive destruction caused by the aggressive war of the Russian Federation against Ukraine had caused extensive destruction, making the issue of protection of the interests of persons with disabilities even more urgent for Ukraine. The Delegation thanked the WIPO Member States that offered continuous support for Ukraine and for the democratic principles of peaceful development. The Delegation welcomed more progress to identify efficient approaches for finding solutions during the ongoing discussions.

64. The Delegation of Switzerland, speaking on behalf of Group B, noted that one delegation had expressed support for a recent nomination from another delegation to chair the SCCR starting in 2024. The Delegation put on the record that Group B had previously announced to all Group Coordinators its nomination of Mrs. Adriana Moscoso Del Prado Hernandez, Director General for Cultural Industries, Intellectual Property and Cooperation in the Ministry of Culture and Sports of the Government (Spain), for the position of SCCR Chair for the two-year period starting in 2024. This was done on February 2, 2023, and the Delegation noted that it had not yet received any feedback on this nomination from other groups or delegations.

65. The Delegation of Niger expressed support for the statement made by the Delegation of Ghana on behalf of the African Group. It welcomed the proposal of the SCCR to study the revised Chair's text on the protection of broadcasting organizations in-depth at the 44<sup>th</sup> session, to take into account technological progress. The Delegation also welcomed the work plan on limitations and exceptions proposed by the African Group, and the inclusion on the agenda of the 44<sup>th</sup> session of the SCCR of limitations and exceptions for libraries, archives, educational and research institutions, and persons with other disabilities.

66. The Delegation of Samoa supported the proposal of the African Group for a draft work program on limitations and exceptions. It appreciated that the topic of limitations and exceptions for libraries and archives, as well as limitations and exceptions for educational and research institutions, and persons with other disabilities, was maintained on the agenda of the forty-fourth session of the SCCR. As a country with a rich, diverse cultural heritage, Samoa acknowledged the extent to which copyright law could be used to protect and preserve some works based on traditional knowledge (TK) and folklore. It emphasized the importance of discussing copyright issues with care to avoid the potential exploitation of Samoan culture, TK, traditional cultural expressions (TCEs), folklore, and genetic resources (GRs). Samoa had a strong creative heritage and was very interested in the discussions of these rights and their impact on the rights of artists and creators. The Delegation expressed great interest in the discussion on the resale royalty right and appreciated its inclusion on the agenda of the forty-fourth session of the SCCR.

67. The Representative of the Copyright Research and Information Center (CRIC) mentioned that 25 years of discussion on the protection of broadcasting organizations had passed. The COVID-19 pandemic had prevented the SCCR from engaging in those deliberations, but fortunately substantial discussions had resumed, including discussions on the second revised text presented at SCCR/43. The Representative stated that there were various views among Member States and suggested getting back to the basic principle that international treaties are minimum standards, not maximum ones. The Representative hoped that with the Chair's revised text to be prepared for SCCR/44, all parties would be flexible enough to achieve harmonization and establish the broadcasting treaty as a minimum standard for the world.

68. The Representative of Electronic Information for Libraries (EIFL) had worked with libraries in developing countries to enable access to knowledge. The Representative appreciated the progress of the SCCR on limitations and exceptions, particularly the adoption of the work

program proposed by the African Group, the development of the toolkit on preservation, and the attention being paid to exceptions. The Representative looked forward to implementation of the work program, including such activities as the preparation of objectives and principles, as well as the achievement of consensus in the SCCR. The Representative supported the development of a companion toolkit on access to preserved works and urged the strengthening and expansion of exceptions in the revised text of the broadcasting treaty, in line with other treaties and copyright exceptions. The Representative joined the celebration of the tenth anniversary of the Marrakesh Treaty and remarked on its origins in the SCCR. The Representative highlighted the success of that treaty, as an example of how limitations and exceptions can support both the beneficiaries and the international copyright system as a whole.

69. The Representative of the International Federation of Library Associations and Institutions (IFLA) celebrated the tenth anniversary of the Marrakesh Treaty. Libraries provide access to books and other printed materials for persons with visual impairments and persons with other disabilities. The Representative highlighted the need for further work on implementing the treaty and emphasized the importance of enabling legislation in nations that are contracting parties. It also expressed gratitude for the preservation toolkit and highlighted the need for protection of cultural heritage in the face of challenges such as climate change, armed conflicts, natural disasters and fire. Rapidly changing technologies also threatened preservation. The Representative supported limitations and exceptions in copyright law that provide libraries with tools and flexibilities to protect collections and to ensure that they will be available for future generations. The Representative looked forward to the development of a toolkit on access to preserved works for those who use rare and culturally significant works for research and education.

70. The Representative of Knowledge Ecology International (KEI) noted that the European Union wanted work on copyright exceptions to focus on technical assistance, while supporting a binding treaty for broadcasting. The Representative viewed this as backwards and emphasized the importance of exceptions and limitations for archives, education, and libraries, particularly in developing countries. Reports have shown that the problem is acceptance and implementation in many of these countries. Meanwhile, in some versions of the text, the broadcasting treaty proposal would primarily benefit technology platforms in the United States of America and Europe. Technical assistance might be a better way to address streaming piracy, if this is the real problem to be addressed. If the goal was to have a massive change in the legal structure applied to technology platforms like YouTube and Twitch, those parties were not involved in the negotiations. Instead of a treaty or technical assistance, it suggested taking a middle way, with a fresh look at past WIPO experience developing model laws for the issues on which the SCCR is deadlocked. They used to be frequently employed, including for the lead-up to the Rome Convention, and to propose copyright law for developing countries. It would be useful to review the experience and modalities of the model law process. One advantage could be the flexibility in revising and updating model laws compared to treaties. To resolve the broadcasting treaty issue and get it off the agenda, absolute clarity would be needed on the question of post-fixation rights and whether any additional layers of rights would be created. The Representative understood that the definition of broadcasting organizations in the draft treaty text at that time was very broad, covering everything on the Internet, and not limited to traditional broadcasters. It was concerned that based on that draft text, it would be possible for a broadcasting organization to transmit and obtain rights to infringing material. For copyright in the digital environment, the Representative suggested a focus on data, in order to have better metadata to identify AI training data and to facilitate streaming payments. This was a common theme among all the different views. The Representative said that implementation of the public lending right should be limited to benefit only authors who live in the country in which the works are loaned, so that royalties do not flow from developing countries to developed countries. The Representative supported the resale royalty right as long as it was limited to physical works of art.

71. The Representative of the Intellectual Property Latin American School (ELAPI) supported the call for a diplomatic conference on the treaty to protect broadcasting organizations, a topic on which ELAPI had presented a study. The Representative emphasized the need for a toolbox on exceptions and limitations instead of a treaty, to avoid undermining national sovereignty. The Representative expressed support for work on copyright issues in the digital space and emphasized the importance of involving authors and rights holders in the discussions; the SCCR should commit to working to ensure greater rights for them. It supported the second SCCR session to be held in 2023, and reaffirmed its willingness to continue its cooperation with the SCCR and with Member States, including GRULAC, and those who worked in radio and broadcasting.

72. The Representative of *Corporación Innovarte* joined the celebrations for the tenth anniversary of the Marrakesh Treaty. The group had been involved since the first meeting at which the treaty was discussed, and thanked the Delegations of Uruguay, Ecuador, Brazil, and the library federations for their contributions in drafting the text of the treaty, introducing it in the SCCR, and supporting the work. The Representative emphasized the need to broaden the scope of the treaty to protect people with disabilities. Protection was also needed for researchers, especially given the use of AI in libraries. It had supported this protection since 2012. The Representative also raised concerns about the danger to broadcasters in developing countries from the abuse of power by global media platforms, leading to the undermining of rights. This showed that broadcasting needed to be looked at in the traditional sense, and the text currently before the Committee needed to be adjusted. The Representative also highlighted the need to adopt measures to ensure fair compensation for artists in the digital environment, who were being affected by the practices of intermediaries.

73. The Representative of the Latin American Audiovisual Authors Societies Federation (FESAAL) highlighted the need for additional remuneration for screenwriters and directors in the digital era, in the situation where rights have been assigned to producers when works are created, but then the audiovisual works are disseminated further, for example *via* the Internet and over-the-top (OTT) platforms. It emphasized the importance of ensuring the rights of creators and the relevance of including those matters in WIPO's agenda. The Representative offered support for conducting an analysis of remuneration rights in the territories where they are currently available.

74. The WIPO General Assembly:

(i) took note of the "Report on the Standing Committee on Copyright and Related Rights" (document WO/GA/56/5); and

(ii) directed the SCCR to continue its work regarding all issues reported on in document WO/GA/56/5.

(ii) The Standing Committee on the Law of Patents (SCP)

75. Discussions were based on document [WO/GA/56/6](#).

76. The Secretariat introduced document WO/GA/56/6, which contained a report on the work of the SCP. The Secretariat noted that the document described the progress of discussions at the thirty-fourth session of the SCP, which was held from September 26 to 30, 2022, in a hybrid format. The Secretariat stated that during that session, the Committee had continued to address the following five topics: (i) exceptions and limitations to patent rights; (ii) quality of patents, including opposition systems; (iii) patents and health; (iv) confidentiality of communications between clients and their patent advisors; and (v) transfer of technology. The Secretariat particularly noted the fact that the Member States had proactively participated in the Committee's work by sharing information, making presentations, submitting proposals, and

being engaged in discussions with a constructive spirit. The Secretariat reported that the efforts and contributions made by the participants had led to the adoption of a full set of activities for the SCP's future work relating to all of the above five topics. Based on that agreement, the Secretariat reported that the inter-sessional work had been taking place. It informed the WIPO General Assembly that the thirty-fifth session of the SCP would be held from October 16 to 20, 2023, in a hybrid format. The Secretariat further invited the WIPO General Assembly to take note of the information contained in the document.

77. The Delegation of Poland, speaking on behalf of the CEBS Group, thanked the Chair of the SCP for guiding the work of the Committee. The CEBS Group also expressed its gratitude to the Secretariat for its work during the reporting period, including the preparation of sharing sessions and working documents. The CEBS Group stated that, although the SCP met only once in 2022, Member States had had the opportunity to resume discussions on the subject matter, and had shared experiences and best practices within all the five areas of the agenda. The CEBS Group also expressed its appreciation for the presentation of the working documents, including those relating to the draft reference document on the exception regarding the exhaustion of patent rights and the further study on the sufficiency of disclosure (part one). For the CEBS Group, the SCP was a main platform to discuss both current and future developments of the patent system. It highlighted that, as in the past, the quality of patents, especially on AI as well as the confidentiality of communications between clients and their patent advisers remained the focus of the interest of the CEBS Group. In that context, the Delegation expressed its support for the proposal by the Delegation of Switzerland to prepare a study on how jurisdictions around the world addressed the issue of AI inventorship through jurisprudence, legislation and practice. The Delegation supported the enhancement of cooperation among the Member States, as it believed that the exchange of knowledge and work sharing could further improve the patent grant processes. In particular, the CEBS Group took special interest in sharing experience and exchanging information on the use of AI and the patentability of AI inventions in patent examination. The CEBS Group stated that high quality patents were essential for ensuring that the patent system incentivised innovation, facilitated knowledge transfer and rewarded new developments. It highlighted that a well-functioning patent system that facilitated the socio-economic development of the countries and the regions was its priority. In its opinion, the work of the SCP had enhanced the international cooperation, and had enabled the Member States to find the solutions for cross-border challenges, including cross-border aspects of confidentiality of communications between clients and their patent advisers. Noting that the issue of patents and health was at the centre of the CEBS Group's attention, it commended WIPO for strengthening close and well-established cooperation with other UN organizations, especially with the World Health Organization (WHO) and the World Trade Organization (WTO), as a response to the pandemic. In addition, the Delegation expressed its gratitude for the presentations by the representatives of WIPO, the WHO and the WTO on the Trilateral cooperation activities relating to the COVID-19 pandemic and patents. On the exceptions and limitations to patent rights, the CEBS Group was of the view that future discussions were needed, since the proper balance between the interests of society in general on the one hand, and the interest of patent holders on the other hand, should be achieved. The CEBS Group looked forward to a draft reference document on the exception regarding the use of articles on foreign vessels, aircrafts and land vehicles, which would be one of the documents to be discussed during the thirty-fifth session of the SCP. The CEBS Group also looked forward to the sharing sessions under the agenda item on technology transfer. To conclude, the CEBS Group reiterated its expectation that the SCP would be able to find more synergies and common lines by building on the existing positions of Member States, and to move closer to discussions about harmonization of substantive patent law in the near future. The CEBS Group reassured the Member States of its constructive engagement and support in the work of the SCP, and endorsed document WO/GA/56/6.

78. The Delegation of Switzerland, speaking on behalf of Group B, thanked the Secretariat for its work in preparing the report contained in document WO/GA/56/6. Group B highlighted the



important topics that will be addressed during the thirty-fifth session of the SCP (SCP/35), amongst the issue of AI inventions. Group B commented on the importance of the compilation being prepared by the Secretariat, which will contain information on how jurisdictions around the world are addressing the issue of AI inventorship through jurisprudence, legislation and practice. In that regard, the Delegation pointed out how valuable it was for Member States to share their experiences and examination practices concerning these issues, which will help keep other Member States informed of recent developments on the matter. It welcomed the SCP's decision to invite technical experts to help update the Committee on the state of play regarding AI-generated inventions. Finally, the Group B expressed its full commitment and support towards the SCP and affirmed that all Member States within the Group would be engaging actively in the Committee's discussions during the upcoming session.

79. The Delegation of China expressed its support towards the SCP and its workplan regarding the five topics contained in the report. The Delegation expressed its appreciation towards the Member States and the Committee in relation to the promotion of research and information exchange. The Delegation highlighted the importance of carrying out discussions on those topics and, lastly, stated its willingness to participate in the discussions and to contribute to all the work that would be carried out in relation to the Committee.

80. The Delegation of Colombia expressed its gratitude with respect to the report on the SCP. The Delegation stated that Colombia wished to bolster its reindustrialization policies through the creation and development of new technologies, the introduction of technical and scientific advances as well as by introducing itself in global value chains. The Delegation highlighted that technology transfer is a central part of the development policy of countries such as Colombia, where IP needed to become a vector for developmental change. The Delegation appreciated the work carried out by the Committee, highlighted that those spaces had allowed for the exchange of information on topics that had been addressed by WTO, WHO and WIPO, in particular, the topic relating to the IP system's response to future pathologies. The Delegation stated that it had been reviewing the roadmap proposed by WIPO, as contained in document WO/GA/56/6. The Delegation expressed Colombia's willingness to actively participate in future discussions, affirming its interest in the five topics contained in the report. Lastly, the Delegation manifested Colombia's commitment towards the SCP with respect to the work that will be carried out in the future.

81. The Delegation of Spain, speaking on behalf of the European Union and its member states, thanked the Chair, the Secretariat and the members of the SCP, for their continuous efforts and progress made since the last WIPO General Assembly. The Delegation highlighted the SCP's work in the construction of spaces to discuss the five main topics included in the report, namely: (i) exceptions and limitations to patent rights; (ii) the quality of patents, including opposition systems; (iii) patents and health; (iv) the confidentiality of communications between clients and their patent advisors, and (v) transfer of technology. On those topics, the Delegation considered the topic of quality of patents, including opposition systems, to be of particular relevance and importance to the European Union. With regard to quality of patents, the Delegation remarked that high-quality patents were capable of guaranteeing a proper balance between the interests of inventors, industry and other stakeholders on the one hand, and of society as a whole on the other hand. The Delegation manifested the European Union's interest in advancing the Committee's work, especially with regard to the topic of AI, which would require discussions based around topics, such as AI inventorship, AI-generated inventions and the use of AI for patent examination procedures. The Delegation brought attention to the fact that those discussions would build on the proposal made by the Delegations of Brazil and Spain in document SCP/31/8 Rev., on sharing experience and information on the patentability of inventions using AI and by AI, and the proposal submitted by the Delegations of France and Spain as contained in document SCP/30/9 on AI and patents. The Delegation manifested the belief that, in addition to contributing to the technical quality of patents, the Committee should serve as a forum for discussions about the differences between existing

patent law systems, as well as the harmonization of substantive patent law toward the future. The Delegation also acknowledged the importance of establishing confidentiality between clients and patent advisors, stating that the European Union looked forward to discussions on recent developments and experiences, as well as to an information-sharing session focusing on recent developments and experiences on cross-border aspects of confidentiality of communications between clients and their patent advisors, which needed to take place at SCP/35. The Delegation further stated that it considered technology transfer to be a useful tool that helped foster innovation and development. In that regard, the Delegation affirmed the European Union's desire to participate in the information-sharing sessions at SCP/35 on international cooperation with respect to technology transfer through the patent system, including technical assistance and capacity building, licensing of technology and collaboration involving both the public and private sectors, as well as on standard essential patents and licensing. Concerning patents and health, the Delegation noted that, after the COVID-19 pandemic, the European Union and its member states had reached the conclusion that effective incentives offered to support researchers, in addition to patent licensing, as well as broad, affordable and equitable global access to safe and effective vaccines, diagnostics and treatments had been all equally crucial in order to fight public health crises. In that regard, the Delegation asserted that a solid, well-functioning, transparent and predictable system for IPRs, including its exceptions and flexibilities, had proven not to be the problem, but part of the solution. The Delegation encouraged the work that WIPO had been carrying out alongside the WTO and the WHO, which had proven to be essential in providing an integral representation of IP, which related to public health and trade, including its relation to innovation in health technologies and access to affordable medicines. The Delegation stated that the European Union saw value in extending the regular update on publicly accessible databases of patent status information concerning medicines and vaccines. Furthermore, the Delegation expressed the European Union's interest in exchanging information with other Member States on practices involving licensing of medical technologies for the diagnosis, prevention and treatment of COVID-19, including examples of compulsory and voluntary licensing. The Delegation clarified that while the European Union considered all the topics of discussion to be relevant, it had a particular interest in enhancing international cooperation and improving technical knowledge on the patentability requirements, thus ensuring a more efficient, more effective and higher-quality patent system in all Member States. The Delegation suggested that it would be the right way forward in removing trade barriers and prominently contributing to economic prosperity. The Delegation concluded by restating the European Union's willingness to continue its efforts to advance the work of the Committee in accordance with the agreed workplan.

82. The Delegation of the United States of America expressed its support to the statement made by the Delegation of Switzerland, on behalf of Group B. The Delegation appreciated the work of the SCP, especially regarding the sharing of information concerning various expedited patent examination mechanisms of IP Offices and positive contributions of the patent system in enhancing innovation, technology transfer and industrial development of countries. The Delegation appreciated the work of the Secretariat to organize sharing sessions and to produce various reports on topics of mutual interest to the global community. The Delegation also expressed its continued support to the reinvigoration of the SCP and its focus on current topics of importance to innovators and applicants navigating international patent framework.

83. The Delegation of Saudi Arabia thanked the Chair, Vice-Chairs and the Secretariat for their outstanding efforts in administering the Committee's work. The Delegation looked forward to the coordination of joint actions between Member States on the use of AI by IP offices in providing their services, including in classification and examination of patent applications. In that regard, the Delegation stated that it was fully prepared to work towards that goal in the Committee. In addition, the Delegation wished to draw attention to the fact that Saudi Arabia had launched an initiative to undertake biotechnology research using AI, with a view to enhancing its national strategy in the field of IP.

