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WIPO and the Development Agenda

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Background

- At the WIPO General Assembly's 31st Session (Sept. 2004) Brazil and Argentina submitted a proposal for the establishment of a development agenda for WIPO;
- The Brazilian and Argentine proposal included the amendment of the 1967 WIPO treaty to incorporate a "development dimension";
- Elaboration of a treaty on access to knowledge and technology;
- WIPO to be asked to provide flexibilities in TRIPs;
- WIPO treaty-making to allow for policy space;
- About 12 additional proposals from the African Group, the USA, the UK, Chile, and Bahrain (with 10 Arab States co-sponsors).

- Reactions to the proposals of Brazil and Argentina;
- Developed countries were lukewarm to the proposals;
- Emphasis was placed by them on enhancing WIPO's technical cooperation and capacity building;
- (USA) - Suggestion for a Partnership Programme that is internet based; that matches donors and recipients of IP assistance;
- (UK) - Re-invigoration of the Permanent Committee on Cooperation for Development to serve as a forum to consider the "full range of IP and development issues."

- Following the proposal, WIPO's General Assembly decided to convene Inter-Sessional Intergovernmental Meetings (IIM) to examine the proposal;
- To date 4 meetings; 2 held under Inter-Sessional Intergovernmental Meeting. Third meeting held under Provisional Committee on Proposals Related to a WIPO Development Agenda.
- At its 32nd Session (Oct. 2005) WIPO's General Assembly decided to create a provisional committee to forward the work of the IIM on a Development Agenda for WIPO.

- These proposals were discussed at the June 2006 session of the PCDA, with several delegates expressing their concerns in the subject areas. Several delegations expressed the need for discussion on how to enhance development dimension in WIPO's work and emphasized their support for the continuation of the work on a development agenda. The matter was referred to the WIPO Assemblies held in September 2006.

Recommendations of PCDA to WIPO Assemblies

- On 15 June 2007, the Provisional Committee on Proposals Related to a WIPO Development Agenda (PCDA) reached agreement on a set of general principles and objectives covering four main clusters of activities:

Cluster A: Technical Assistance and Capacity Building;

Cluster B: Norm-setting, Flexibilities, Public Policy and Public Domain;

Cluster C: Technology Transfer, Information and Communication Technology (ICT) and Access to Knowledge;

Cluster D: Assessments, Evaluation and Impact Studies.

Cluster A: Technical Assistance Capacity Building

- This cluster includes 14 proposals aimed at:
 - Assisting member states in strengthening national capacity for protection of their domestic creations; and
 - Streamlining WIPO's technical assistance capabilities with the United Nations Development Goals.

Cluster B: Norm-setting, Flexibilities, Public Policy and Public Domain

- This cluster includes 9 proposals aimed at:
 - Ensuring that norm-setting activities are inclusive, member-driven and take into account different levels of development;
 - Ensuring that WIPO takes into account the flexibilities in international IP agreements, especially those which are of interest to developing countries and LDCs; and
 - Considering the preservation of the public domain within WIPO's normative processes and deepening the analysis of the implications and benefits of a rich and accessible public domain.

Cluster C: Technology Transfer, Information and Communication Technology (ICT) and Access to Knowledge

- This cluster includes 9 proposals aimed at:
 - Encouraging member states, especially developed countries, to urge their research and scientific institutions to enhance cooperation and exchange with research and development institutions in developing countries;
 - Promoting the transfer and dissemination of technology, specifically for the benefit of developing countries; and
 - Establishing appropriate measures to enable developing countries to fully understand and benefit from flexibilities provided for in international agreements.

Cluster D: Assessments, Evaluation and Impact Studies

- This cluster includes 6 proposals aimed at:
 - Developing an effective yearly review and evaluation mechanism for the assessment of all its development-oriented activities, including those related to technical assistance; and
 - Developing impact studies that assess the economic, social and cultural impact of the use of intellectual property systems.

- Several of these Proposals form part of the work of WIPO. Including:
 - Technical Capacity building.
 - Access to knowledge through the PCT and studies for the use of IP System to stimulate wealth creation.
 - WIPO has also conducted training in licensing agreements.

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