

## **UNOFFICIAL TRANSCRIPT**

### **Lesotho**

Mrs. Mpeo Mahase Moila, Minister for Law and Constitutional Affairs, and for Justice, Human Rights and Rehabilitation

Mr. President, Your Excellencies, the Director General of WIPO, Mr. Francis Gurry, Distinguished Delegates. First, I would like to congratulate you Mr. President on your appointment to chair this session of the Assemblies. I wish to assure you of our support as you carry out your mandate. I would also like to thank the World Intellectual Property Organization (WIPO) under the leadership of Mr. Francis Gurry for the comprehensive documentation and excellent arrangements made for these Assemblies. My delegation wishes to stress our support and confidence with the WIPO Director General. We are pleased to assist efforts to mainstream development activities in the different programs of the Organization for the coming years. We commend the Director General for initiatives to strengthen and streamline technical assistance in particular the strengthening of Least Developed Countries Division in order to address special needs of countries served by this Division, the majority of which are in Africa. Mr. Director General, it is our firm belief that as you strategize and set the WIPO shift in the right direction, the need for geographical balance in the engagement of your staff, even within our respective groups will not escape your eyes. It is generally accepted that, for sustainable growth and development, innovation and creativity are essential. Building solid foundations and a sound intellectual property system is therefore crucial. However, the greatest challenge we face is how to create an IP culture, encourage and promote creativity and innovation in an environment subject to severe constraints such as limited experience, weak IP infrastructure and policy framework. We fully appreciate that we have a duty to ensure that intellectual property rights holders receive

tangible benefits from the system. An effective IPR system is important to economic development because it provides confidence to the businesses, that rights to be respected and IPRs holders would benefit by receiving rewards for their efforts. What good is an efficient IP system if it cannot result in concrete and tangible benefits? This century has been held as that of knowledge economy. Developing countries require a good knowledge of intellectual property system to ensure that they draw maximum benefit from their own innovative and creative capacity. As a Least Developed Country, we rely on WIPO's guidance and expert assistance in the promotion of intellectual property in Lesotho. We also need to put in place an IP infrastructure that allows for participation in exchanging valuable information at regional and international level. We therefore welcome WIPO's efforts aimed at strengthening IP offices through a number of initiatives including the automation project, training programs and more recently, the launching of access to research and development of innovation (ArdI) program, aimed at enhancing access to technological information by researchers from developing countries. Lesotho has embarked on a massive outreach program to educate members of the public about IP. In 2008, to commemorate the World Intellectual Property Day, under the theme "celebrating innovation and promoting respect for intellectual property", the IP office organized a very successful choral music festival, participating chorals were to compose a song articulating the theme. This year, in cooperation with the Ministry of Forestry and Land Reclamation as well as with the Ministry of Education, the Office organized competitions for high school students on the theme "creating innovation for a secure future". Trees were planted to commemorate April 26.

The activities I have mentioned above are just an illustration of our efforts to make people aware of IP is not an elitist and unattainable issue, but an essential and practical tool which when effectively utilized can change people's lives positively. An increased appreciation for

the central rural patents information in stimulating innovation and sparing economic growth can never be over emphasized. It is in this regard that we urge development partners to actively support and meaningfully participate in the efforts of the Director General to establish Funds in Trust for the benefits of Least Developed Countries. This will help among others address capacity building both human and institutional and it will ensure effective utilization of all aspects of IP for wealth creation as well as strong standards and effective enforcement of IP. [Inaudible]... financial and economic crisis, and we can only urge that the prudent use of resources that come our way [inaudible]. Enforcement of IPR is a daunting task to all parties, be they right holders or enforcement agencies, particularly in the LDCs. Intellectual property rights are fairly new issues therefore there is need for extensive education in the curricula of all institutions of learning and relevant training for enforcement agencies.

Mr. President; the importance of traditional knowledge and traditional cultural expressions as a means of broadening intellectual property to make it more responsive to the needs of the developing world can also not be over emphasized. This is why my delegation is concerned with the impasse in the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. After years of discussions, fact-finding missions, studies, researches, analysis, consultations, reflections and negotiations, there is still no concrete outcome. We call upon the Member States of WIPO to collectively find creative and innovative solutions that will crystallize the work of the IGC into a legally binding international instrument as proposed by the African Group. We hope that this will be the basis on which the mandate of the IGC will be renewed. In this regard, we recognize the solid work done by the African Regional Intellectual Property Organization of putting in place a regional legal instrument on the protection of traditional knowledge and expressions of

folklore. The instrument is timely, significant and responsive. We all welcome WIPO's assistance to the Least Developed Countries in their IP objectives and appreciate its efforts in facilitating their participation in various WIPO fora. We are particularly grateful for the High Level Forum for LDCs to discuss policy and technical issues regarding the integration of IP in their national development strategies for prosperity and development to look into opportunities and challenges we face, exchange experiences and lend best practices. As one of the LDCs we are fully committed to the Ministerial Declaration that was adopted during the Forum and we wish to call upon WIPO to assist us in the formulation of relevant national IP and innovation strategies or policies as a matter of priority. It is our hope that adequate resources will be allocated for the Development Agenda-related activities and that the approach to pursuing this program will be as envisaged by all stakeholders. It is through the Development Agenda that we have an opportunity to significantly reduce the knowledge gap between the developed and the developing, to borrow the words of the Director General during his acceptance speech and I quote "I believe that it essential that we translate the political consensus into concrete and effective projects. The opportunity exists for the Organization to construct a global knowledge infrastructure, comprising public, freely available databases of technological and scientific information and operating on common standards for data interchange. Such an infrastructure would contribute in a practical way to sharing the social benefit of intellectual property systems. Through office automation and training, intellectual property offices and research institutions and universities in the developing world could be equipped to participate in this infrastructure." On a lighter note, Mr. President, let me observe that it would seem that women continue to be a rare commodity in decision-making circles of our respective Member States. Maybe if put to a proper use, intellectual property will help us solve even problems of this nature, gender equity and

intellectual property. Finally, we commend WIPO for all the positive developments and wish these Assemblies a success. I thank you all for your kind attention.