84. The Delegation of the Russian Federation commended the work of the Secretariat for the preparation of the report of the SCP, contained in document WO/GA/56/6. The Delegation underscored a high significance of the work of the SCP for the development of the patent system. The Delegation further thanked the Secretariat for the organization of, as well as Member States for taking part in, the sharing sessions organized during the thirty-fourth session of the SCP on patentability of inventions using AI and by AI. The Delegation reported that the Federal Service for Intellectual Property (ROSPATENT) was undertaking a project aiming at expanding the list of patentable subject matters relating to computer programs. The Delegation further noted that the issue of patent quality was of particular interest, and expressed its hope for the constrictive debates on the issue, including on the expedited examination programs of IP offices. The Delegation further reported that the Russian Federation had amended its approaches to the issue of unity of inventions, thereby making its practices closer to the PCT framework. The Delegation explained that those changes would facilitate the granting of patent protection for Russian applicants abroad as well as for foreign applicants applying for protection in the Russian Federation. Further, the third parties could submit their comments on patentability of inventions immediately after the PCT international application entered the national phase, which was expected to enhance the quality of patents. The Delegation further wished to underscore the importance of the topic “patents and health” discussed at the Committee. In that respect, the Delegation noted that the ROSPATENT had been, for years, successfully implementing the program of expedited examination of patent and utility model applications concerning viruses and related diseases, such as pneumonia. Further noting the particular importance of Member States’ exchanges on the state-of-the-art search regarding new viral infections, the Delegation noted the importance of developing a new WIPO web page devoted to patent applications relating to antiviruses and providing information on their legal status, including the status of the international applications under the PCT. Noting that a patent was not only a document confirming the protection, but also a source of information on the progress of science and technology, the Delegation stated that access to such information would make it possible for a medical community to better coordinate the actions and consolidate its efforts in combating viral infections.

85. The Delegation of the Republic of Korea thanked the Secretariat for the preparation of document WO/GA/56/6. The Delegation noted that the SCP had always been a forum encouraging substantive discussions between Member States on technical issues pertaining to patent law and international cooperation. The Delegation further stated that, throughout the previous years, the SCP had provided Member States with an opportunity to exchange their views and experiences regarding important issues such as, exceptions and limitations to patent rights, quality of patents, technology transfer and patents and health. The Delegation noted that those discussions had been highly beneficial in enhancing the capacity of Member States to make the best use of the patent system. The Delegation further expressed its support for the continued organization of the sharing sessions on the topic of “confidentiality of communications between clients and their patent advisors” and on the positive contribution of the patent system to industrial development and related challenges. The Delegation looked forward to further discussion with Member States on the listed issues at the upcoming session of the SCP.

86. The Delegation of Brazil thanked the Secretariat for the preparation of document WO/GA/56/6. The Delegation underlined the particular importance of the work conducted in the SCP on the agenda item “quality of patents”. Effective patent examination systems and patentability requirements ensured the trustworthiness of the patent system. In that context, both the need for a certain harmonization and the flexibility of the Member States to determine the appropriate method of implementing the provisions within their own legal systems and practices, were highlighted. In that regard, the Delegation referred to Article 29 in connection with Article 1.1 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement). The exchanges between the different Member States in the SCP and the sharing of best practices and trainings were considered very important. Further, the importance of transfer of technology was underlined. Furthermore, the Delegation noted that document

WO/GA/56/6 showed the discussions on emerging questions such as the access to essential medicine, the impact of AI on patent systems, and the challenges regarding the patentability of TK and GRs. In the light of the rapid changes in areas such as environment and global health, the Delegation stressed the importance of analyzing emerging issues on a continuous basis so that the patent systems stayed relevant. The Delegation recognized the challenges and differing views amongst the Member States on issues such as the patentability and establishment of a balance between patent rights and public interest. In conclusion, the Delegation reiterated its support for joint efforts to achieve a balanced and effective patent system that promoted technological innovation, human rights and sustainability.

87. The Delegation of Iran (Islamic Republic of) expressed its appreciation for the work of the Secretariat. The Delegation stressed its particular interest in the agenda items patents and health, exceptions and limitations, and transfer of technology. Despite the existence of different views and priorities among the Member States, the Delegation found that the SCP provided its members with a suitable platform for a comprehensive and constructive exchange of ideas and experiences. In that context, particularly, the information exchange sessions and the sharing sessions during the thirty-fourth session of the SCP were considered valuable. Regarding the agenda item “patents and health”, the Delegation drew attention to health as a fundamental human right. In that regard, the Delegation emphasized Sustainable Development Goal (SDG 3), which related to ensuring healthy lives and providing well-being for all through universal health coverage, including access to safe, effective, high-quality, and affordable essential medicines and vaccines. The Delegation recalled that the SCP was the only international forum where countries should share experiences on the use of health-related patent flexibilities. Further, the Delegation emphasized the particular importance of the SCP agenda item, exceptions and limitations, since it was fundamental to ensure a balanced patent system that promoted innovation and respected the rights and interests of all stakeholders in each society. The Delegation was of the opinion that an acceleration of the work of the SCP in order to develop reference documents on other exceptions and limitations to patent rights would be beneficial. With regard to the agenda item “quality of patents”, the Delegation perceived sharing of experiences and improvement of skill and technical expertise through bilateral and regional cooperation, in particular in the area of patent examination, as a key element. By highlighting the importance of national flexibilities and the principle of territoriality, which were in line with Article 27.1 of the TRIPS Agreement, the Delegation expressed the view that the consideration of that agenda item in the SCP should neither be construed as a tool for harmonization of patent laws and patentability criteria nor for future norm-setting practices. Furthermore, the Delegation underlined the importance of facilitating transfer of technology and expected discussions inside the SCP on how patents could be a barrier to transfer of technology. The Delegation concluded by expressing its hope that the positive and constructive engagement between the members of the SCP could be maintained and would lead to significant progress in discussing issues of particular relevance to common interests.

88. The Delegation of Morocco thanked the Secretariat for the high quality of documents and all the efforts put in place. The Delegation ensured its commitment to the work of the SCP. As Morocco was working on the further development of its patent laws, the Delegation followed the exchanges in the SCP with particular interest and encouraged the continuation of the work on the five agenda items.

89. The Representative of KEI expressed concerns that the use of AI by human inventors would lead to a significant increase of patent applications, which could lead to patent thickets. In KEI's view, the practices in the areas of standard essential patents and in platform technologies for biomedical products showed that in some cases, patents should be implemented as a remunerative right, not as an exclusive right. In that context, KEI expected that AI would push policymakers further in that direction. In addition, KEI expressed its wish for a deeper discussion on how trade secret protection would be used in AI services, both in terms of the challenges as to the enablement requirement for patented inventions and the public

interest in monitoring and auditing the AI services themselves regarding bias or other harms, many of which were currently under discussion in national governments around the world.

90. The Secretariat thanked all delegations for their comments, and assured that it took note of all interventions. The Secretariat noted that there had been a number of themes that many delegations had addressed on each of the five topics, and all five agenda items were considered important by many delegations, if not all. The importance of the current trends as well as emerging issues, such as AI inventorship, AI generated inventions and AI tools used in the patent examination were noted. Furthermore, the importance of the work regarding patents and health as well as the work of trilateral organizations in that field were underlined. In addition, importance of high quality patents in patent examination was emphasized. The Secretariat concluded its statement by expressing its commitment to work towards making progress on all agenda items.

91. The WIPO General Assembly took note of the “Report on the Standing Committee on the Law of Patents (SCP)” (document WO/GA/56/6).

(iii) The Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)

92. Discussions were based on document [WO/GA/56/8](#).

93. The Secretariat indicated that, during the period under consideration, the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) had held its forty-sixth session from November 21 to 23, 2022, in hybrid format, chaired by Mr. Simion Levitchi (Republic of Moldova) in the capacity of Acting Chair. The SCT had also implemented the new rules of procedure and had elected for the forthcoming special session, Mr. Sergio Chúz Salazar (Peru) as Chair and Ms. Marie Béatrice Nanga Nguéle (Cameroon) and Mr. Simion Levitchi (Republic of Moldova) as Vice-Chairs. The SCT had made progress on its work in the three areas covered by the Committee, namely trademarks, industrial designs and geographical indications. In the area of trademarks, in addition to its work on the protection of country names, the Committee had continued to work on the topic of nation brands and had agreed to hold an information session on that topic in conjunction with its forty-seventh session. With respect to industrial designs, the Secretariat reported that the SCT had considered an Updated Proposal by the Delegations of Canada, Israel, Japan, the Republic of Korea, the United Kingdom, the United States of America and the European Union and its member states for a Joint Recommendation Concerning Industrial Design Protection for Designs for Graphical User Interfaces (GUIs), as well as a Proposal by the African Group for a Study on the Impact of Design Protection for GUI Designs on Innovation. The Acting Chair had concluded that the SCT would continue the discussion on both proposals at the next regular session of the SCT. Finally, in the area of geographical indications, a half-day information session had taken place in conjunction with the forty-sixth session of the SCT, in which the following topics had been presented: (i) Geographical indication protection for services; and (ii) Geographical indication protection for non-agricultural products. Moreover, the SCT had agreed to hold an Information Session on Geographical Indications in conjunction with the forty-seventh session of the SCT. The program for that Information Session would consist of the following topic: “Trademarks and geographical indications: prior rights grounds for refusal”.

94. The Delegation of Ghana, speaking on behalf of the African Group, noted the report on the work of the SCT, as contained in document WO/GA/56/8, and thanked the Secretariat for its preparation and the Chair and Vice-Chairs of the Committee for their efforts to ensure the proper conduct of the Committee’s work. Stressing the importance of the issues discussed in the Committee, the African Group welcomed the decision of the fifty-fifth session of the WIPO General Assembly to convene two Diplomatic Conferences, one to Conclude and Adopt a Design Law Treaty (DLT) and one Relating to Intellectual Property, Genetic Resources and

Traditional Knowledge Associated with Genetic Resources, which mutually reinforced the protection of TK. The Group stated that it looked forward to reaching a balanced outcome that would consider its legitimate concerns in relation to technical assistance and a disclosure agreement, adequately reflected in the basic provisions of the DLT. Turning to the area of trademarks, the Group recognized the value of protecting country names and geographical names of national significance against their registration and use as trademarks, as well as safeguarding country names and geographical names of national importance in the Domain Name System (DNS). The Group hoped that the work on those issues would go beyond a mere information gathering and would lead to concrete results, which would put an end to attempts to monopolize names of sovereign countries and the misleading use of those names by private entities. Noting with interest the Committee's work concerning the protection of GUIs as industrial designs, the Group expressed its support for the continuation of exploratory activities, based on evidence, on the impact of the type of protection of technological designs on innovation, including in developing countries, before moving on to any standard-setting activity. Finally, the Group maintained that the Committee should intensify its activities on the issue of the protection of geographical indications, with a focus on handicrafts and agricultural products, and their role in the protection of certain types of TK and TCEs.

95. The Delegation of Poland, speaking on behalf of the CEBS Group, thanked the Chair and the Vice Chairs of the Committee for their able guidance of the work of the forty-sixth session of the SCT, as well as the Secretariat for its efforts in preparing SCT sessions. While appreciating the discussions on the protection of country names and geographical names held at the last SCT session, the CEBS Group, recognizing that the proposals had gained cross regional support from Member States, looked forward to the revision, and possible merging, of the relevant documents and to further discussions on the issue within the Committee. As regards industrial designs, the CEBS Group underlined the progress made during the last sessions, in particular with the view of achieving concrete results during the diplomatic conference for the adoption of a DLT. The Group expressed its readiness to engage further in the discussion planned for the special session of the SCT, aimed at narrowing the existing gaps to a sufficient level, which should allow the conclusion of more than a decade of work on the DLT during the diplomatic conference next year. The CEBS Group thanked the WIPO Member States that had offered to host the diplomatic conference on the DLT, and looked forward to constructive discussions during the October preparatory committee, which would decide on the date and venue for the diplomatic conference, as well as on the Rules of Procedure of the diplomatic conference. As regards industrial designs, the CEBS Group believed that the proposed Joint Recommendation Concerning Industrial Design Protection for Designs for GUIs could serve as a basis for the modern protection of designs in interested jurisdictions and for further identification of best practices. Underlining that the proposal for a Joint Recommendation had already gone through several revisions, the CEBS Group expressed the view that the time was ripe to finalize the discussion and find an agreement on how to close it. Hence, the CEBS Group expressed hope for a joint recommendation by the Committee in the near future. Additionally, the CEBS Group took note of the new proposal by the African Group concerning the study on GUIs. Welcoming the creation of the database on the temporary protection of industrial designs at certain international exhibitions, based on the replies to the related questionnaire, the Delegation expressed the CEBS Group's support as regards the full development of such database, in compliance with the necessary and estimated costs. Finally, as regards geographical indications, the CEBS Group noted the valuable information provided during the Information Session on Geographical Indications. The Group looked forward to the forty-seventh session of the SCT, which would focus on nation brands, in particular on the importance of nation brands in the design of public policies and strategies, the impact of nation brands on socio-economic development and current nation-brand protection mechanisms. The CEBS Group concluded by welcoming the valuable exchanges among the delegations concerning different practices and practical issues, as well as the deliberations on various proposals, which were of important benefit for all Member States.

96. The Delegation of China, expressing its appreciation for the efforts made by the Committee and its Member States in advancing the issues covered by the Committee, stated that it attached great importance to the discussions on the improvement of rules related to industrial design, geographical indications and trademarks. The Delegation indicated that it would continue to participate actively in the work of the SCT and was willing to share its domestic experiences.

97. The Delegation of the European Union, speaking on behalf of the European Union and its member states, welcomed the continued progress of the discussions during the last session of the SCT. The Delegation, as regards the designs area, looked forward to the special session of the Committee focused on the DLT and stood ready to engage constructively to solve the outstanding issues regarding the draft texts. On the topic of GUI, icon and type face/type font designs, the Delegation looked forward to continuing the discussions on the Updated Proposal by the Delegations of Canada, Israel, Japan, the Republic of Korea, the United Kingdom, the United States of America and the European Union and its member states for a Joint Recommendation concerning Industrial Design Protection for Designs for GUIs (document SCT/44/6 Rev 4). The Delegation reiterated the view that the adoption of recommendations on GUI designs would further contribute to the modernization of practices on designs and would facilitate safeguarding designers' rights in rapidly evolving technological fields. Turning to the trademark area, on the topic of country names, the Delegation looked forward to continuing the discussions based on the joint proposal contained in document SCT/43/6, commending the spirit of seeking consensus reflected therein. Concerning nation brands, the Delegation looked forward to the Information Session on the Protection of Nation Brands in Member States, to be organized at the next session of the SCT based on the joint proposal contained in document SCT/45/6 Rev.3. Finally, as to geographical indications, the Delegation thanked the Secretariat and the SCT members for the work in preparing and delivering the Information Session on Geographical Indications and took note of the next information session, which would address the topic of trademarks and geographical indications: prior rights and grounds for refusal. The Delegation indicated that it remained very concerned over the treatment of geographical indications on the Internet, particularly in relation to Internet domain name disputes. The Delegation concluded by stating that it remained actively engaged in continuing the work in all the three key areas of the SCT.

98. The Delegation of Saudi Arabia commended the Secretariat for having prepared the report containing the Committee's deliberations on the proposal to protect country names and geographical names of national significance. Stressing the importance of addressing those issues and developing appropriate solutions, the Delegation indicated that it stood ready to work on a proposed project with Member States under the umbrella of the Committee.

99. The Delegation of Qatar thanked the Secretariat for preparing the report of the SCT, as well as the Chair for the efforts made in the work of the Committee. Pointing out that it attached great importance to the issues that the Committee had been working on in order to develop international law for trademarks, industrial designs and geographical indications, the Delegation said that it looked forward to working with Member States for the success of the diplomatic conference to adopt an international agreement on design law. Finally, the Delegation expressed its support to the consultations aimed at the protection of country names and geographical names of national significance in the DNS and the protection of national marks in Member States, as well as aspects related to trademarks in domain names.

100. The Delegation of Spain stated that it aligned itself with the statement made by the Delegation of European Union and its member states. As regards the three areas covered by the Committee, the Delegation said that it looked forward to the special session of the SCT on the DLT and stood ready to lend its full support and participate constructively to resolve the pending issues regarding the draft texts. As regards GUI designs, the Delegation expressed support for the statement made by the Delegation of the European Union and its member states



regarding the importance of adopting recommendations on that form of designs to facilitate safeguarding designers' rights in rapidly evolving technological fields. Finally, in the area of geographical indications, the Delegation expressed its interest in following the opening of the debate on geographical indication protection for services, as well as handicraft and industrial geographical indications, as it considered those topics to be a matter of particular importance, the regulation of which had progressed, in particular, at the European Union level.

101. The Delegation of the Russian Federation thanked the Secretariat for preparing the report on the work of the Committee. Underlining the historic decision taken last year by the WIPO General Assembly for the convening of a diplomatic conference for the adoption of the DLT, the Delegation expressed its confidence that such an international instrument would make it possible to reduce registration costs, enhance the quality of examination and reduce the time needed for it. The Delegation stood ready to take an active part in preparing for those events in the run-up to the conference and in the conference itself. The Delegation highlighted that in order to achieve compromise on the entire draft treaty, the Committee needed to construct dialogue so that the optimal approach by developed and developing countries with regard to issues in the text, including technical assistance and capacity building. The Delegation expressed support to extend technical assistance to those countries, with a view to an efficient implementation of the provisions of the future DLT. In addition, the Delegation underlined the importance for the Committee to continue its work on GIs, pointing out that a Joint Recommendation Concerning Industrial Design Protection for Designs for GIs would enable harmonization and a more efficient protection of IP. The Delegation expressed its interest in continuing the discussions and in identifying balanced approaches to the protection of country names, indicating that the recommendations developed by the Committee would be of significant utility to all Member States. The Delegation pointed out that a new program for the promotion of high-quality Russian products, in the Russian Federation and abroad, had been put in place. In addition, over the past years, a number of important changes had been introduced into the Russian Federation's national law. Moreover, the Russian Federation had finished work on the assessment of trademarks including a geographical component, with the view to protect regional producers. To conclude, the Delegation expressed its gratitude to the Secretariat and to WIPO Member States for their active work, and looked forward to a continued substantive exchange of information on best practices and best achievements in examination at sessions of the Committee.

102. The Delegation of Jamaica, expressing appreciation for the work carried out within the SCT, held the view that the Committee's work was instrumental in providing guidance on the development of the international law on trademarks, industrial designs and geographical indications. Pointing out that it attached great importance to the protection of country names, the Delegation said that Jamaica, as a small developing country, continued to witness the exploitation of its country name in connection with various goods and services, not authorized or directly related to Jamaica. Emphasizing the importance of the protection of country names and the need for adequate mechanisms for protection, the Delegation reiterated its continuing support for the work of the SCT.

103. The Delegation of Nigeria, expressing support for the statement made by the Delegation of Ghana on behalf of the African Group, welcomed the WIPO General Assembly's decision to convene a diplomatic conference for the adoption of a DLT. Extending its gratitude to the Secretariat for organizing the SCT meetings and information sessions for Member States, the Delegation looked forward to the third special session of the SCT and the preparatory committee of the diplomatic conference. The Delegation commended the International Bureau and the National Intellectual Property Center of Georgia (SAKPATENTI) for organizing the WIPO Worldwide Symposium on Geographical Indications, highlighting Nigeria's participation in the event. Such participation had facilitated valuable interactions, idea-exchanges and learning from practitioners regarding the use and protection of geographical indications. Emphasizing the importance of protecting country names and geographical names of national significance

against their registration and use as trademarks, the Delegation echoed the African Group's call for concrete results in this area to prevent the commercialization of sovereign country names and their misleading use by private entities.

104. The Delegation of Uganda, aligning itself with the statement made by the African Group, expressed appreciation for the comprehensive report the SCT presented by the Secretariat. Commending the Committee's efforts in addressing important IP right issues, the Delegation believed that a comprehensive protection mechanism for country names and geographical names of national significance was crucial to preserve the cultural heritage of countries, prevent misappropriation and promote fair competition. The Delegation announced that Uganda had made significant progress in terms of digital transformation, trademark filings, correspondence handling and registrations, which enhanced the efficiency and accessibility of IP services. The Delegation expressed gratitude for the support provided by WIPO's Division for LDCs, reporting notable advancements in the promotion of women entrepreneurs. Recognizing the critical role played by WIPO in promoting geographical indications, the Delegation said that Uganda had registered its first geographical indication for coffee. In conclusion, the Delegation reaffirmed its commitment to implement the best strategies for the protection and promotion of trademarks, geographical indications and industrial designs.

105. The Delegation of Malaysia encouraged the SCT to continue the discussion on the Joint Proposal Concerning the Protection of Country Names and Geographical Names of National Significance and the Joint Proposal Concerning the Protection of Country Names and Geographical Names of National Significance in the DNS. Expressing its interest to explore the topic of industrial design protection for GUIs, the Delegation indicated that it also appreciated the organization of Information Sessions on Geographical Indications.

106. The Delegation of the Republic of Korea, taking note of the SCT Report contained in document WO/GA/56/8, explained that the Design Protection Act of the Republic of Korea had been amended in 2021 to include GUIs. As co-sponsors of the proposal for a Joint Recommendation Concerning Industrial Design Protection for Designs for GUIs, the Delegation expressed the hope that more countries would implement GUI design protection. The Delegation looked forward to the additional research requested by the African Group, which would help ensure that the Recommendation reflected the common understanding of a wide range of countries.

107. The Delegation of Indonesia, reaffirming Indonesia's continued commitment to the work conducted within the SCT, expressed its interest for further discussions on the protection of country names and geographical names of national significance in both the trademark system and the DNS. The Delegation looked forward to the discussions on the Joint Recommendation on Provisions for the Protection of Country Names, with the aim of reaching an agreement on this significant matter. Finally, the Delegation expressed its continued interest in the work on geographical indications within the SCT and eagerly awaited the next information session.

108. The Delegation of Ukraine, after thanking the Secretariat for the preparation of the report under consideration, expressed support for the statement made by the Delegation of Poland on behalf of the CEBS Group. The Delegation highlighted the great impact of the SCT work on the development of trademarks, industrial designs and geographical indications. The Delegation recalled that, in meetings since 2017, it had addressed different WIPO platforms and mechanisms repeatedly on the issue of false indications in the applicant's address, where the Russian Federation was indicated as the address of the applicant from the temporarily occupied territories of Ukraine, violating the UN common position on the territorial integrity of Ukraine. In view of the territorial scope of trademarks, industrial designs and geographical indications, the Delegation requested that, as regards the IPRs in WIPO global services, Ukraine's internationally-recognized borders be fully respected and that any IP right with the holder's address in the temporarily occupied territories of Ukraine be marked as Ukraine as country of

origin. The Delegation said that indication of the address of applicants from the temporarily occupied territories of Ukraine as an address from the Russian Federation was a serious violation of the provisions of the UN General Assembly Resolution on respect for the territorial integrity and sovereignty of Ukraine within the internationally-recognized borders, adopted in response to the war of aggression of the Russian Federation against Ukraine. It was not the first time that the Delegation saw a clear disregard and disrespect by the Russian Federation to the internationally established WIPO system. The Delegation concluded by stating that it was convinced that WIPO and its Member States would stand by Ukraine and take jointly immediate corrective actions on the territorial issue to prove the effectiveness and respect of IP in the world.

109. The Delegation of the Russian Federation said that it strongly refused the allegations made in respect of the Russian Federation and urged WIPO Member States to refrain from politicizing the work of WIPO's expert bodies and to observe the Organization's mandate. The Delegation said that nationality-based discrimination, selective approaches and double standards were unacceptable when it came to applicants and right holders, emphasizing the importance of the principle of self-determination and the applicants' own choice in determining their nationality. The Delegation said that, when considering applications, granting legal protection and facilitating international registration, the Russian Federation was guided by its current Constitution and national legislation in the field of IP.

110. The Delegation of Morocco, commending the Secretariat for the quality of the report under consideration and the efforts deployed in the work of the Committee, stressed the importance of the Committee's discussions in the three key areas of the SCT. The Delegation encouraged the Committee to make progress on all items of its agenda and, in particular, on the protection of GUIs as industrial designs and the protection of country names and geographical names of national significance. Those items were relevant issues of interest to Morocco in the context of the revision of its national IP legislation.

111. The Delegation of Lithuania, expressing its support for the statement delivered by the Delegation of Ukraine, reiterated its serious concerns on the issue related to the functioning of the Madrid System for the International Registration of Marks. The Delegation drew the attention of WIPO, as a specialized agency of the UN, to Resolution 68/262 adopted by the UN General Assembly on March 27, 2014, on the territorial integrity of Ukraine. Such Resolution underscored that the referendum held in the Autonomous Republic of Crimea and the city of Sevastopol on March 16, 2014, having no validity, could not form the basis for any alteration of the status of the Autonomous Republic of Crimea or the city of Sevastopol. Moreover, the Resolution called upon all States, international organizations and specialized agencies not to recognize any alteration of the status of the Autonomous Republic of Crimea and the city of Sevastopol on the basis of the above-mentioned referendum and to refrain from any action or dealing that could be interpreted as recognizing any such altered status. Fully respecting Ukraine's territorial integrity, sovereignty and independence, the Delegation said that it adhered to the fundamental UN principles by adopting the policy of non-recognition of the illegal annexation of Crimea and Sevastopol as regards IP rights indicating the Russian Federation as country of origin, where the proprietors' address was in the temporarily occupied territories of Ukraine. The Delegation said that any attempt by the Russian Federation to legitimize the annexation should not be ignored or left unaddressed properly. The Delegation considered that trademarks, or any other IP rights dealt with by WIPO, which bore the indication of the Russian Federation as country of origin where the proprietors' address was in the temporarily occupied territories of Ukraine, should be modified *ex officio* by the International Bureau of WIPO with the indication of Ukraine as country of origin. The Delegation called WIPO to adhere to the Resolution 68/262 adopted by the UN General Assembly on March 27, 2014, on the territorial integrity of Ukraine. The Delegation said that, following the policy of non recognition of the illegal annexation of Crimea and Sevastopol, all data regarding parties' address in the WIPO

Registries – notably in the Madrid Registry – should reflect Ukraine’s internationally recognized borders.

112. The Delegation of the Russian Federation pointed out the inadmissibility of politicizing the work of the WIPO General Assembly. The Delegation said that the IP system in the Russian Federation continued to function efficiently, in compliance with all international commitments between the Russian Federation and WIPO as well as the WTO. The Delegation said that destructive practices introducing illegitimate and unilateral measures were underway and that applicants, rights holders and patent attorneys from the Russian Federation were being discriminated, in violation of all international commitments. Those applicants, rights holders and patent attorney were denied proper services in IP due to the policies of a number of countries. The Delegation added that the Ukrainian Office had been issuing refusals on the sole basis of the applicant’s nationality, automatically and without any legal ground. The Delegation pointed out that, although anti-Russian statements were made at practically every WIPO committee, the Russian Federation continued to meet its commitments with respect to applicants and right holders from all countries. The Delegation concluded by urging Member States to observe the WIPO mandate and to refrain from politically-motivated statements.

113. The Delegation of Ghana, aligning itself with the statement that it had delivered on behalf of the African Group, welcomed the continuous progress of discussions at the Committee and looked forward to constructive discussions during the preparatory meetings. Welcoming the opportunity to interrogate emerging issues and concerns, the Delegation said that it looked forward to the upcoming Diplomatic Conferences on the DLT, GRs and associated TK.

114. The Delegation of Eswatini, lending its support to the statement made by the Delegation of Ghana on behalf of the African Group, conveyed its appreciation to the Vice-Chair and the Secretariat for the work made in advancing the Committee’s mandate, as well as for the comprehensive report reflecting the Committee’s work. Reiterating its priority in dealing with the misappropriation of country names and geographical names of national significance, the Delegation urged Member States to conclude international instruments, which would decisively deal with the said misappropriation by private interests, especially through digital platforms.

115. The Delegation of India, thanked the Secretariat for the excellent documentation in support of the session of the WIPO General Assembly, and said that it was crucial to protect country names to maintain the integrity and reputation of associated products and services. Considering that such protection was essential for preserving cultural heritage and asserting national identity, the Delegation looked forward to engaging with Member States on the issue of country names with regard to the Revised Proposal by the Delegation of Jamaica for a Joint Recommendation Concerning Provisions on the Protection of Country Names. With respect to geographical indications, the Delegation looked forward to the discussions on the Proposal by the Delegations of Colombia and Mexico on Topics for an Information Session on Geographical Indications, particularly on the grounds for the refusal of applications to protect marks based on geographical indications. Pointing out that Indian laws on geographical indications were compliant with the TRIPS Agreement, the Delegation reported that the grounds for refusal of applications in India were primarily governed by the Geographical Indications of Goods Registration and Protection Act of India 1999 and its associated rules. Finally, on the industrial design area, the Delegation expressed its appreciation for the deliberations pertaining to the protection of GUI, icon and typeface/type font designs. While the legal protection of GUI designs could have the effect of encouraging creators, the Delegation believed that determining the scope and boundaries of such protection would be essential. In the Delegation’s opinion, the objective of the discussions should not be harmonization, taking into consideration the substantive nature of the topic.

116. The Delegation of Peru thanked the Secretariat for the report on the Committee’s work and the Chair and Vice-Chairs for their efforts to ensure a smooth advancement of the work.

The Delegation expressed its satisfaction over the Committee's approval of the proposal by the Delegations of Colombia, Ecuador and Peru to hold an Information Session on the Protection of Nation Brands in Member States, in conjunction with the forty-seventh session of the SCT. The Delegation expressed the hope that the information session would offer the opportunity to Member States to exchange their experiences and views on the role of nation brands in developing public policies, as well as on the economic and social impact of nation brands and current nation-brand protection mechanisms. The Delegation said that it stood ready to exchange ideas with other interested SCT members on the way to address the pending issues concerning the protection of country names and geographical names of national significance. Finally, as regards industrial designs, the Delegation expressed its satisfaction over the convening of the Diplomatic Conference to Conclude and Adopt a DLT. The Delegation stated that it stood ready to take constructive part in the third special session of the SCT, scheduled to take place in October 2023, aimed at reducing the existing gaps between the differing positions of Member States.

117. The Delegation of Iran (Islamic Republic of) thanked the Secretariat, especially the Deputy Director General of the Brands and Designs Sector of WIPO, for the support and efforts in preparing and organizing the sessions of the Committee. Pointing out that it attached great significance to IP as an important catalyst to socio-economic and technological development, the Delegation considered that an equitable and just international IP regime would not only promote innovation but was, at the same time, sensitive to the diverse developmental needs of Member States. The Committee's work should not lose sight of that important concept and should work towards maintaining the equilibrium between the interests of the rights holders and the larger public welfare. Having taken note of the Committee's report and of the proposals discussed within the SCT concerning country names, the Delegation said that the lack of protection for country names at the international level was a loophole in the international IP system. Highlighting the importance of such protection, the Delegation pointed out that the studies already undertaken by the Secretariat, which had compiled national laws and practices, had clarified the necessity for a stronger protection of country names against their registration or use as trademarks. Stressing the need for an international action in this field, the Delegation considered that the Committee should accelerate the work in that regard. Turning to the geographical indications area, the Delegation said that it had taken note of the Information Session on Geographical Indications, which had addressed the topics of geographical indication protection for services and for non-agricultural products. The Delegation welcomed the organization of other information sessions on geographical indications in new areas that could be considered in the future, such as the increase of coexistence of subsequent geographical indications with prior trademarks. In the Delegation's view, the Committee should remain in the framework of its mandate and avoid duplicating work already completed by the SCT or covered by existing treaties and systems administered by WIPO. Furthermore, the Delegation expressed support for discussions on the manner to ensure that trademarks did not constrain the ability of countries to regulate in the interest of public health. As regards the convening of a Diplomatic Conference to Conclude and Adopt a DLT, the Delegation indicated that it had become obvious that decisions depended on the recognition of all States' priorities and on a constructive and positive approach by all. For the Delegation, the subject of technical assistance was fundamental in any further deliberations for the preparation of the diplomatic conference to finalize the text of the DLT, especially for developing countries, and should be taken into due account in the draft text to provide a balance between rights and obligations. Considering that the development of an instrument should be accompanied by the enhanced capacity of Member States to carry out the obligations arising from the treaty, the Delegation was of the opinion that the provision on technical assistance should be reflected in the form of an article in the treaty. That would reinforce the fact that the adaptation of national legal systems and practices to DLT procedures could require technical assistance from WIPO. The Delegation added that technical assistance would also help offices of LDCs and developing countries to benefit fully from the implementation of the DLT, taking account of the different levels of development among countries. Moreover, the Delegation lent its support to the

mandatory disclosure of TK in industrial design applications, considering that it was in line with the prevention of the misappropriation of TK. It was the Delegation's viewpoint, that the issue should be taken into account before proceeding to the Diplomatic Conference to Conclude and Adopt a DLT. The Delegation concluded by expressing its readiness to engage in constructive discussions to overcome all remaining differences among WIPO Members.

118. The Delegation of Poland, lending its support to the statement delivered on behalf of the CEBS Group and the statements by the Delegations of Ukraine and Lithuania, expressed its gratitude for the decision adopted by the WIPO General Assembly in 2022, concerning the enhancement of technical capabilities and capacity building aimed at the reconstruction of Ukraine's severely affected innovative and creative sector and IP systems. The Delegation pointed out that those sectors had been significantly damaged as the result of the unwarranted and uncalled-for war initiated by the Russian Federation. The Delegation said that, during the ongoing period of conflict, it was crucial to take additional measures to counteract the harmful impact of the Russian Federation's one-sided actions. Those actions had eroded the rule of law, intentionally undermining the fundamental tenants of IP rights protection, as established in global agreements. The Delegation urged WIPO to maintain a firm commitment to the Resolution 68/262 adopted by the UN General Assembly on March 27, 2014, which had uphold the territorial sovereignty of Ukraine and to persist in the policy of not acknowledging the unlawful annexation of Crimea and Sevastopol. The Delegation requested that all address data related to parties in WIPO Registries and, in particular, in the Madrid Registry, accurately represent the internationally-recognized borders of Ukraine.

119. The Delegation of South Africa, aligning itself with the statement made by the Delegation of Ghana on behalf of the African Group, conveyed its appreciation to the Secretariat for the work in producing a detailed report on the subject matter. The Delegation stated that it remained open to further engage on issues concerning the DLT and geographical indications.

120. The Representative of ELAPI, thanking the Secretariat for having prepared the report, stated that it was pleased with the progress made by the Committee on the various proposals under consideration. The Representative pointed out that Committee's work was essential to reflect the latest technological advancement in the IP regulations. The Representative stressed the importance to continue examining the proposals concerning the protection of geographical names and country names within the trademark system and the DNS. The Representative said that it would cooperate with the WIPO General Assembly, the Standing Committees and the Member States, particularly with members of GRULAC, to continue progress on those matters.

121. The WIPO General Assembly took note of the "Report on the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)" (document WO/GA/56/8).

(iv) The Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda

122. Discussions were based on document [WO/GA/56/9](#).

123. The Secretariat introduced document WO/GA/56/9, entitled "Report of the Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda Recommendations". The Secretariat noted that the CDIP had met twice, in a hybrid format, since the last session of the WIPO General Assembly in July 2022, namely, for its twenty-ninth session, held from October 17 to 21, 2022, and its thirtieth session, held from April 24 to 28, 2023. As agreed by the Committee, document WO/GA/56/9 contained the summaries by the Chair of those two sessions. It also contained the thirteenth annual Director General's Report on the Implementation of the Development Agenda (DA) for 2022, discussed by the Committee at its thirtieth session. The Secretariat mentioned that there had been

notable developments over the past year. It emphasized the holding of the International Conference on IP and Development with the theme “Intellectual Property and Innovation for Sustainable Agriculture” during the thirtieth session of the CDIP. That Conference brought together more than 750 participants, in a hybrid mode, to explore how the various IP tools, such as patents, trademarks, geographical indications, collective or certification marks, plant breeder’s rights, trade secrets, and public policies can interact together to ensure agricultural productivity and sustainability. The Secretariat recalled that the Committee had agreed upon the proposal by the African Group to hold three additional biennial conferences starting from the thirty-fourth CDIP session. The Secretariat also mentioned that the Committee had agreed to undertake a new Independent External Review of WIPO’s Technical Assistance in the Area of Cooperation for Development, based on a proposal by the African Group. Considering major developments since the last such review undertaken in 2011, the Secretariat noted that a new review was timely and that it would help the Organization to improve the delivery of its technical assistance. Additionally, the Committee had adopted a decision, which allowed the Secretariat to implement most of the Independent Review Recommendations. The Secretariat highlighted the agenda item on “IP and development”, driven by topics provided and agreed by Member States. It recalled that the Committee had discussed the topics of “IP Commercialization and Technology Transfer” and “IP and Youth”, as well as had revisited the topic of “Women and IP”. The Secretariat further encouraged Member States to make the best use of the discussion under this agenda item to be held in November 2023, which would be on the topic of “Addressing Climate Change: IP Helps Achieve the Goals of Carbon Peaking and Carbon Neutrality”. The Secretariat reiterated the Organization’s commitment to the attainment of the Sustainable Development Goals (SDGs). WIPO would continue to update Member States on the progress made by the Organization in that regard through annual Reports submitted to the Committee, as well as continue to disseminate information on possible areas of assistance available for Member States.

124. The Delegation of Switzerland, speaking on behalf of Group B, took note of the report on the CDIP. It welcomed the Organization’s continued support to the development of a balanced and effective international IP system to enable innovation and creativity for all. Numerous projects implemented and mainstreamed in the work of WIPO during the last 15 years had demonstrated that IP was an important tool for development. This understanding should continue to be integral to the Committee’s work. The Group noted that the International Conference with the theme “IP and Innovation for Sustainable Agriculture” held in 2023 had been insightful. The Group thanked the Secretariat for the organization of discussions on IP aspects that could contribute to that field. It appreciated the ongoing wide variety of activities undertaken in the implementation of the DA Recommendations in the context of post COVID-19 recovery phases and other global challenges. The Group commended the continuous flow of project proposals covering the various IP rights and encouraged Member States to bring forward concrete proposals under WIPO’s mandate.

125. The Delegation of Ghana, speaking on behalf of the African Group, acknowledged the progress made in implementing the DA Recommendations and their positive impact on developing countries and LDCs. While noting the importance of IP as a tool for fostering innovation, creativity and socio-economic development, the Group recognized that the benefits of IP should be balanced with the need to ensure equitable access to knowledge, technology transfer and capacity building, particularly, for developing countries and LDCs. The Group called for continued efforts to enhance the implementation of the DA Recommendations with a particular focus on the following key areas: (i) Technical assistance and capacity building: the Group underscored the need for increased technical assistance and capacity building initiatives to ensure and enhance the ability of developing countries and LDCs to effectively use IP for their socio-economic development. It urged WIPO to strengthen its support in that regard, including through the provision of resources and expertise tailored to the specific needs of developing countries and LDCs. (ii) Access to knowledge and technology transfer: the Group reaffirmed the importance of ensuring equitable access to knowledge and technology transfer,



particularly, in sectors, such as health, agriculture and renewable energy. It called upon WIPO to promote mechanisms that facilitate technology transfer on fair and reasonable terms considering developing countries' and LDCs' specific needs and capacities. (iii) Protection of TK, TCEs and GRs: the Group reiterated the significance of protecting and promoting TK, TCEs and GRs, and encouraged WIPO to continue its efforts in developing legal and policy frameworks that respect and safeguard the rights and interests of indigenous peoples and local communities. (iv) South-South and Triangular Cooperation (SSTC): the Group highlighted that SSTC collaboration was a critical component of international cooperation for development and could substantially contribute to finding solutions to national, regional and global challenges. The Group encouraged WIPO to facilitate and strengthen collaborations, exchange of experiences and transfer of lessons learned to address those challenges. (v) Review and monitoring: the Group urged WIPO to conduct regular reviews and monitoring of the implementation of the DA Recommendations. This would allow for the identification of challenges, gaps and emerging issues, enabling timely and effective responses to ensure the continued relevance and effectiveness of the DA. While reaffirming its commitment to the principles and objectives of the DA, the Group urged all WIPO Member States to further enhance their efforts in implementing the DA Recommendations to promote inclusive and sustainable development for all. It noted the constructive engagement throughout the CDIP sessions, which resulted in the adoption of several important decisions, including the Terms of Reference for an Independent External Review of WIPO's Technical Assistance in the Area of Cooperation for Development (document CDIP/30/3), which would allow the evaluation of technical assistance policies and procedures across WIPO to enhance its capacity to deliver effectively on its development mandate. The Group also appreciated the adoption of the document on convening Future Webinars (document CDIP/30/8 Rev.). It looked forward to the implementation of those decisions, taking into account the needs and priorities of Member States. Additionally, the Group was pleased with the Committee's approval of the project proposal submitted by the African Group, namely, the pilot project on Text and Data Mining (TDM) to Support Research and Innovation in Universities and Other Research-Oriented Institutions in Africa (document CDIP/30/9 Rev.). The Group acknowledged the two other project proposals adopted during the thirtieth session of the CDIP, namely, the project proposal submitted by Kenya on Development of Strategies and Tools to Address Online Copyright Piracy in the African Digital Market (document CDIP/30/4 Rev.), and the project proposal submitted by the United States of America, the Republic of Korea and Canada on Empowering Youth (K-12) to Innovate for a Better Future (document CDIP/30/15 Rev.). The Group commended the Secretariat for engaging with Member States to outline the preparatory work on the projects so far. It welcomed the convening of the International Conference on IP and Development with the theme "IP and Innovation for Sustainable Agriculture". The Group outlined the richness of discussions held during that event and expressed hope that subsequent conferences would serve as a platform to discuss new and emerging issues. It was optimistic that those Conferences would also trigger dialogues on ideas to address global challenges, such as climate change, food security, health crisis and inequalities from a policy perspective and for exchanging experiences.

126. The Delegation of Poland, speaking on behalf of the CEBS Group, recognized the importance of the work carried out by the CDIP. The Committee had been working on many useful projects and activities, covering different areas of IP, including in light of the promotion of strengthening the role of women and youth in IP. The Group took note of the report of the Committee and acknowledged with satisfaction that the DA had been incorporated as an integral part into the work of the Organization. The Group appreciated that WIPO had joined the UN Sustainable Development Group, which gathered all UN entities to work to advance the SDGs by 2030. The Group welcomed the results of the last two CDIP sessions that had adopted some meaningful projects, including the DA projects on: IP and Gastronomic Tourism in Peru and other Developing Countries: Promoting the Development of Gastronomic Tourism through IP – Phase II (document CDIP/30/7 Rev.); Empowering Youth (K-12) to Innovate for a Better Future (document CDIP/30/15 Rev.); Development of Strategies and Tools to Address

Online Copyright Piracy in the African Digital Market (document CDIP/30/4 Rev.); Text and Data Mining (TDM) to Support Research and Innovation in Universities and Other Research-Oriented Institutions in Africa (document CDIP/30/9 Rev.); Reducing Work-Related Accidents and Occupational Diseases through Innovation and IP (document CDIP/29/11); and Enhancing the use of IP for Mobile Applications in the Software Sector – Revised Proposal for a Phase II (document CDIP/29/8 Rev.). The Group believed that the most effective projects were the demand-driven ones and encouraged Member States to come up with further proposals that corresponded to their particular needs. It also emphasized the need of focusing on the projects related to the WIPO mandate. The Group expressed gratitude and looked forward to the prompt finalization of the work related to the Future Webinars (document CDIP/30/8 Rev.), as well as to the proposal by the African Group for an Independent External Review of WIPO's Technical Assistance in the Area of Cooperation for Development (document CDIP/29/9). The Group referred to the Director General's Report on the Implementation of the DA (document CDIP/30/2) and took positive note of the broad spectrum of the mainstreamed and ongoing projects included in the report, which were divided according to the relevant WIPO Sectors. The Group also highlighted the usefulness of the linkages between the DA Recommendations and the WIPO's Expected Results as reflected in that report. The Group was pleased that, based on its active involvement, the Committee agreed on the two topics to be addressed under the agenda item on "IP and Development", namely, "IP and youth: investing in the future", discussed at the thirtieth CDIP session, and "Addressing Climate Change: IP Helps Achieve the Goals of Carbon Peaking and Carbon Neutrality", to be discussed at the thirty-first session of the Committee. The Group further welcomed the discussion held during the thirtieth CDIP session related to promoting and enhancing the role of women in IP. It highlighted the need to further explore possibilities of supporting greater engagement of women in innovation, creative sectors, as well as IP. As the discussion on women and IP coincided with the celebration of the World IP Day, which had been dedicated to the role of women, the Group strongly supported development of tools and programs aiming at enhancing the role of women in accelerating innovation and creativity. The Group thanked and congratulated WIPO for organizing an interesting and inspiring discussion on the sub-topic "IP and Innovation for Sustainable Agriculture", within the framework of the International Conference on IP and Development. Furthermore, the Group attached great importance to discussions under the agenda item on "IP and Development" and supported the activities in that direction, finding those discussions extremely relevant. The Group expressed its readiness to further develop the agenda of the CDIP with the aim of ensuring WIPO's optimal engagement in fulfilling the SDGs. It also underlined that WIPO should continue to play central role in ensuring functioning of IP system that supported creativity and innovation on the global level. Thus, the Group encouraged Member States to make a good use of the IP system while pursuing their development goals. In concluding, the Group reiterated its commitment to the further work of the CDIP.

127. The Delegation of China noted that 2022 marked the first year of the implementation of WIPO's current MTSP. Over the past year, WIPO had made positive progress in the implementation of the DA and its mainstreaming, for which the Delegation expressed its appreciation. The Delegation congratulated the successful convening of the third International Conference on IP and Development. It stated that the theme of "Intellectual Property and Innovation for Sustainable Agriculture" was of substantial interest to developing countries. The Delegation recalled that 2023 marked the halfway of the timeline to implement the 2030 Agenda for Sustainable Development. China would continue to support WIPO to implement the SDGs, as well as the DA, which mainstreamed development into WIPO's work and the work of the Organization with all Member States through demand-driven projects. The Delegation stated that for the current year it would continue to contribute 1.89 million RMB to WIPO's Funds-in-Trust (FIT). Through the FIT, China would continue to support WIPO's implementation of the DA, and would contribute to the realization of the MTSP of the Organization.

128. The Delegation of Uganda supported the statement made by the Delegation of Ghana on behalf of the African Group. The Delegation commended the adoption of the Terms of Reference for an Independent External Review of WIPO's Technical Assistance in the Area of Cooperation for Development (document CDIP/30/3). It recognized the critical role that IP continued to play in Member States in fostering innovation, creativity and sustainable development. The Delegation appreciated the work of the CDIP in enhancing IP ecosystems within Member States, as well as the initiatives, programs, and technical assistance activities carried out by the Organization. Uganda had been a beneficiary of different projects in the framework of the CDIP, including the project on Increasing the Role of Women in Innovation and Entrepreneurship, Encouraging Women in Developing Countries to Use the Intellectual Property System (document CDIP 21/12 Rev.), and the project on Empowering Small Businesses Through IP: Developing Strategies for Supporting Geographical Indications or Collective Marks in the Post-registration Period (document CDIP/27/7). The Delegation reiterated its commitment to use IP to drive sustainable development for innovators and creators.

129. The Delegation of Tunisia expressed its support for the statement made by the Delegation of Ghana on behalf of the African Group. The Delegation underscored the importance Tunisia attached to the work of the Committee. It had been an essential forum to promote discussion on issues of IP and development. The Delegation expressed satisfaction for the adoption of the project on Reducing Work-Related Accidents and Occupational Diseases through Innovation and Intellectual Property (document CDIP/29/11). The project would contribute to furthering the DA. The Delegation welcomed the initiatives of the Organization, especially those focused on youth, as well as women creators and innovators. It also appreciated the discussions under the agenda item on "IP and Development", which had made it possible to have a practical exchange of experiences. The Delegation expressed hope that WIPO could continue to work even harder to further implement the DA Recommendations, while emphasizing the technical assistance and capacity building. The right capacity had been the most important tool available to developing countries if they wanted to use the IP as a driver of economic and social development. The Delegation highlighted the success of the DA project on Registration of the Collective Marks of Local Enterprises as a Cross-Cutting Economic Development Issue (document CDIP/24/9), which marketed agricultural products coming from northern regions of Tunisia. The project would be finalized by convening an event on July 27, 2023 to launch the collective mark developed for honey of Jendouba, Tunisia in the framework of that project. In conclusion, the Delegation emphasized the need for the DA to remain a cross-cutting tool at the heart of various WIPO bodies, which guided their activities.

130. The Delegation of Nigeria supported the statement made by the Delegation of Ghana on behalf of the African Group. The Delegation commended WIPO for organizing the International Conference with the theme "IP and Innovation for Sustainable Agriculture" held in April 2023. It highlighted the interesting presentations of the Conference and robust engagement of participants, who had shared views on the challenges confronted by the agricultural sector and had suggested ways to achieve a cultural productivity and sustainability. Furthermore, it welcomed the adoption of the Terms of Reference for an Independent External Review of WIPO's Technical Assistance in the Area of Cooperation for Development (document CDIP/30/3). The Delegation believed that it would facilitate the desired evaluation of technical assistance policies and procedures across WIPO with a view to enhancing its capacity to deliver effectively on its development mandate. The Delegation recalled the WIPO General Assembly's decision on the CDIP Coordination Mechanisms, including the mandate of the relevant WIPO bodies to report to the WIPO General Assembly on the implementation of the DA in the activities facilitated by these Committees. The Delegation observed that there had been no input from any relevant WIPO body on the implementation of the DA at the current session of the WIPO General Assembly. That trend suggested a steady undermining and lack of compliance with the CDIP Coordination Mechanisms established by the WIPO General

Assembly. The Delegation expressed its hope that appropriate steps would be taken by the CDIP in that regard.

131. The Delegation of the United States of America aligned itself with the statement made by the Delegation of Switzerland on behalf of Group B. The Delegation stated that the CDIP had made significant progress since its creation in 2007. It further noted that WIPO had made great progress in implementing the DA Recommendations through a number of projects and discussions. Many Member States had benefited from CDIP projects and activities. The Delegation believed that Member States' efforts in CDIP should focus on DA-related projects, with concrete and practical benefits, as well as direct and sustainable domestic impact. The Delegation recommended that WIPO continues its efforts in promoting the positive role of IP for development by, for example, increasing access to patent information, supporting the Technology and Innovation Support Centers (TISC's), National IP Academies, National IP Offices, SMEs and creative industries, as well as building capacities in areas of IP protection, management, commercialization in LDCs, developing and transition countries. The Delegation was exceptionally pleased that the Committee had approved six DA projects in the reporting period and the Delegation had the honor to co-sponsor one of those projects, namely, the project on Empowering Youth (K-12) to Innovate for a Better Future (document CDIP/30/15 Rev.), together with the Delegation of the Republic of Korea. The Delegation looked forward to additional project proposals at future sessions and expressed its gratitude for the work that the Secretariat had undertaken, including to implement the various CDIP projects.

132. The Delegation of Pakistan thanked the Secretariat for the report on the CDIP, including the Director General's Report on the Implementation of the DA. The report had an important means to assess the progress made in the implementation of the DA and WIPO's contribution towards a balanced IP system. The Delegation acknowledged the efforts of the CDIP Secretariat to cooperate closely with Member States to implement DA projects. It also commended that the Secretariat ensured transparency through comprehensive progress reports. Tailor-made and demand-driven solutions to suit Member States' needs and contexts were an important contribution by the CDIP in the area of development cooperation. Under the CDIP umbrella, a project on supporting Women Embroiderers and Allied Crafts Entrepreneurs had been successfully implemented in Pakistan in the previous month. The Delegation confirmed that it was keenly following projects in other regions, including the pilot project on Text and Data Mining (TDM) to Support Research and Innovation in Universities and Other Research-Oriented Institutions in Africa (document CDIP/30/9 Rev.), as well as the project on Empowering Youth (K-12) to Innovate for a Better Future (document CDIP/30/15 Rev.). The Delegation expressed hope that those projects could be replicated in other regions. It believed that the efficacy of the IP regime was based on its ability to enhance economic growth and socio-economic development. The work of the CDIP formed an essential part of WIPO's overall mission to develop a balanced and effective international IP system for the benefit of all. It was also crucial for the implementation and mainstreaming of the DA Recommendations. The Delegation expressed its support for a project-based approach and emphasized the importance of a continuous mainstreaming of the DA Recommendations into the overall work of the Organization. It reiterated the need for a holistic approach across all WIPO bodies to report on the implementation of the DA in a similar vein to that reported by the CDIP. It welcomed WIPO's contribution to the achievement of the UN 2030 Agenda for Sustainable Development and the progress made in the achievement of the DA. As a specialized agency of the UN, WIPO should have a shared responsibility for implementing the 2030 Agenda. The Delegation noted that, in addition to reaching the SGD 9, innovation should be regarded as a key enabler to achieve other SDGs. The Delegation was of the view that due attention should be given to the interconnectedness of WIPO's activities with other SDGs, especially the Goals 2, 3, 4, 5 and 7.

133. The Delegation of Spain, speaking on behalf of the European Union and its member states, expressed a continued commitment and support to the important work carried out by the CDIP. The Delegation was pleased that the Committee had successfully followed its mandate.

Through the mainstreaming of the DA across WIPO Sectors, as well as through adoption of new DA projects, WIPO had responded to current development-related needs of its Member States during 2022. The Committee had also successfully advanced discussions on various IP and development related issues, as agreed by the Committee or by the WIPO General Assembly. The Delegation took note of the Director General's Report on the implementation of the DA for the year 2022 and the Review of the Implementation of DA Recommendations. It was also pleased to note that by the end of 2022, the Committee had approved 48 DA projects. The Delegation appreciated the wide range of technical assistance activities that had been provided by the Organization and which had contributed significantly to the improvements in the IP frameworks of the beneficiary countries. The Delegation highlighted the work on women and IP and the projects to increase the role of women in innovation. Promoting gender equality was a high priority for the European Union as it would not only benefit the individuals but all countries and all levels of society. Furthermore, the Delegation was pleased to note that the sharing session on "Closing the Gender Gap in IP", which looked at the barriers that women face in accessing the IP system, as well as explored the good practices and existing multi-stakeholder initiatives in this domain, was attended by over 300 participants from over 110 countries. Moreover, the International Conference on IP and Development with the sub-topic "IP and Innovation for Sustainable Agriculture", organized in the context of the DA and the CDIP, had been well-attended and had illustrated the importance of IP tools to support innovation and development in a changing world. The Conference had brought together speakers from intergovernmental organizations (IGOs), non-governmental organizations (NGOs), governments, academia, and the private sector to exchange views about the challenges that the agricultural sector was facing in view of the current global climate crisis, and how IP and innovation, including geographical indications, could help to address those challenges. In conclusion, the Delegation appreciated the extensive and successful work performed by the CDIP. It expressed its commitment to contribute to further progress of the Committee's work, bearing in mind WIPO's objective to promote the protection of IP throughout the world, including through the cooperation among its Member States.

134. The Delegation of the Russian Federation thanked the Secretariat for preparing the report on the CDIP contained in document WO/GA/56/9. Implementation of the DA Recommendations should be an essential element of WIPO's activities and a crosscutting matter reflected in the Organization's work. The Delegation welcomed the efforts of WIPO to increase practical work on projects in the areas covered by the DA. It reiterated the need for consolidated efforts to achieve the developmental goals. Only such an approach would make it possible to achieve tangible results, promoting economic growth, the implementation of the DA, and the achievement of the SDGs. It would also support developing countries, which had not received the aid they needed because of attempts by individual States to reallocate resources for other purposes instead of development. The Delegation emphasized that sustainable development is an important and current matter for many WIPO Member States. It called upon the Organization to maintain a non-politicized approach to the provision of technical assistance. The Delegation noted with satisfaction the work of WIPO in establishing and developing TISCs, which had allowed to broaden access of specialized agencies and the wider public to IP-related information, stimulating active use of such information for innovation and creativity. The Delegation noted that there was an extensive network of TISCs in the Russian Federation, which were undergoing qualitative development and expansion of their functions. The ROSPATENT, together with the TISCs, was carrying out comprehensive work aimed at boosting inventive and innovative activities in different regions of the country. The Delegation also emphasized the importance of topics of capacity-building and awareness-raising activities of the Organization, as well as the need to continue improving the materials and presentation format of webinars. In that regard, the Delegation supported the broadening of the scope of webinars and the need to ensure synergies in coordinating the efforts of all relevant units of WIPO, as well as of the External Offices of the Organization. It also thanked WIPO for its focus on promoting the development of SMEs, including preparation of thematic case studies on the IP asset management for SMEs. The Delegation highlighted the key role of IP and innovation in

attaining the SDG and stated that the topics of digital transformation and overcoming of the digital divide remained relevant. It welcomed the inclusion of those topics in the current MTSP of the Organization.

135. The Delegation of Egypt supported the statement delivered by the Delegation of Ghana on behalf of the African Group. The Delegation welcomed the report on the CDIP and thanked the Secretariat in assisting the Committee in effectively implementing the DA. The Delegation stressed the role of innovation in driving sustainable economic growth and development. In that regard, it highlighted the importance of incorporating and mainstreaming the DA into the policies and activities of the Organization. The strengthening of the developmental role of WIPO would also allow attaining the SDGs in the current difficult and challenging context for developing countries and LDCs. The Delegation welcomed the fruitful collaboration between WIPO and Egypt. It thanked the Secretariat for its assistance in implementing ambitious projects on various topics, including on technology transfer, at national and regional levels in the framework of the national IP strategy, recently approved by the Parliament.

136. The Delegation of France supported the statement delivered by the Delegation of Switzerland on behalf of Group B, as well as the statement delivered by the Delegation of Spain on behalf of the European Union and its member states. The Delegation thanked the Secretariat for its continued support for the work of the Committee and took note of the report on the CDIP. It further welcomed the celebration of the fifteenth anniversary of the adoption of the DA at the twenty-ninth session of the Committee. The Delegation stated that the DA projects contributed to improving the IP framework in the beneficiary countries and to promoting the use of IP as an essential tool for development. It looked forward to discussing future IP-related topics to be proposed to the Committee, including those focusing on youth and women, as well as on development of gastronomic tourism. The Delegation reiterated its readiness to contribute to the work of the CDIP.

137. The Delegation of Qatar expressed its appreciation for the Secretariat's continued support to Member States. It had found the International Conference on IP and Development with the theme "IP and Innovation for Sustainable Agriculture" very insightful. The Delegation was of the view that IP was a key tool for development and that it was important to support Member States in their efforts to bridge the knowledge divide between developing and developed countries. The Delegation welcomed the work of the CDIP, which focused on promoting development. It underlined that the DA Recommendations must be mainstreamed to support young people, women, and SMEs. The Delegation noted that effective collaboration and projects proposed by WIPO would help to achieve the SDG's. The Delegation looked forward to continuing collaboration with WIPO, with the aim of developing a fair and balanced IP system.

138. The Delegation of Colombia stressed the significance of the DA, in light of Colombia's objective to promote human life, overcome injustice and historical exclusions, not repeat conflicts, change its approach towards the environment, and promote transformation, based on TKand in harmony with nature. Taking note of the CDIP report, it thanked the Secretariat for responding positively to the request of the African Group. It also highlighted the importance of trainings to design projects within the CDIP. The Delegation welcomed the organization of International Conferences on IP and Development. It underscored the importance of the SSTC and the DA Recommendation 37. In that regard, the Delegation mentioned that it would be submitting a proposal under the framework of the SDGs at the next session of the CDIP. Lastly, the Delegation acknowledged the importance of the work of the CDIP and reiterated its commitment to constructively participate in it.

139. The Delegation of Saudi Arabia expressed its appreciation for the report on the CDIP and thanked Member States for their constructive engagement in the Committee. It welcomed the Director General's Report on the Implementation of the DA and commended the activities, projects and the work of the Organization in mainstreaming the DA. It further appreciated the

successful convening of the International Conference on IP and Development with the theme “IP and Innovation for Sustainable Agriculture”. The Delegation underscored the vital role of the CDIP as a forum to address the nexus between IP and development in order to better understand the potential of IP to promote sustainable development and technology transfer. The Delegation attached great importance to the discussions on the SDGs in the framework of the CDIP and underscored the need to harmonize these goals to national systems of Member States. Saudi Arabia had launched a number of projects within the framework of its national vision for 2030, providing financial support for stakeholders and working closely with academia. The Delegation also mentioned the Middle East Green Initiative, implemented in coordination with regional and international partners, which aimed at reducing carbon dioxide emissions worldwide. In conclusion, the Delegation expressed its commitment to continue working closely with WIPO and Member States to achieve the objectives of the DA.

140. The Delegation of Japan aligned itself with the statement made by the Delegation of Switzerland on behalf of Group B. The Delegation appreciated that WIPO had been steadily working towards implementing the DA Recommendations. It attached great importance to development-related initiatives, including to technical assistance and capacity building. Through the FIT Japan Industrial Property Global, Japan had been providing various types of IP assistance to developing countries all over the world. The Delegation highlighted three points with respect to recent initiatives through FIT Japan IP Global: (i) the Asian-Arab IP Dialogue held in Cairo, Egypt in January and February 2023; (ii) support for IP-related projects by women entrepreneurs from indigenous peoples and local communities; (iii) in terms of assistance for developing countries, the focus was on project-based programs that produced actual results through FIT Japan IP Global. For example, the IP support project for young entrepreneurs and start-ups in the Asia and the Pacific region. The Delegation also mentioned that the Japan Patent Office (JPO) continued to place importance on workshops and seminars through FIT Japan IP Global. Examples included the WIPO Regional Meeting of Directors of Industrial Property Offices, attended by 16 Latin American countries, which was held in Peru in October 2022, with the financial support received from the FIT Japan IP Global. The Delegation expressed its high expectations towards the WIPO GREEN platform. To further develop that platform, its utilization should be promoted by creating best practices and sharing them with others. Since the world’s largest number of WIPO GREEN partners were in Japan and each partner had been proactive in terms of participating in related activities, the Delegation recognized that Japan could contribute significantly to the development of WIPO GREEN through collaboration with WIPO. The Delegation looked forward to working with WIPO and relevant partners in that regard. The Delegation mentioned that in order to protect IP, it was important to conduct development-related activities effectively and efficiently, as well as in line with WIPO’s objectives. It further expressed its commitment to cooperate with WIPO to further improving its initiatives in order to ensure that FIT Japan IP Global would be used even more efficiently and effectively.

141. The Delegation of Malaysia commended the progress made by WIPO in implementing the DA Recommendations. It referred to the opportunity it had to participate in the DA Project on IP and Gastronomic Tourism in Peru and Other Developing Countries: Promoting the Development of Gastronomic Tourism through IP (document CDIP/22/14 Rev.). The Delegation expressed its satisfaction with the successful implementation of that project despite the challenges stemming from the COVID-19 pandemic. It looked forward to working on the Phase II of the mentioned project in the following biennium. The Delegation hoped that the implementation of the IP analysis would benefit relevant stakeholders by promoting the use and proper management of IP tools to boost gastronomic tourism in Malaysia.

142. The Delegation of Iran (Islamic Republic of) extended its appreciation to the Secretariat for its efforts during the reporting period. It highlighted that bringing development dimension into WIPO’s activities strengthened the credibility of IP systems and encouraged its wider acceptance as an important tool for promotion of innovation and development. The Delegation

reminded that the CDIP was WIPO's specialized platform to monitor and evaluate the Organization's implementation of the DA Recommendations and issues related to IP and development. In that regard, the CDIP should exercise full vigilance not to limit its work to projects aimed at strengthening the IP regime worldwide. Rather, it should also focus on exploring ways to ensure that protection of IP did not hinder the efforts by developing countries in their pursuit of development. The Delegation stated that the DA should not be seen as a time-bound project but as a process that must be constantly mainstreamed in all activities of the Organization and its Committees. Any efforts in mainstreaming development elements should be conducted in earnest through specific tailor-made programs and activities. The Delegation stated that the DA Recommendations should guide WIPO's development activities at a program level with an objective to give increased prominence and clarity on the linkages between the programs and relevant DA Recommendations. In that context, the Delegation underlined that all normative WIPO Committees were expected to provide reports on how and to what extent they had implemented the DA Recommendations in their work and activities. It acknowledged that development considerations and the SDGs were cross-cutting issues that should be mainstreamed across all WIPO strategic goals. The Delegation believed that the Secretariat should maintain its cooperation with other UN agencies relevant to WIPO's mandate and continue to monitor and contribute to various processes. It considered WIPO's engagements and activities in the framework of the UN Interagency Task Team as a positive contribution in addressing the SDGs. The Delegation urged the Secretariat to provide more detailed report on WIPO's collaboration and cooperation with other UN agencies in the implementation of the SDGs. It suggested that the CDIP should continue its commitment and political will in consolidating and building further on what had been achieved and in addressing existing shortcomings, such as reducing the knowledge and technology gap between developing and developed countries, using flexibility in IP treaties, promoting access to education and health, protecting natural resources, TK and heritage, especially in developing countries.

143. The Delegation of Indonesia conveyed its appreciation to the Secretariat, as well as to the Chair and Vice-Chairs of the CDIP for their leadership, guidance and assistance. It believed that the CDIP was an important forum in WIPO to ensure that IP continued to be the catalyst for development, bringing benefits for everyone and everywhere, in line with the MTSP of the Organization and the DA Recommendations. The Delegation took note of the progress and completion reports of DA projects. It welcomed the newly adopted DA projects and was hopeful that their implementation would display real impacts on the ground that IP could bring. It confirmed to be looking forward to an agreement on the sub-topic at the International Conference on IP and Development to be held in 2025. In that regard, the Delegation stated that it would welcome the organization of regional conferences prior to that International Conference.

144. The Delegation of India thanked the Secretariat for preparing the CDIP report. The Delegation expressed its strong interest in contributing constructively to the work of the CDIP in pursuing the DA and the SDGs. It believed that the active participation of female inventors was crucial for a sustainable IP system. It appreciated the role of the CDIP in preparing the Completion Report of the Project on Increasing the Role of Women in Innovation and Entrepreneurship, Encouraging Women in Developing Countries to Use the Intellectual Property System (document CDIP/30/6). It recognized and appreciated the challenges highlighted in that Completion Report. India had made available a provision of expedited patent examination in cases where the patent application was filed by the natural persons and one of the applicants was female. The Delegation expressed its appreciation to the DA project proposal on Empowering Youth (K-12) to Innovate for a Better Future, submitted by the United States of America, the Republic of Korea and Canada (document CDIP/30/15 Rev.). It was of the view that through the provision of adequate awareness and guidance, youth could propel the world to new heights of creativity. Further, the Delegation stated that the National Intellectual Property Awareness Mission (NIPAM), launched by India in December 2021 with an aim to impart IP awareness, had already nurtured the idea of creativity in the minds of two million students. It



believed that WIPO's DA would play a crucial role in positioning IP as a potent instrument for addressing the challenges faced by humanity. It also mentioned that IP had the potential to foster growth and development for all. The Delegation expressed its dedication to actively collaborate with WIPO and Member States in fulfilling the objectives of the DA.

145. The Delegation of Samoa acknowledged the support of the CDIP for local product branding and the establishment of a national Branding Bureau. The Bureau had made the branding support services affordable for local SMEs, especially for women, youth and entrepreneurs with disabilities. The Delegation thanked the Organization for the infrastructure and platforms support to the national IP office, as it had enhanced the provision of its services and empowered it to contribute to the national economy. It acknowledged the support from Australia, the United States of America, Japan, the Republic of Korea, Thailand, Indonesia and China in progressing the implementation of the DA, not only in Samoa but also in the Pacific region.

146. The Delegation of Algeria aligned itself with the statement made by the Delegation of Ghana on behalf of the African Group. It expressed its gratitude to the Secretariat for the work in supporting the implementation of the DA. The Delegation highlighted the importance of the DA as a means to mainstream development concerns into WIPO's activities and ensure that IP systems take into account development needs and public interests. It was of the view that the DA, as a Member States' driven process, played a critical role in placing the development dimension at the core of WIPO's programs and in ensuring that IP policies contributed to addressing the current global challenges and achieving the SDGs. The Delegation welcomed the progress achieved in the implementation of the DA, including the adoption of several projects by the CDIP, aimed at helping Member States to better use IP and innovation for their socio-economic development. It stressed that these projects had been integrated into WIPO's technical assistance activities, given that CDIP acts as an incubator for new ideas and initiatives that guided the work of WIPO in the area of cooperation for development. The Delegation noted that the potential of the CDIP had not been fully exploited. It considered that the work of the Committee should be further geared towards supporting Member States in implementing proactive IP policies that fostered innovation, entrepreneurship, job creation and business development, SMEs in particular. Finally, the Delegation encouraged WIPO to continue to champion the effective implementation of the DA and to strengthen the work of the CDIP.

147. The Delegation of Brazil noted that the report on the CDIP, among other issues, highlighted the significant progress made in addressing the relationship between IP and development, by providing an overview of the discussions held, decisions taken and future actions to be taken by Member States. A key aspect discussed in the document was the recognition of the importance of IP in promoting innovation, technological advancement, economic growth and development. The Delegation stated that the report recognized the need for IP frameworks that promoted an environment favorable to creativity, investment and technology transfer. It emphasized the role of IP in WIPO's contribution to the implementation of the SDGs. The Delegation also underlined that the document described the efforts made to increase cooperation and capacity building in the area of IP and development, recognizing the importance of sharing best practices, providing technical assistance and promoting collaboration among Member States, especially developing countries, for the use of IP as an enabling tool for socio-economic development. The Delegation was also of the view that the report highlighted the importance of balanced, flexible IP systems that took into account the specific needs and realities of developing countries and LDCs. The report addressed the challenges and opportunities presented by emerging issues, such as access to essential medicines and the global governance of the use of GRs and TK associated with GRs. The Delegation mentioned that the report recognized the need for continuous discussions and analysis to find appropriate solutions that balanced the interests of different stakeholders in promoting expanded access, as well as fair and equitable sharing of benefits derived from all IP rights. The Delegation reiterated its appreciation to the performance of the CDIP Secretariat,

and commended the engagement of Member States in the Committee, which since its previous session had been able to approve six new DA projects. The Delegation thanked the Director General for his demonstrated appreciation of the DA within WIPO. The Delegation highlighted that Brazil's cooperation with WIPO had led to tangible results. It recognized the tireless work of the Secretariat and appreciated that even during the COVID-19 pandemic the Secretariat completed the DA projects as planned and within the budget. In that context, the Delegation mentioned the DA project on Registration of the Collective Marks of Local Enterprises as a Cross-Cutting Economic Development Issue (document CDIP/24/9), the Organization's first project in the Amazon region, which had developed the "Flona TéFé" collective mark. The registration and the use of the collective mark favored income generation, in line with the preservation of biodiversity, the creation of socio-economic opportunities and respect for human rights. The Delegation welcomed the start of the implementation of the DA project on Empowering Small Businesses through IP: Developing Strategies for Supporting Geographical Indications or Collective Marks in the Post-registration Period (document CDIP/27/7). The Delegation stated that the CDIP report pointed out that there were still certain challenges and divergent views among Member States. The report recognized the need for greater deliberation and engagement on certain controversial issues, such as the impact of IP on public health, on environmental preservation, on combating climate change and on access to knowledge. The Delegation was of the view that those challenges required continued dialogue and collective efforts to find mutual acceptable solutions that promoted IP protection and WIPO's contribution to the achievement of the SDGs. In conclusion, the Delegation urged all Member States to not only carefully review and consider the document but also to internalize its conclusions and recommendations.

148. The Delegation of South Africa aligned itself with the statement made by the Delegation of Ghana on behalf of the African Group. The Delegation was supportive of the work done by WIPO in increasing the role of women in innovation and entrepreneurship by encouraging their participation in developing countries. That work, recognizing the importance of promoting women's engagement in IP-related fields, was aligned with South Africa's commitment to inclusivity and diversity in innovation. The Delegation commended WIPO on the DA project on Empowering Youth (K-12) to Innovate for a Better Future (document CDIP/30/15 Rev.). The Delegation expressed that the emphasis on empowering youth resonated with its efforts to foster a culture of innovation and entrepreneurship among young people. It emphasized the need for continued work on providing technical assistance and capacity building. It expressed its support to the continued implementation of the SDGs for transformation towards a progressive world. In conclusion, the Delegation appreciated the work of the Secretariat and the CDIP around the DA.

149. The Delegation of Viet Nam expressed its gratitude to the Secretariat for facilitating the work of the CDIP. It referred to the world's current challenges, such as new diseases, climate change and food insecurity, which had major effects on national and regional economies and the lives of millions of people. It stated that solution to those problems could be found only by promoting the multilateral cooperation and pursuing the SDGs set by the UN. To that end, the Delegation was of the view that it was crucial to continue stimulating developments of science, technologies and innovation. It believed that IP played a significant role in that regard. The Delegation appreciated WIPO's DA that had supported governments, businesses, communities and individuals globally to assist them to use IP as a powerful tool to create jobs, attract investments, grow businesses and develop economies and societies. It referred to the CDIP's initiatives for women and SMEs as priority beneficiaries. As examples, it referred to the Compilation of WIPO Case Studies on IP Management by SMEs (document CDIP/29/7), the discussion on "IP and youth: investing in the future" at the thirtieth CDIP session, as well as to the Asia-Pacific Women Innovators and Entrepreneurs Program launched in 2022. The Delegation expressed its continued support to the work of the CDIP. It also expressed its full commitment to support the current MTSP of WIPO, which contributed to the development of an

inclusive, balanced, vibrant and forward-looking global IP ecosystem, thereby promoting economic growth and sustainable development.

150. The Delegation of Jamaica thanked the Secretariat for the report on the CDIP, which made it possible to assess the Organization's implementation of the DA, as well as WIPO's contribution to the achievement of the SDGs and its associated targets during the last two sessions of the CDIP. The Delegation commended the work of the Secretariat, which continued to act as the Organization's gateway for Member States in their endeavor to use IP for development. It welcomed WIPO's increased focus on critical areas for development, such as global health and food security. The Delegation found the International Conference on IP and Development, with the theme "IP and Innovation for Sustainable Agriculture" informative, as it helped raising the awareness of participants about the importance of innovation for sustainable agriculture. It appreciated WIPO's commitment to ensure equal participation of women and men in the IP ecosystem. It stressed that the full and active engagement of women in the IP system translated into overall economic development, especially in developing countries. In that regard, the Delegation noted the ongoing work of WIPO in the Latin American and the Caribbean region to support and empower women to leverage benefits from the IP system. It appreciated that Jamaica had been selected as a beneficiary country for the pilot project on IP for Women Entrepreneurs in the Caribbean. The mentioned project had included 34 female entrepreneurs, who had received training in the areas of IP, market access and finance. The Delegation also commended WIPO's efforts in empowering youth. The Delegation reiterated its continued commitment to the work of the CDIP.

151. The Delegation of Morocco thanked the Secretariat for preparing the report on the CDIP. It took note of all projects that were part of the DA action plan. It underscored that the implementation of those projects, focused on achieving impact, would have a positive contribution to all Member States. Particularly, those projects would enable the use of IP to strengthen technical capacity and increase access to technology, allowing Member States to achieve the SDGs. The Delegation was pleased with its participation in the DA project on IP and Gastronomic Tourism in Peru and Other Developing Countries: Promoting the Development of Gastronomic Tourism through IP (document CDIP/22/14 Rev.). The Delegation thanked WIPO for its efforts to carry out that project. The Delegation called upon the Secretariat to continue implementing the DA Recommendations.

152. The Delegation of Eswatini aligned itself with the statement delivered by the Delegation of Ghana on behalf of the African Group. The Delegation noted the work and progress of the Secretariat in advancing the mandate of the CDIP. The Delegation appreciated the Secretariat's continued efforts in facilitating the engagement of members of the African Group in the Committee's meetings, which was in line with its request and expectation. It welcomed the International Conference on IP and Development with the theme "IP and Innovation for Sustainable Agriculture" organized in the reporting period and looked forward to participating in future Conferences. The Delegation underscored the importance of the mandate of the CDIP as development was the crux of protection and utilization of IP for socio-economic aspirations of its people.

153. The Delegation of the Republic of Korea took note of the report on the CDIP and expressed its appreciation for the adoption of the DA Project Proposal on Empowering Youth (K-12) to Innovate for a Better Future (document CDIP/30/15 Rev.), submitted by the United States of America, the Republic of Korea and Canada. The Delegation believed that the mentioned project could contribute to the better future for developing countries and LDCs by strengthening the innovation and creativity of the younger generations. It looked forward to the applications of interest of Member States to participate in the project. To address the IP gap between countries, the Delegation recognized the significant cooperation at both Member States and WIPO levels to address the IP gap between countries, particularly in the area of development. In line with that commitment, the Delegation noted that the Republic of Korea

had contributed more than 14 million Swiss francs through the FIT Korea since 2004. It referred to the 2023 World IP Day and the successful convening of the “Women in Science – Shaping the Future” Roundtable, organized by WIPO, the Korean Intellectual Property Office (KIPO), as well as the United Nations Educational, Scientific and Cultural Organization (UNESCO), with the support of the FIT Korea. The Delegation expressed its appreciation to Member States for their keen interest and positive response. It reiterated its readiness to support such initiatives, including through FIT Korea. The Delegation would continue its cooperation with WIPO in supporting IP initiatives for SMEs, youth and women.

154. The Delegation of Bangladesh expressed its appreciation to the Secretariat for the CDIP report. It stressed that the crucial relationship between IP and development was not only significant, but had also emerged as a key focus, particularly for developing countries. It believed that successful implementation and mainstreaming of the DA into WIPO’s regular activities would bring expected results for developmental goals of Member States. In that context, it appreciated the efforts of the CDIP in spearheading the activities of WIPO in line with the DA. The Delegation appreciated WIPO for its assistance in establishing two TISCs, for the completion of the DA project on Capacity-Building in the Use of Appropriate Technology-specific Technical and Scientific Information as a Solution for Identified Development Challenges (document CDIP/5/6 Rev.), as well as the DA project on Increasing the Role of Women in Innovation and Entrepreneurship, Encouraging Women in Developing Countries to Use the IP System (document CDIP/21/12 Rev.). It looked forward to enhanced cooperation with WIPO on the basis of needs in the context of the graduation of Bangladesh from the LDC category. It stated that innovation and the use of appropriate technology in development efforts bears great significance to Bangladesh, as it was set to be graduated from the LDC category by 2026. The Delegation believed that the establishment and promotion of an innovation-friendly IP environment with skilled management would continue to be needed beyond the graduation phase. It urged WIPO to consider designing and planning the delivery of programs for graduating LDCs in order to help them to address the challenges both before and in the work of graduation. It stressed the multifaceted adverse effects of the COVID-19 pandemic on economic growth and development across the world. The Delegation called for caution, consideration and compassion in using IP as an effective tool for economic recovery. As an important body of WIPO dedicated to IP and development, the Delegation hoped that the CDIP would continue to enforce and promote further constructive ideas and discussions on current challenges of Member States.

155. The Delegation of Namibia aligned itself with the statement delivered by the Delegation of Ghana on behalf of the African Group. It acknowledged the importance of the CDIP in ensuring that IP served the socio-economic development agenda of Member States and contributed to the implementation of the SDGs. The Delegation appreciated the continued efforts of WIPO to facilitate IP as a driver for development through the CDIP. It commended WIPO for holding the International Conference on IP and Development with the theme “IP and Innovation for Sustainable Agriculture”. It stressed the importance of the agricultural sector as an important contributor to its gross domestic product, employment creation, income generation and food security. It found that the balanced perspectives and lessons shared during that Conference were beneficial for international integration of innovation in that important sector. It further welcomed the adoption of the Terms of Reference for an Independent External Review of WIPO’s Technical Assistance in the Area of Cooperation for Development (document CDIP/30/3). It took note of the Completion Report on the Project on Increasing the Role of Women in Innovation and Entrepreneurship, Encouraging Women in Developing Countries to Use the IP System (document CDIP/30/6). The Delegation encouraged WIPO to continue replicating that project in other Member States. It welcomed the approval of the Pilot Project on Text and Data Mining (TDM) to Support Research and Innovation in Universities and Other Research-Oriented Institutions in Africa, submitted by the African Group (document CDIP/30/9 Rev.), the Project Proposal Submitted by Kenya on Development of Strategies and Tools to Address Online Copyright Piracy in the African Digital Market

(document CDIP/30/4 Rev.), as well as the Project Proposal on Empowering Youth (K-12) to Innovate for a Better Future, submitted by the United States of America, the Republic of Korea and Canada (document CDIP/30/15 Rev.). The Delegation expressed its commitment to advance and promote the work of the CDIP for a balanced and pro-development IP system.

156. The Delegation of Bolivia (Plurinational State of) thanked the Secretariat for the CDIP report and welcomed the work done in terms of cooperation with and provision of technical assistance to developing countries. It noted that IP could leverage economic growth and development as long as its use considered the needs of vulnerable populations. It welcomed the significant progress of the DA project on Registration of the Collective Marks of Local Enterprises as a Cross-Cutting Economic Development Issue (document CDIP/24/9) implemented in four beneficiary countries. The Delegation also highlighted the Organization's support provided to women entrepreneurs from indigenous and local communities. It expressed its commitment and thanked WIPO's efforts in providing training and increasing cooperation with Member States. The Delegation referred to its socio-economic model, powered by social, community-based farmer organizations and SMEs, among others. It emphasized that the SMEs could benefit from an informed use of the protection of their marks. It reiterated the importance of generating projects to achieve the SDGs and to promote the DA in a way that IP could be adapted to the specific needs of each Member State. The Delegation urged Member States and the Secretariat to continue to advance the DA towards a balanced, inclusive, equitable and accessible IP system for the benefit of populations.

157. The Representative of ELAPI reiterated ELAPI's commitment to the CDIP and its work to achieve the SDGs. The Representative referred to the recent election of ELAPI's authorities and highlighted that 53 per cent of the members of its Board of Directors were Latin American women. The Representative referred to ELAPI's academic department to conduct research. It highlighted the establishment of specialized study groups to follow innovations of its members. The Representative also mentioned the "ELAPI Investiga – Carlos Fernández Ballesteros" program, aimed at supporting the development of research conducted by students in the region. The Representative further referred to ELAPI's gender department, which aimed at maintaining an environment of respect and equity and closing the gender gap in IP. The Representative offered its academic cooperation to the Assemblies, Standing Committees, Member States, especially to GRULAC, to advance the mentioned matters.

158. The Secretariat expressed its appreciation for the active participation and contribution of all delegations to the work of the CDIP. It took note of all observations and suggestions expressed by Member States with a view to improving the future work of the Committee.

159. The WIPO General Assembly took note of the "Report on the Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda Recommendations" (document WO/GA/56/9).

(v) The Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)

160. Discussions were based on document [WO/GA/56/10](#).

161. The Secretariat recalled that in 2021, the WIPO General Assembly had renewed the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (the IGC) for the 2022/2023 biennium, and agreed on a work program for the IGC. Pursuant to that mandate, the IGC was requested to provide a factual report to the 2023 WIPO General Assembly. Document WO/GA/56/10 was prepared pursuant to that decision taken by the General Assembly. The document reported on IGCs 44, 45, 46 and 47. The document also reported on the *ad hoc* expert groups and the virtual activities that had taken place since the 2022 WIPO General Assembly. Finally, attached to the

document were also the drafts of the text on TK and TCEs that were currently under negotiation in the IGC. The Secretariat recalled that IGC 47 had agreed on recommendations to the 2023 WIPO General Assembly for the mandate of the IGC to be renewed for the 2024/2025 biennium on the terms of the mandate and according to the work program as agreed by the IGC and as contained in document WO/GA/56/10. The 2023 WIPO General Assembly was invited to take note of the factual report and renew the mandate for the IGC for the 2024/2025 biennium on the terms and according to the program set out in paragraph 9 of document WO/GA/56/10.

162. The Delegation of Switzerland, speaking on behalf of Group B, thanked the Secretariat for preparing the report on the IGC, and the Chair and Vice-Chairs of the IGC for guiding the work during the IGC sessions in the past year. It appreciated the fact that IGC 47 had managed to come up with a clear recommendation to the 2023 WIPO General Assembly with agreed Terms of Reference (ToR) for a new mandate and a work program for the 2024/2025 biennium. It called upon the 2023 WIPO General Assembly to endorse the recommendation of IGC 47. Group B recalled the 2022 WIPO General Assembly's decision on convening a Diplomatic Conference to conclude an International Legal Instrument relating to Intellectual Property, Genetic Resources and Traditional Knowledge associated with Genetic Resources to be held no later than 2024. It conveyed its readiness to engage constructively in the upcoming preparatory work and to work towards a successful outcome. With regard to TK and TCEs, more work needed to be done during the next biennium to narrow existing gaps with a view to reaching a common understanding of core issues related to those subject matters. It stressed the importance of applying an efficient, transparent and inclusive working methodology that would facilitate direct exchanges among Member States for both the preparatory work relating to the Diplomatic Conference, as well as for further work on TK and TCEs under the new mandate for the 2024/2025 biennium. Finally, Group B welcomed the latest contributions by the Governments of Australia and Germany to the WIPO Voluntary Fund for Accredited Indigenous and local communities. It remained hopeful that the WIPO General Assembly would find a solution to provide adequate funding for the participation of Indigenous Peoples and local communities in the Diplomatic Conference. It reiterated its commitment to continue contributing constructively towards achieving mutually acceptable results in the IGC under the new mandate.

163. The Delegation of Poland, speaking on behalf of the CEBS Group, thanked the Chair and Vice Chairs for their efforts, commitment and leadership. It also thanked the Secretariat for preparing relevant documents, including the one that was the subject of the current discussion and for their general dedication to the work of the IGC. It welcomed that Member States had had an opportunity to engage in the negotiations during the two IGC sessions devoted to the topics of TK and TCEs. It also welcomed the fact that those matters remained the focus of the agreed renewed mandate of the IGC for the 2024/2025 biennium without prejudice to the outcome of the negotiations. It took positive note of the agreed activities such as the organization of virtual meetings of experts on possible disclosure requirements and databases of GRs, TK and TCEs. The Delegation emphasized that the involvement of Indigenous Peoples and local communities was crucial in the process and encouraged efforts to enable their participation. It thanked for the contributions made by respectively the Governments of Australia and Germany to the WIPO Voluntary Fund, which secured, for the time being, the participation of Indigenous Peoples and local communities. The Group stood ready to engage in further work during the Special Session of the IGC dedicated to the topic of GRs. It also looked forward to the relevant discussions planned during the interregional meeting, which would take place in Beijing at the end of July 2023. The Group had discussed GRs during the regional consultations, organized by the Polish Patent Office on June 30, 2023. It thanked the Secretariat as well as the IGC Vice-Chair, Mr. Jukka Liedes, for further engagement in the event. It reiterated that the Group favored the evidence-based approach, which it considered instrumental for substantive discussions on reaching a common understanding of the key issues. Further discussions were needed about the text of the Draft International Instrument relating to Intellectual Property, Genetic Resources and Traditional Knowledge associated with Genetic Resources. It looked forward to the continuing discussions on a solution acceptable to

all Member States during the upcoming IGC Special Session. It thanked the respective WIPO Member for proposing to host the Diplomatic Conference on GRs in 2024 and looked forward to the discussions during the Preparatory Committee scheduled in September 2023 on the rules of procedure, dates and venue of the Diplomatic Conference. The Group welcomed the agreement reached during IGC 47 on the proposed mandate of the IGC for the 2024/2025 biennium and wished to endorse the proposed recommendations as contained in document WO/GA/56/10. It reaffirmed the readiness of the Group to engage constructively in the future work of the IGC and wished to achieve a realistic and universally acceptable outcome of the work of the IGC.

164. The Delegation of Ghana, speaking on behalf of the African Group, thanked the Secretariat for preparing the report on the IGC in document WO/GA/56/10. Throughout the course of discussions of the IGC, the Group had emphasized the importance of protecting and promoting the rights of Indigenous Peoples and local communities. Its collective commitment to fostering a balanced IP system that respected the rights of those demanders had been unwavering. It emphasized the need to acknowledge and value the TK systems and the TCEs of Indigenous Peoples and local communities, as well as their critical role in sustainable development, biodiversity conservation, and the cultural heritage of humanity. The depth and breadth of discussions throughout the lifespan of the IGC demonstrated the growing recognition of the need to address the concerns of TK holders, GR custodians and Indigenous Peoples and local communities. The Group, however, noted with disappointment that, although much effort had been made over the past two decades to narrow the existing gaps and reach a balanced outcome, there had been little progress. That was due, in part, to the lack of political will and the working methodology of the IGC, which unfortunately tended to amplify alternatives and bracketed paragraphs, in contrast with the mandate of the IGC. While thankfully noting the Chair's attempt to generate a non-paper, the African Group encouraged her to continue her consultations with Member States to identify areas of convergence and overcome the stalemate in the negotiations to advance the work of the IGC. To conclude, the African Group indicated its contentment with the flexibility shown by Member States, which resulted in the agreement on the new mandate of the IGC. It thanked the WIPO Secretariat for facilitating the regional and upcoming cross-regional meetings in the buildup to the Diplomatic Conference. It looked forward to concluding an International Legal Instrument relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources at the Diplomatic Conference to be held no later than 2024.

165. The Delegation of China believed that the IGC played an important role in promoting the establishment of an international protecting system for GRs, TK and TCEs. In meetings from 2022 to 2023, with the coordination of the Chair and the WIPO Secretariat, Member States had all shown their willingness and sincerity in exchanging national experiences and advancing discussions on international systems. It believed that the working modality, based on thematic discussions, had substantively advanced the discussions. It supported the renewal of the IGC mandate by the WIPO General Assembly and expressed its willingness to work with all countries to set up effective systems and to develop legally binding instruments to protect GRs, TK and TCEs globally.

166. The Delegation of the European Union, speaking on behalf of the European Union and its member states, reiterated its commitment to engage constructively in the work of the IGC. During the last session of the IGC, the IGC had successfully adopted the recommendations for the mandate renewal for the 2024/2025 biennium. It wished to reiterate its support for this proposed mandate and encouraged its adoption by the WIPO General Assembly. As demonstrated, the mandate renewal, based on the terms agreed during IGC 47, allowed the IGC to continue the work that it had been doing for several years. At the same time, it accommodated the new circumstances that arose from the convening of a Diplomatic Conference to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources, and Traditional Knowledge Associated with Genetic Resources. The

European Union and its member states stood ready to continue the substantive work in the IGC as outlined in its new mandate.

167. The Delegation of Qatar thanked the Chair, Vice-Chairs, the Facilitators and the Secretariat for the efforts undertaken in managing the discussions and for the serious and professional work to facilitate the deliberations during the past sessions of the IGC's work. It took note of the two documents and the report of the IGC that dealt with the protection of TK and TCEs. It emphasized its support for the IGC and looked forward to fruitful and constructive work with Member States to ensure the success of the Diplomatic Conference in 2024, which should come up with a legally binding instrument with regard to GRs and associated TK. The success of negotiations within the IGC was very important for the credibility of WIPO and would increase trust in institutional organizations, like WIPO, to protect the interests and the rights of all concerned with the topics that would be discussed in a fair and just manner.

168. The Delegation of Indonesia thanked the Secretariat as well as the Chair and Vice-Chairs of the IGC for their leadership and work in guiding the progress within the IGC. It welcomed the agreed mandate of the IGC for the upcoming biennium and was hopeful that the WIPO General Assembly would echo the same agreement. It continued to believe that IP had an important role to play to safeguard and protect GRs, TK and TCEs against misuse and misappropriation. For that reason, it continued to support the work of the IGC. After the landmark agreement for a diplomatic conference on GRs and associated TK, the Delegation was hopeful that the IGC would show concrete progress on TK and TCEs in the upcoming biennium.

169. The Delegation of Saudi Arabia thanked the Chair and Vice-Chairs of the IGC and the Secretariat for their distinguished work in facilitating the work of the IGC. It supported the renewal of the mandate of the IGC for the 2024/2025 biennium, with regard to coming up with a legally binding instrument for GRs, TK and TCEs. It hoped that the countries would cooperate positively and show transparency when reviewing the draft text on GRs in order to hold the Diplomatic Conference.

170. The Delegation of Nigeria noted and commended the impressive work of the IGC. It thanked the Secretariat, as well as the Chair and Vice-Chairs of the IGC for their excellent work and exertions in preparation for the meeting. It welcomed the decision of the 2022 WIPO General Assembly to convene a diplomatic conference to finalize the text on IP, GRs and TK associated with GRs no later than 2024. The Delegation thanked the Secretariat for facilitating the regional and upcoming cross regional meetings in the buildup to the Diplomatic Conference. Furthermore, it thankfully noted the recommendation to the 2023 WIPO General Assembly for the renewal of the mandate of the IGC for the 2024/2025 biennium to continue to work on the protection of GRs, TK and TCEs. It emphasized the importance of the participation of Indigenous Peoples and local communities in the work of the IGC. It remained optimistic that progress was possible in the next biennium to close existing gaps and advance the IGC's work toward a diplomatic conference in the realization of the ultimate goal of addressing the issue of misappropriation and effective protection of TK and TCEs of the Indigenous Peoples and local communities. The conclusion of the instrument would usher in a new era of informed, transparent and collaborative innovation and creativity that would enhance equitable and just access to the benefit of innovations relating to GRs, TK and TCEs.

171. The Delegation of Pakistan thanked the Secretariat for the presentation of the report contained in document WO/GA/56/10. It supported the work of the IGC and thanked the IGC Chair, Vice-Chairs, Secretariat and facilitators for their constructive work during the previous two sessions. The finalization of a legally binding instrument on GRs, TK and TCEs was necessary to prevent misappropriation and unauthorized exploitation. It reaffirmed its support for the funding and appropriate participation of Indigenous Peoples and local communities at the IGC. The purposes of the IGC could only be fulfilled through an inclusive, balanced and effective IP regime, which promoted fair and equitable sharing of benefits with the concerned individuals



and communities. That would also take one step forward in the fulfillment of both the DA and the realization of the 2030 Sustainable Development Agenda. A mandatory disclosure requirement was necessary to address the issue of misappropriation of GRs, TK and TCEs. The inclusion of mutually agreed terms, prior informed consent, and access and benefit sharing were essential for a balanced global regime, which would allow Member States to have sufficient policy space to enact appropriate national legal frameworks. The Delegation looked forward to constructive negotiations during the 2024 Diplomatic Conference. It supported the renewal of the IGC mandate for the 2024/2025 biennium in a manner, which would not prejudice the outcome of the Diplomatic Conference. The Delegation asked all parties to step up efforts to minimize divergences on outstanding issues for the finalization of an international legal instrument on TK and TCEs. The Delegation advocated for exceptions and limitations to be narrow, as any exception would directly impact the collective rights, cultural wealth and economic prospects of entire communities.

172. The Delegation of Malaysia encouraged the IGC to continue its work towards reaching a common position for a balanced and effective protection of GRs and associated TK. It expressed its support for the renewal of the IGC mandate for the 2024/2025 biennium.

173. The Delegation of Uganda conveyed its appreciation for the work of the IGC and the progress made in the negotiations on IP and GRs, TK and TCEs during the 2022/2023 biennium. It took note of the IGC report that highlighted the progress made on the TK and TCEs texts. It highlighted that more work would be required to reach an agreed international instrument on those subjects. It welcomed the proposed new mandate of the IGC for the 2024/2025 biennium, which catered for inclusivity and would likely help narrow existing gaps in the drafting process. It appreciated the fact that the new mandate captured the subject of GRs and associated TK. The Delegation reiterated its support for the approval of the IGC mandate for the 2024/2025 biennium. However, it warned that the issue of information systems should be handled cautiously, considering developing countries might not have sufficient capacity to devote to information systems, such as databases, of GRs, TK and TCEs. The increasingly changing technological landscape also brought on board the challenges of AI and digital sequence information, among others. Furthermore, the issue of the public domain related to TK and TCEs should be managed cautiously, as Indigenous Peoples had expressed that, although their heritage could sometimes be widely available, it did not necessarily mean it belonged in the public domain. It further noted that the disclosure requirement was crucial for TK and should be seen as a vital safeguard. The Delegation reaffirmed that Indigenous Peoples, who actively participated in the IGC, were key beneficiaries of the international instruments being negotiated under the auspices of the IGC. It believed that WIPO should fund the participation of Indigenous Peoples and local communities in the IGC, taking into consideration regional balance. The Diplomatic Conference on GRs and associated TK scheduled for 2024 would be a huge milestone in the work of the IGC. The Delegation reiterated its readiness to engage constructively during the Diplomatic Conference.

174. The Delegation of Cuba conveyed its support for the renewal of the IGC mandate for the 2024/2025 biennium, which retained the current three pillars, namely TK, TCEs and GRs, despite the holding of the Diplomatic Conference in 2024 on GRs and associated TK. Given the broader knowledge, Indigenous Peoples and local communities should participate in the negotiations.

175. The Delegation of Colombia thanked the Secretariat for introducing the report on the IGC and conveyed its appreciation to the IGC Chair for her support on IGC-related matters. It highlighted the diversity of its population and the many different Indigenous Peoples and local communities present in Colombia. It expressed its support for the renewal of the IGC mandate for the 2024/2025 biennium and highlighted that it would follow attentively the discussions on the protection of GRs, TK and TCEs. It welcomed the 2024 Diplomatic Conference to conclude an International Legal Instrument for IP, GRs and associated TK, which would protect GRs and

TK associated with GRs that had been used for inventions. It highlighted the critical role of WIPO in multilateral instruments, which was important for public debates regarding IP. The Delegation looked forward to the participation of Indigenous Peoples and local communities during the next biennium. It hoped their participation would help the IGC progress in developing one or several international instruments, which would acknowledge Indigenous Peoples and local communities as the owners of TK and TCEs, and ensure the effective and balanced protection of TK and TCEs from misappropriation.

176. The Delegation of Samoa underscored its rich and diverse cultural heritage and wished to acknowledge the extent to which IP could be used to protect and preserve its culture, TK, biodiversity and creativity. It applauded the work and efforts of the IGC Chair, Vice-Chairs, Facilitators and the Secretariat in steering the important work of the IGC during the 2022/2023 biennium. It regretted the challenges in progressing the item and appealed to Member States to reach a consensus on the outstanding issues. The Delegation expressed its strong support for the renewal of the IGC mandate for the 2024/25 biennium. It stressed that GRs and TK associated with GRs should be included as part of the renewed mandate to allow for relevant support in implementing the resultant instrument of the successful Diplomatic Conference scheduled in 2024. It emphasized that the work on GRs and TK associated with GRs was directly connected to the work on TK and TCEs and that those issues should not be treated in a fragmented manner. Concerning the Diplomatic Conference on IP and GRs, it requested that the procedure and agenda be made available as soon as possible to facilitate its preparation and attendance. The Delegation also expressed its support for the funding of Indigenous Peoples and local communities at the Diplomatic Conference.

177. The Delegation of the Russian Federation thanked the Secretariat for preparing and providing the report on the work of the IGC. It also expressed its gratitude to the IGC Chair, Vice-Chairs and coordinators who worked tirelessly at the meetings and during the intersessional period to bring closer together the positions of Member States on the documents that had been prepared as part of the work of the IGC. It underscored the importance of constructive dialogue and finding a compromise to bring positions closer together on the key and outstanding issues relating to the International Legal Instrument dealing with IP, GRs and associated TK, which would be a key part of preparations for the Diplomatic Conference in 2024. At the same time, it called for other Member States not to forget the other international legal instruments that were being prepared in the course of the IGC sessions. The Delegation expressed its support for the extension of the mandate of the IGC and its program of work for the 2024/2025 biennium, which aimed to step up substantial work on the texts that would set minimum international standards to ensure the balanced and effective protection of TK and TCEs. In addition, it welcomed the work of the WIPO Office in the Russian Federation in carrying out a thematic project, which would focus on the issues of protection of TK and IP for Indigenous Peoples and local communities in the Russian Federation. The Delegation thanked the Chinese National Intellectual Property Administration (CNIPA) for organizing a cross-regional technical meeting on IP, GRs and associated TK, which would be held from July 25 to 27, 2023, in Beijing. It hoped that substantive progress could be made on issues considered by the IGC, any disagreements could be brought down to a minimum, and consensus could be achieved on the fundamental core issues.

178. The Delegation of Iran (Islamic Republic of) thanked the Secretariat for their immense work during the previous sessions of the IGC, especially for the preparation of negotiations on the mandate during IGC 47. It also commended the IGC Chair for her leadership and efforts in the course of the negotiations. It highlighted that some of the most important goals of sustainable development were poverty eradication and increasing the level of well-being and human development among UN Member States. In that regard, WIPO could play an effective role in generating wealth and achieving economic development for its Member States. The international legal system regarding IP should be developed and evolved in a balanced manner to ensure its sustainability. Reducing all aspects of IP rights to the patent system might lead to

an imbalanced result in international protection mechanisms. By contrast, the creation of new *sui generis* protection systems for GRs, TK and TCEs could create balanced IP systems, especially for protecting intangible assets and IP of developing countries. It reaffirmed that the adoption of a new treaty for the protection of GRs and TK would be considered a milestone in WIPO's history. It underscored that a new treaty would allow beneficiaries from countries with abundant and vast reserves of GRs, TK and TCEs to experience growth, prosperity and economic gain through IP protection mechanisms. TK and TCEs were developed over the years through the interaction of local communities with their environment and their resilience to challenging circumstances. Those valuable resources and knowledge had been transmitted from generation to generation. The Delegation encouraged Member States to embrace the long-standing aspirations of beneficiaries and rights-holders in many countries and show them that their GRs, TK and TCEs could be protected against misappropriation and misuse. Moreover, such a new development in the IP system could be important in preventing the migration of members of local communities from rural areas to cities and improving their economic situation, which could lead to reverse migration. It welcomed the WIPO General Assembly's decision to convene a diplomatic conference to adopt a binding instrument for the protection of GRs in 2024. It expressed its commitment to expedite text-based negotiations for the protection of TK and TCEs to finalize the remaining work of the IGC. The Delegation took note of the new IGC mandate and the proposed work program for the 2024/2025 biennium. It looked forward to the successful convening of the IGC Special Session and the Diplomatic Conference on GRs and TK associated with GRs in 2024. It expressed its concern that, despite the importance of the IGC for developing countries, the IGC had not acquired a standing status like other WIPO Committees and its mandate needed to be renewed biennially. It emphasized WIPO's role in developing knowledge and skills to harness wealth creation resources to achieve the commercial utilization of TK and GRs in developing countries, through its technical assistance and capacity-building programs. It hoped that the WIPO Academy would plan and implement projects to that end. The Delegation conveyed its commitment to engaging constructively with all Member States to advance successful outcomes during upcoming meetings.

179. The Delegation of Namibia aligned itself with the statement delivered by the Delegation of Ghana, on behalf of the African Group. It thanked the Secretariat for the report on the IGC and their invaluable support towards the work of the IGC. In addition, it expressed its sincere appreciation to the IGC Chair for her astute leadership in facilitating the negotiations of the legal instrument on TK and TCEs. It noted with satisfaction the progress made on the negotiations and the consensus reached by the IGC on the work program for the next biennium, which would enable the IGC to continue its text-based negotiations with a primary focus on narrowing existing gaps to mature the text into an effective international legal instrument. It expressed its support for the renewal of the IGC mandate. A fair and comprehensive legal instrument on TK, TCEs and TK associated with the use of GRs would be crucial for the protection and preservation of the rights and interests of Indigenous Peoples and local communities. It commended the decision to convene a diplomatic conference for the adoption of an international legal instrument for the protection of GRs and associated TK no later than 2024. It emphasized the significance of protecting and preserving TK, GRs and TCEs and called for increased collaboration among WIPO Member States to develop an effective legal framework that would safeguard the rights and interests of indigenous communities and foster respect for their invaluable contributions to humanity's cultural heritage. The Delegation underscored Namibia's rich diversity of cultural traditions and expressions, in which customary law played an important role in shaping social norms and regulating local community life. The Delegation highlighted the importance of the work of the IGC. It expressed its commitment to advancing and promoting the work of the IGC in providing a protection of intellectual cultural assets.

180. The Delegation of Thailand thanked the IGC Chair and Vice-Chairs for their excellent work during the last IGC meetings and extended its thanks to the Secretariat for their dedication and for preparing the report document. It appreciated that most of the substantive work had been

undertaken under the current mandate and took note of the renewed mandate and the work program for the 2024/2025 biennium. It looked forward to the convening of the Diplomatic Conference in 2024. It encouraged a positive and constructive spirit in future discussions to reach an agreement on the fair and equitable sharing of benefits for all. While it noted that the decision to convene the Diplomatic Conference was a crucial step forward, it wished that progress on the TK and TCEs texts would be made to narrow existing gaps, which would lead to a future Diplomatic Conference soon. The Delegation supported the call to encourage Member States to contribute to the WIPO Voluntary Fund for Indigenous Peoples and local communities to participate in the IGC and the Diplomatic Conference. It hoped that an agreement could be reached on the proposed text discussed in the PBC on alternate funding arrangements for Indigenous Peoples and local communities, especially on the use of the regular budget if the Voluntary Fund were found to be insufficient.

181. The Delegation of Ghana, speaking in its national capacity, associated itself with the statement made on behalf of the African Group. It thanked the WIPO Secretariat for presenting the IGC report. It welcomed the significant progress made in the intense work program of the IGC in recent years and further appreciated the flexibility shown by Member States leading to the agreement on the new mandate of the IGC. The Delegation was grateful to WIPO and the Government of Algeria for facilitating the regional meeting that had provided an opportunity to deliberate on emerging issues and concerns among Member States. In the specific context of the upcoming Diplomatic Conference, it looked forward to concluding an International Legal Instrument relating to Intellectual Property, Genetic Resources, and Traditional Knowledge Associated with Genetic Resources at the Diplomatic Conference to be held in 2024.

182. The Delegation of the United States of America supported the statement made by the Delegation of Switzerland, on behalf of Group B. The Delegation had been an active participant in the negotiations since the establishment of the IGC in 2000. It supported the renewal of the IGC mandate based on the proposal of IGC 47, which would allow the IGC to continue its work on a number of important and complex issues, including beneficiaries, scope of protection, subject matter of protection, and sanctions and remedies of any *sui generis* regime for the protection of TK and TCEs. The new mandate would also allow Member States to seek a resolution of the significant differences in the perspectives of indigenous communities and WIPO Member States on those difficult issues.

183. The Delegation of Brazil thanked the Secretariat for preparing the report on the IGC, as contained in WO/GA/56/10, which showed the progress made regarding IP and GRs, TK and TCEs. The document showed that Member States needed to respect and protect the rights of Indigenous Peoples and local communities, as they were the guardians of TK associated with GRs. Member States needed to establish political and legal structures that recognized the IP rights of those peoples and ensured the fair and equitable sharing of the benefits that came from using those resources and knowledge. The Delegation welcomed the renewal of the IGC mandate, as Member States needed to focus on the issues linked to TK and GRs. It wished to ensure that the Diplomatic Conference would lead to a legal instrument on IP, GRs, and TK associated with GRs. It expressed its hope for a successful outcome in 2024, leading to a binding instrument that would provide legal certainty on the matter. The legal instrument should be coherent with other legal instruments, including those relating to digital sequence information. It was important to emphasize that the efforts to strengthen the protection of TK associated with GRs was something that not only had an impact on the world of IP, but also ensured social inclusion and the creation of income for local communities that were often vulnerable. It also ensured the preservation of biodiversity and the fight against climate change, which was of concern to all Member States. It reiterated the importance of ensuring the participation of Indigenous Peoples and local communities in the Diplomatic Conference because those were the ones who would most benefit from the negotiations. The convening of the Diplomatic Conference in 2024 was the most important issue on the normative agenda of WIPO, following on the Marrakesh Treaty for those who had visual impairments or difficulty with

reading texts, which also involved human rights. Member States had a collective mission from that moment and needed to stand firm not only to ensure the start of a new phase of governance on IP and GRs but also to promote the principles of justice, inclusion and respect for the rights of Indigenous Peoples and local communities because of the innovations that they had brought to the world. Member States must defend the rights of those peoples and communities, who must have a voice. Their participation must be recognized to enrich the discussions, which would promote sustainable development as well as safeguarding genetic and cultural heritage, and TK. It encouraged all delegations to think about the importance of the legitimacy of including the topic in international negotiations, which gave legitimacy to the legal instrument. Such legitimacy should be based on consensus. The Diplomatic Conference would be an opportunity to build bridges to overcome differences, and the results of the negotiations would be fair and sustainable. The Delegation concluded that it was also important to move forward with the negotiations on the texts for TK and TCEs within the IGC. It called on all Member States to look at the report closely and to take the considerations and recommendations home, so as to take into consideration the areas where greater cooperation was needed. The Delegation reaffirmed its commitment to protect TK and GRs, whilst promoting sustainable development and ensuring the fair and equitable sharing of benefits for users and rights-holders.

184. The Delegation of Kenya aligned itself with the statement made by the Delegation of Ghana, on behalf of the African Group. It thanked the Secretariat for compiling the documents. It valued the preservation and protection of knowledge and cultural heritage of Indigenous Peoples. It encouraged the WIPO Secretariat to continue to support consultations among Member States to narrow the divergent opinions, before the convening of a Diplomatic Conference scheduled for 2024. It was committed to engaging constructively and supporting the renewal of the IGC mandate for the 2024/2025 biennium.

185. The Delegation of South Africa aligned itself with the statement made by the Delegation of Ghana, on behalf of the African Group. It supported the renewal of the IGC mandate for the 2024/2025 biennium and hoped that in line with the mandate, the IGC would manage to narrow the gaps that currently existed, as that would bring closer an international treaty on the protection of TK and TCEs. The Delegation wished to express its support and appreciation for the work of the Traditional Knowledge Division and the entire Secretariat in preparing the reports and related documents. It believed that a triage approach that included GRs, TK and TCEs was crucial in making sure that a *sui generis* treaty be merged to cover all IP elements. The Delegation had consistently supported a normative policy approach based on the establishment of a disclosure regime at the IGC. Its position had always been underpinned by the need to introduce a mandatory disclosure requirement, which had been equally justified by the previous submission made by the Delegation of South Africa, the African Group and the Like-Minded Countries (LMCs). The importance of a mandatory disclosure requirement could not be over-emphasized, as it would allow the country of origin (within the CBD context) of GRs used in IP right applications to have prior informed consent, and fair and equitable sharing of benefits arising from the utilization of GRs. Its position was informed by its legislative mandate, namely the South African Patent Act as amended in 2007, which included a disclosure provision for indigenous biological resources, GRs and TK; the Intellectual Property Laws Amendment Act, which provided for the recognition of traditional works in trademarks, copyrights and designs; the Protection, Promotion, Development and Management of Indigenous Knowledge Act of 2019; and the benefit-sharing regulations under the Department of Fisheries, Forestry and Environment. Regarding the Diplomatic Conference scheduled for 2024, the Delegation was hopeful that a successful diplomatic conference would bring about a longstanding desire for an international treaty that would protect the rights of the communities worldwide, who had been the victims of exploitation since time immemorial. Its position in the Diplomatic Conference was largely about equity. If one group of investors, like scientists and others, had access to a protection regime, so should another, which would include Indigenous Peoples and local communities. The Delegation encouraged the participation of Indigenous Peoples and local

communities in the Diplomatic Conference. Their voice had been silenced for way too long. It was about time they were not seen as an afterthought in a subject that affected them directly.

186. The Delegation of Jamaica thanked the Secretariat for the preparation of the report as contained in document WO/GA/56/10. The work of the IGC continued to be of great importance, as the IGC sought to develop an international legal instrument for the protection of GRs, TK and TCEs. At the 2022 Assemblies of Member States, it had been decided that there would be a diplomatic conference on GRs and associated TK in 2024. The Delegation was pleased that Member States continued the preparation in earnest and wished to recognize the efforts of the Chair of the IGC, Ms. Lilyclaire Bellamy, Vice-Chairs, Mr. Jukka Liedes (Finland), Mr. Yonah Seleti (South Africa) and Mr. Felipe Cariño (Philippines). It looked forward to a successful diplomatic conference in 2024, as it would send a clear message to the international community of the high priority placed by WIPO on that issue. It recognized the importance and encouraged the continued participation of the representatives of Indigenous Peoples and local communities in the work of the IGC and the Diplomatic Conference. The Delegation appreciated the flexibility and constructive spirit of Member States in the renewal of the mandate for the 2024/2025 biennium in light of the need to continue the work, in particular on TK and TCEs. It would continue to contribute to the work of the IGC and engage constructively with Member States.

187. The Delegation of Botswana took note of the IGC report (document WO/GA/56/10) and thanked the Secretariat for preparing it. The Delegation aligned itself with the statement made by the Delegation of Ghana, on behalf of the African Group. It welcomed the recommendation to renew the mandate of the IGC. It acknowledged the progress made thus far. Due to the slow progress on the matter over the years, the Delegation believed that the IGC should be given an opportunity to continue its work in all matters as highlighted in the report. As Botswana is rich in TK and TCEs, it looked forward to the Diplomatic Conference to conclude an International Legal Instrument relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources, which would protect Indigenous Peoples. It was confident that all IGC issues would be resolved.

188. The Delegation of Morocco thanked the Secretariat for preparing document WO/GA/56/10. It welcomed the work which had been done by the IGC and thanked the Chair and Vice-Chairs, as well as the Facilitators and experts for their efforts to ensure the progress of work within the IGC, in particular at IGC 47 with a view to achieving solutions that would be accepted by all Member States. The Delegation underlined the importance to move the work of the IGC forward and thanked the WIPO Secretariat for organizing regional consultations, with a view to look at positions that could be agreed upon by the IGC. It was convinced that the work of the IGC would ensure fair and equitable sharing of benefits arising from the use of GRs and TK associated with GRs. It was pleased to see that after many years of negotiations, progress had been made to achieve a legal instrument relating to IP, GRs and TK associated with GRs in the Diplomatic Conference scheduled in 2024.

189. The Delegation of Bangladesh thanked the Secretariat for preparing the IGC report. The necessity for the protection of GRs, TK and TCEs and its significance were well-known and recognized. They had proven potential for commercial use and innovation-oriented development. The need for the protection of GRs, TK and TCEs for the benefit of the host nations or communities was not a recent phenomenon. States always had concerns over the protection of those resources. Such protection was reflected in many existing instruments, though not always directly and perhaps not adequately. However, due to the absence of a comprehensive international legal instrument on GRs, TK and TCEs, many challenges, confusion as well as gaps could not be addressed. Hence, the countries were yet to reap and potentially benefit from those resources. While the Delegation appreciated the tireless efforts of the IGC since 2001 to reach an agreement on necessary international legal instrument or instruments, it noted with regret that success had eluded everyone. It must be acknowledged

that through continued formal and informal negotiations and consultations over the years, Member States had been able to somewhat minimize the differences and build an environment of hope. It wished that Member States would continue to demonstrate positive approaches towards finalizing the draft text, and expected that the Diplomatic Conference in 2024 would play a pivotal role in that regard. The Delegation noted with appreciation the recommendation of IGC 47 that the mandate of the IGC be renewed for the 2024/2025 biennium.

190. The Representative of the Native American Rights Fund spoke also on behalf of the National Congress of American Indians, which was the oldest, largest and most representative American Indian and Alaska Native organization in the United States of America, with a membership that included approximately 200 Tribal Nations. The Representative applauded Member States for their spirit of compromise and cooperation in reaching a consensus on the terms of the recommended mandate of the IGC and work program for the 2024/2025 biennium. It thanked all Member States and Regional Groups who had met with the Indigenous Caucus at IGC 47, and who had taken the interests and concerns of Indigenous Peoples into account. It was particularly pleased that the terms of the mandate and work program included a provision that the WIPO Secretariat would facilitate the effective participation of Indigenous Peoples in WIPO's normative work related to GRs, TK and TCEs. It was grateful for the WIPO Secretariat's support of the Indigenous Caucus during the IGC sessions and looked forward to seeing what more WIPO would do in the next biennium to further ensure the full and effective participation of Indigenous Peoples. The WIPO Secretariat offered various important and impactful capacity-building activities to Indigenous Peoples, and it urged that part of the support provided by the WIPO Secretariat included capacity building of indigenous representatives at WIPO, including participation at the 2024 Diplomatic Conference. The Representative understood that there were various stakeholders with interests implicated in the work of WIPO, but highlighted that Indigenous Peoples were not simply stakeholders. They were the owners and holders of their own, inherent IP rights not bestowed upon them by WIPO or any other outside authority, as recognized in Article 31 of the UN Declaration on the Rights of Indigenous Peoples. When considering matters of participation and the legitimacy of the work of the IGC, it was important to keep that distinction in mind. The Representative thanked the Governments of Australia and Germany for their recent contributions to the WIPO Voluntary Fund and appreciated all contributions made in the past by Member States. It also thanked GRULAC and the African Group for their proposal related to funding for indigenous participation in the upcoming Diplomatic Conference. It urged all Member States to support that proposal.

191. The Representative of ELAPI thanked the Secretariat for the preparation of the document. It thanked Member States for their efforts in discussions in the IGC. After a decade of long negotiations, the time was ripe to convene a Diplomatic Conference to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources. The Representative welcomed the progress made on the draft text. As indicated at the 2022 WIPO General Assembly, the issue was extremely important for her region, because there were very few countries that had domestic legislation to regulate and control the use of GRs and TK by researchers and innovators who were taking advantage of the natural and cultural resources of her region. It was of great importance to address the vital concepts related to GRs and TK, such as recognition of the country of origin, preventing improper access to TK, digital sequence information, and the fair and equitable sharing of benefits. It respectfully urged that the Diplomatic Conference would conclude the important legal instrument for the mega biodiverse countries from Latin America. The work on the draft articles relating to the protection of TK and TCEs must continue. The Representative expressed its commitment to work with the IGC and to collaborate with Member States, in particular, the members of GRULAC, so as to contribute to the *sui generis* system.

192. The WIPO General Assembly:

- (i) took note of the information contained in document WO/GA/56/10; and

(ii) agreed to renew the mandate of the IGC for the biennium 2024/2025 as below:

“Bearing in mind the Development Agenda recommendations, reaffirming the importance of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (Committee), noting the different nature of these issues and acknowledging the progress made, the WIPO General Assembly agrees that the mandate of the Committee be renewed, without prejudice to the work pursued in other fora, as follows:

“(a) The Committee will, during the next budgetary biennium 2024/2025, in a Member State driven process, continue its work on the protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs), with the objective of finalizing an agreement on an international legal instrument(s), without prejudging the nature of outcome(s), relating to intellectual property, which will ensure the balanced and effective protection of TK and TCEs.

“(b) Noting that a Diplomatic Conference will be convened to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources no later than 2024, the Committee will, during the next budgetary biennium 2024/2025, continue to discuss intellectual property issues concerning GRs as they relate to the mandate of the Committee.

“(c) The Committee’s work in the 2024/2025 biennium will build on the existing work carried out by the Committee, including text-based negotiations, with a primary focus on narrowing existing gaps and reaching a common understanding on core issues<sup>1</sup>.

“(d) The Committee will follow, as set out in the table below, a work program based on open and inclusive working methods for the 2024/2025 biennium, including an evidence-based approach as set out in paragraph (f). This work program will make provision for 4 sessions of the Committee in 2024/2025, including thematic, cross-cutting, and stocktaking sessions”.

“(e) The Committee may establish *ad hoc* expert group(s) to address specific legal, policy, or technical issues<sup>2</sup>. The results of such *ad hoc* expert group(s) shall be submitted to the Committee for its consideration.

“(f) The Committee will use all WIPO working documents, including WIPO/GRTKF/IC/47/14 (The Protection of Traditional Knowledge: Draft Articles) and WIPO/GRTKF/IC/47/15 (The Protection of Traditional Cultural Expressions: Draft Articles), as well as any other contributions of Member States, such as conducting/updating studies covering, inter alia, examples of national experiences, including domestic legislation, impact assessments, databases, and examples of protectable subject matter and subject matter that is not intended to be protected; and outputs of any expert group(s) established by the Committee and related activities conducted under the capacity-building

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<sup>1</sup> Core issues include, as applicable, inter alia, definitions, beneficiaries, subject matter, objectives, scope of protection, and what TK/TCEs are entitled to protection at an international level, including consideration of exceptions and limitations and the relationship with the public domain.

<sup>2</sup> The expert group(s) will have a balanced regional and gender representation and use an efficient working methodology. Accredited representatives of Indigenous Peoples as well as local communities will be invited to participate, in line with past practice of the Committee.



and technical assistance program of the Secretariat (the Traditional Knowledge Division). The Secretariat is requested to continue to update studies and other materials relating to tools and activities on databases and on existing disclosure regimes relating to GRs and associated TK, with a view to identifying any gaps and continuing to collect, compile and make available online information on national and regional *sui generis* regimes for the intellectual property protection of TK and TCEs. Studies or additional activities are not to delay progress or establish any preconditions for the negotiations.

“(g) In 2025, the Committee is requested to submit to the General Assembly the results of its work in accordance with the objective reflected in paragraphs (a) and (b). The General Assembly in 2025 will take stock of progress made on GRs, in light of the Diplomatic Conference and IGC 48, TK and TCEs, and based on the maturity of the text(s) on TK and TCEs, including levels of agreement on objectives, scope, and nature of the instrument(s), decide on whether to convene a diplomatic conference and/or continue negotiations.

“(h) The General Assembly requests the Secretariat to continue to assist the Committee by providing Member States with necessary expertise and funding, in the most efficient manner, of the participation of experts from developing countries and LDCs, taking into account the usual formula for the IGC.

“(i) The Secretariat is also requested to facilitate the effective participation of Indigenous Peoples as well as local communities in WIPO’s normative work related to GRs, TK and TCEs.”

#### WORK PROGRAM – 4 SESSIONS

Indicative Dates	Activity
October/November 2024 (IGCs 48 and 49 will be held back-to-back)	IGC 48 Take stock of the progress made on GRs and TK associated with GRs and discuss any issues arising from the Diplomatic Conference. Duration 1 day (this one day session on GRs creates no precedence for future sessions of the Committee).
	IGC 49 Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Duration 5 days.
March 2025	IGC 50 Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Duration 5 days.
June 2025	IGC 51 Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Stocktaking on GRs/TK/TCEs and making a recommendation Duration 5 days.

July 2025	WIPO General Assembly will take stock of the progress made, consider the text(s) and make the necessary decision(s).”
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(vi) The Committee on WIPO Standards (CWS)

193. Discussions were based on document [WO/GA/56/11](#).

194. The Secretariat presented outcomes from the tenth session of the Committee on WIPO Standards (CWS), held in November 2022. Firstly, the Secretariat noted that the CWS adopted one new WIPO Standard ST.97 for JSON (Java-Script Object Notation), and approved or noted revisions of four Standards. The CWS also agreed that the new version of ST.26 take effect on July 1, 2023. The Committee also adopted “Organizational matters and special rules of procedure” including the mandate of the CWS. The mandate is to provide a forum to adopt, not only Standards, but also policies, recommendations and statements of principle relating to IP data, global information system related matters, information services on the global system, data dissemination and documentation. The CWS noted the workload on both Task Force and the Secretariat. It agreed on an annual review to determine priorities and to encourage a broader participation in Task Forces. It had also created a new Task Force on data package format for priority document exchange. The CWS also noted that WIPO Standard ST.26 was successfully implemented on the "big-bang" implementation date of July 1, 2022. More than 36,000 patent applications were filed at 23 offices including sequence listings in ST.26 format during the second half of 2022. The Secretariat thanked Member States for their excellent collaboration. In order to further support the implementation of WIPO ST.26, the Secretariat is further developing the WIPO Sequence Suite in collaboration with IP offices to improve the performance of WIPO Sequence Suite. The Secretariat also noted the blockchain pilot for Global Identifiers which aims to address long-standing name standardization issues by identifying IP applicants or owners consistently and accurately across IP offices and to make online transactions easier. Finally, the Secretariat noted the successful organization of WIPO Application Programming Interface (API) Day 2023, which was held in June to support IP offices in their digital transformation in a more collaborative way. The Secretariat expressed appreciation to the API Task Force and all participants for their collaboration.

195. The Delegation of the Russian Federation thanked the Secretariat for their report on the work of the CWS. The Delegation noted the productive nature of this Committee and its Task Forces. The Delegation emphasized that the Committee makes a considerable contribution in the area of production of international Standards, which encourages effective and coordinated work between IP offices when dealing with information and documents relating to IP. The Delegation indicated their support for the decision of the Committee to prepare a questionnaire for Member States to set priorities for Tasks of the Committee that are carried out by Member States. As the leader of both the 3D and Blockchain Task Forces, the Delegation indicated their continued commitment to work on updating or developing relevant Standards. In addition, the Delegation highlighted the practice of using 3D formats and the introduction of such technical possibilities in accordance with WIPO Standards by Eurasian Patent Organization (EAPO) and IP offices in Azerbaijan, Armenia and Tajikistan. The Delegation indicated its support for the Global Identifier pilot based on the use of blockchain technology. This work is of particular interest to the Delegation because it is a cutting-edge technological solution to a problem and is of interest to many Member States of WIPO. The Delegation indicated their gratitude for the activity of the Secretariat in supporting the work of Task Forces which boosts engagement with IP offices. The Delegation welcomed the transition to the use of WIPO Standard ST.26 from ST.25. The Delegation stated that WIPO Sequence Suite helps applicants and IP offices around the world to generate and validate sequence listings, taking into account the requirements of ST.26. The Delegation thanked the Secretariat for having organized WIPO API Day 2023, during which trends in the development and implementation of an API were

presented. Finally, the Delegation indicated their intention to continue with their constructive cooperation with the Committee and relevant Member States in conducting this work.

196. The Delegation of Saudi Arabia thanked the Secretariat for their work. The Delegation pointed out that they had joined the Global Identifier project, enabling them to resolve issues regarding the harmonization of applicant names during IP registration.

197. The Delegation of India thanked the Secretariat for the excellent preparation of document WO/GA/56/11. The Delegation noted the adoption of one new standard, the revision of existing Standards, and the adoption of the Organizational matters and special rules of procedure of the CWS. The Delegation complimented the Secretariat and the Member States for productive discussions held by Task Forces which support the advancement of IP systems globally. The Delegation indicated their commitment to contributing positively to the deliberations and to fruitful discussions held in upcoming Meetings.

198. The Delegation of the Republic of Korea expressed its gratitude for the work of the Secretariat. The Delegation noted that it was important to hear from Member States regarding their opinions on the development of different Standards. The Delegation welcomed the work of the Task forces in actively encouraging broader collaboration between Member States. Regarding the Global Identifier project, the Delegation has been participating in this pilot as the leader of the Name Standardization Task Force and leader on a relevant initiative of the "IP Five".

199. The WIPO General Assembly took note of the "Report on the Committee on WIPO Standards" (document WO/GA/56/11).

(vii) The Advisory Committee on Enforcement (ACE)

200. Discussions were based on document [WO/GA/56/12](#).

201. The Secretariat introduced document WO/GA/56/12, the Report on the Advisory Committee on Enforcement (ACE or Committee). The fifteenth session took place from August 31 to September 2, 2022, and addressed: (1) exchange of information on national experiences on awareness-building activities and strategic campaigns as a means for building respect for IP among the general public, especially the youth, in accordance with Member States' educational and any other priorities; (2) exchange of information on national experiences relating to institutional arrangements concerning IP enforcement policies and regimes, including mechanisms to resolve IP disputes in a balanced, holistic and effective manner; (3) exchange of information on national experiences in respect of WIPO's legislative assistance, with a focus on drafting national laws of enforcement that take into account the flexibilities, the level of development, the difference in legal tradition and the possible abuse of enforcement procedures, bearing in mind the broader societal interest and in accordance with Member States' priorities; and (4) exchange of success stories on capacity building and support from WIPO for training activities at national and regional levels for agencies and national officials in line with relevant DA Recommendations and the ACE mandate". The information exchange comprised 31 expert presentations and three panel discussions, and the Committee agreed to continue, at its sixteenth session, with the current work program.

202. The Delegation of Saudi Arabia expressed its gratitude for WIPO's efforts in organizing the fifteenth session of the ACE, during which Saudi Arabia shared its experiences with enhancing compliance with IP laws, including in relation to the successful IP Respect Officer Program. The Delegation noted that since then a new cohort of 200 IP Respect Officers had been trained and that the design of a professional test targeting IP enforcement practitioners had been completed. The Delegation supported the recommendations set out in the document to

continue the exchange of national experiences on IP enforcement and was fully prepared to share further successful experiences with the Committee.

203. The Delegation of Poland, speaking on behalf of the CEBS Group, expressed its gratitude to the Chair and the Vice-Chairs of the ACE for their efforts and commitment in leading the ACE, as well as to the ACE Secretariat for preparing relevant documents, including document WO/GA/56/12, and its general dedication to the work of the ACE. The CEBS Group was satisfied that the fifteenth session of the ACE, the first ordinary session after a two-year break, had provided the opportunity to discuss issues related to IP enforcement based on presentations and national experiences from Member States. The CEBS Group acknowledged that the two studies presented during the fifteenth session of the ACE, namely “Copyright Infringement in the Video Game Industry” and “The Role of the Domain Name System and Its Operators in Online Copyright Enforcement”, were useful, timely and valid in the context of the developments in these sectors for WIPO Member States. The CEBS Group also welcomed the discussions on best practices and experiences shared by Member States, organizations and stakeholders on the four important work program items mentioned by the Secretariat. The CEBS Group expressed its gratitude for the summary of WIPO’s activities in the field of building respect for IP provided during the fifteenth session of the ACE and noted the importance for these activities to also embrace countries from the CEBS Group, as had been the case with the customized WIPO training materials for use in Albania. Lastly, the CEBS Group reaffirmed its interest in continuing discussions during the sixteenth session of the ACE.

204. The Delegation of France thanked the Secretariat for preparing and submitting document WO/GA/56/12, and called for a continued sharing of national experiences in the fight against counterfeiting. It also reiterated its commitment to fully investing itself in the work of the ACE with a view to sharing its experiences and learning from the experiences of other Member States in relation to best practices to combat counterfeiting, a scourge that created not only environmental but also public health problems due to the dangerous nature of counterfeit goods for the general public.

205. The Delegation of the United States of America acknowledged the work highlighted in document WO/GA/56/12, thanked the Secretariat for preparing the document and reiterated its continued support for the important work and activities of the ACE. The Delegation was especially pleased to have actively participated in discussions on various topics, such as the adjudication of IP infringement cases, and looked forward to continuing supporting the beneficial work of the ACE.

206. The WIPO General Assembly took note of the “Report on the Advisory Committee on Enforcement (ACE)” (document WO/GA/56/12).

## ITEM 18 OF THE CONSOLIDATED AGENDA

### REPORT ON THE WIPO ARBITRATION AND MEDIATION CENTER, INCLUDING DOMAIN NAMES

207. Discussions were based on document [WO/GA/56/13](#).

208. The Secretariat introduced Agenda Item 18 on the WIPO Arbitration and Mediation Center (Center), Including Domain Names. The Secretariat noted that the document provides an update on the Center’s activities as an international resource for time- and cost-efficient alternatives to court litigation of IP disputes. The Secretariat affirmed that the Center administered cases and provides legal and organizational expertise in alternative dispute resolution (ADR). Where requested, this included assistance to Member States’ IP Offices in their establishment of optional ADR frameworks. The Secretariat added that the Center

continued to experience record growth in mediation and arbitration cases, including cases co-administered with Member State Copyright authorities, and noted that the vast majority of WIPO mediations and arbitrations are conducted online. The Center also administered cases concerning Standard Essential Patents (SEPs) and published updated party guidance in this area. As part of WIPO's COVID-19 initiative, the Center launched the publication WIPO ADR for Life Sciences Disputes Management and Resolution, and processed cases in this field. Among other focus areas, the Center offered services and held webinars and seminars tailored to SMEs. Since the last Assemblies, the Center entered into new ADR collaborations with IP Offices and judicial authorities in 14 Member States, and updated its Guide on ADR for IP Offices and Courts. The Secretariat noted that the document also provided an update on the domain name-related activities of WIPO. It covered the Center's administration of domain name disputes especially under the WIPO-initiated Uniform Domain Name Dispute Resolution Policy (UDRP), including dispute resolution support to country code Top-Level Domains. It furthermore covered policy developments, including the review by the Internet Corporation for Assigned Names and Numbers (ICANN) of the UDRP, and the status of the recommendations made by the Member States in the context of the Second WIPO Internet Domain Name Process. The Secretariat shared that with over 5,700 cases, 2022 was another record year in WIPO domain name case filings. Since then, the caseload over the first five months of 2023 was up by another 19 per cent. The Center introduced a number of IT enhancements to further streamline processing efficiency while keeping high quality standards. Until today WIPO domain name dispute resolution has involved parties from a total of 186 countries and has covered over 116,000 domain names. With the addition since the last Assemblies of the national domain of Madagascar, the Center has provided services for over 80 country code Top-Level Domains.

209. The Delegation of Switzerland, speaking on behalf of Group B, attached great importance to WIPO's ADR services, as they constitute time- and cost-efficient alternatives to court litigation for IP disputes. Group B was pleased to learn about the 105 per cent increase in the Center's mediation and arbitration caseload in 2022, which illustrates the Center's key and effective role. The Delegation noted with interest that the Center entered into 14 new initiatives with Member States' IP Offices and judicial authorities since the 2022 Assemblies, compared to four new initiatives between the 2021 and 2022 Assemblies. Group B was pleased to observe the Center's performance in other areas, noting in particular the growing number of users of its domain name dispute resolution services under the UDRP. Group B supported the development of new Center services for SEP disputes and for facilitating contract negotiations and dispute management in long-term life sciences collaborations. Noting that by the end of 2022, more than 70 licensing and sub-licensing agreements concluded by the Medicines Patent Pool included WIPO mediation and arbitration clauses, Group B emphasized the constructive role played by IP rights in facilitating partnerships and voluntary technology transfers and thanked the Center for efforts made in that regard.

210. The Delegation of Serbia supported the activities of the Center and was pleased to learn about the exceptional results achieved. The Delegation thanked the Center for its continuous support since 2014. In that regard, the Delegation highlighted the collaboration between the IP Office of the Republic of Serbia and the Center in IP mediation promotion and training, noting that so far three highly successful national IP mediation trainings had been organized for judges and other IP experts. The Delegation noted that on November 15, 2017, the IP Office of the Republic of Serbia had signed a Memorandum of Understanding (MoU) with WIPO concerning ADR. At the same time, national cooperation in this field was significantly strengthened, leading to the conclusion of a cooperation agreement between the Ministry of Justice, competent courts and the IP Office of the Republic of Serbia to enhance the use of mediation for IP disputes. The Delegation indicated that this agreement provided for the establishment of a national IP mediation center at the IP Office of the Republic of Serbia, and that it continued to count on WIPO's support to achieve this goal.

211. The Delegation of Qatar stated that the Center's offering of ADR mechanisms for IP disputes was an integral part of the innovation and creativity ecosystem. The Delegation noted that such ADR mechanisms have enabled the settlement, through mediation and arbitration, of an important number of issues. The Delegation welcomed the 105 per cent increase in cases administered by the Center as well as the increase registered so far in 2023, and congratulated the Center on this. The Delegation reaffirmed its determination to follow up on the implementation of the MoU signed with WIPO in September 2022 concerning ADR options for IP disputes, which will allow Qatar to benefit from the expertise and organizational experience existing in this field.

212. The Delegation of Saudi Arabia welcomed the efforts and activities undertaken by the Center. The Delegation shared that as part of its national ADR strategy, Saudi Arabia had made ADR options available and the Saudi Authority for Intellectual Property (SAIP) has established a specialized ADR center. The Delegation stated that it looks forward to benefitting from the Center's services and joint cooperation in the area of ADR.

213. The Delegation of Morocco congratulated the Center for its remarkable work, as well as for initiatives undertaken to facilitate recourse to ADR such as the WIPO eADR system. The Delegation welcomed the efforts extended by the Center to increasingly meet the needs of its users and encouraged the Center to continue doing so. The Delegation was pleased to note that the Center continued to cooperate with national IP Offices to promote and help put in place time- and cost-efficient alternatives to court litigation of IP and technology disputes. The Delegation appreciated the fruitful collaboration between the Center and the Moroccan Industrial and Commercial Property Office (OMPIC), under which a series of events had been organized in Morocco to raise awareness and disseminate ADR culture for the benefit of SMEs.

214. The Delegation of the Republic of Korea noted that as global content consumption continues to increase, so did the number of cross-border copyright infringements. The Delegation added that disputes involving copyrighted works could outnumber other types of IP disputes. Recognizing this shift in the IP litigation landscape, the Delegation acknowledged the value and importance of mediation and arbitration as time- and cost-efficient alternatives to court litigation of copyright and content-related disputes. The Delegation noted that in November 2018, the Republic of Korea signed an MoU with WIPO establishing Korea FIT for the promotion of ADR. On this basis, the Republic of Korea and WIPO had collaborated in implementing projects and activities. Amongst examples of such collaboration, the Delegation noted the WIPO – Republic of Korea promotion scheme, the development of IT tools including an online gateway, and a newly launched series of seminars. The Delegation congratulated the Center on the publication, in 2021, of the WIPO-Republic of Korea survey titled "Alternative Dispute Resolution Mechanisms for Business-to-Business (B2B) Digital Copyright and Content-Related Disputes", as well as on the publication's translation in Arabic, Chinese, French, Korean, Russian, and Spanish. The Delegation reiterated its commitment to contribute positively to the Center's work and stated that it looks forward to continuing working in partnership with the Center in the future.

215. The Representative of ELAPI welcomed the work done by the Center not only to resolve disputes through ADR, but also to support economic and business growth through the development of IP and innovation. The Representative noted the considerable increase in the number of cases administered by the Center and supported the promotion of ADR services as rapid, effective, and efficient ways of resolving IP and technology disputes. The Representative noted the significant increase in requests relating to counterfeiting, fraud, usurpation of identity, and other forms of trademark abuse on the Internet. The Representative thus emphasized the importance of the promotion and use of the UDRP, as well as sharing of information on progress, tendencies, decisions, and case law on this matter. The Representative expressed ELAPI's readiness to work with the Assemblies, its Committees and Member States, and GRULAC.

216. The WIPO General Assembly took note of “WIPO Arbitration and Mediation Center, Including Domain Names” (document WO/GA/56/13).

## ITEM 19 OF THE CONSOLIDATED AGENDA

### REPORT ON THE PATENT LAW TREATY

217. Discussions were based on document [WO/GA/56/7](#).

218. The Secretariat introduced document WO/GA/56/7, which contained activities of WIPO that had facilitated filing of communications in electronic form in developing and LDCs as well as countries in transition, reflecting item 4 of the Agreed Statements by the Diplomatic Conference for the Adoption of the PLT. It noted that Annex I to that document described the relevant activities held during the period from June 2019 to May 2021, and Annex II contained a list of the PLT Contracting Parties, which was up to date.

219. The Delegation of Japan stated that, for many years, the Government of Japan had continuously provided technical assistance and financial support to developing countries in the IP field by means of, for example, voluntary contributions to WIPO. The Delegation remarked that one of the priority areas was the digitalization within IP offices, including the digitalization of their paper documents. In that regard, the Delegation affirmed its willingness to provide assistance in order to increase operational efficiency in each IP office.

220. The Representative of ELAPI thanked the Secretariat for their work on the report. The Representative manifested ELAPI's support for reinforcing communication, aiming at increasing the use of the ePCT platform and other WIPO platforms for searching new technologies and surveying technological development by the members of the PLT and/or the PCT as well as by other users having academic or technical background. The Representative then expressed ELAPI's interest in establishing communication channels with the Latin American Member States so that they could consider acceding to the PLT, since ELAPI considered it to be an important treaty within the international patent system with considerable outreach and impact on the development and diffusion of new technologies. The Representative affirmed ELAPI's motivations to promote the accessibility to information on new technologies and inventions, as well as to favor innovation and the generation of knowledge, through the implementation of the PLT. In addition, the Representative stated ELAPI's willingness to cooperate with the WIPO General Assembly and with the Member States, especially with the GRULAC countries, on any academic or technical needs that could arise with respect to the PLT, including on establishing communication channels that could benefit Latin American countries in acceding to the Treaty. Finally, the Representative offered ELAPI's assistance to WIPO for reaching out to Latin American countries, including those within the Southern Cone region, to help convince those countries to accede to the PLT, with a view to bolstering the participation of countries in southern hemisphere and Latin America with outstanding innovative, scientific and technical capacities, especially in the fields of biotechnology, health and the environment.

221. The WIPO General Assembly took note of the information on “Technical Assistance and Cooperation regarding the Patent Law Treaty (PLT)” (document WO/GA/56/7).

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