

**Statement by the Sri Lanka delegation at the Third Session of the IIM on a
Development Agenda for WIPO
20-22 July, 2005**

Ambassador Sarala Fernando

Mr. Chairman,

We appreciate the strenuous effort you have made in the informal consultations to develop a consensus which would enable us to move in a positive direction to the General Assembly. It is rather sad that even when there seemed to be a large majority of views converging on a recommendation to the General Assembly to continue the IIM process into 2006, this consensus was not achieved so we will have to settle for a factual report.

You have the honour to preside over a set of meetings which is truly historic within this organization. This is perhaps the first time a group of developing countries have sought to stimulate a comprehensive debate on the issues of development with a view to encouraging this organization to pursue development oriented results. We thank the Friends of Development for bringing the Development Agenda before WIPO at this moment in time when a broad reform process for the UN system, even as we speak, is being negotiated by our colleagues in New York.

At this late hour, my delegation would wish to make a few points briefly:

It must be noted that each session of the IIM has brought new proposals from member states, which have enriched the debate and our understanding of how development considerations could be incorporated into different aspects of WIPO's work. This is an year in which special attention has been given on many different UN and international fora to an analyses of the special needs of developing countries and we thank the African Group for reminding us of the call by the Second South Summit held recently in Doha for WIPO to integrate a Development Agenda into all its various activities. The thoughtful proposal by the African Group still remains to be discussed. It is in this context, that we fully support the Brazilian proposal to organize three additional, three day IIMs in 2006 which could report back to the General Assembly next year for appropriation action.

We also appreciate the Secretariat's recent efforts to respond to the concerns raised by the developing countries. The preface to the document issued a few days ago listing WIPO's development cooperation activities states that there has been a major shift in the focus and priorities of the development cooperation programme of WIPO. We note, for instance,

WIPO's affirmation that it stands ready to provide general or specific advice on using the flexibilities in the TRIPS Agreement and WIPO treaties to enable developing countries to make informed decisions in their national policies and strategies. Such advice is particularly useful for developing countries in the field of public health, access to knowledge and education. We appreciate the leadership of Director-General Idris in this regard and request him to further pursue these efforts.

Mr. Chairman,

The proposal by the delegation of Brazil also refers to the establishment of an independent WIPO evaluation and research office. This proposal, in fact, is in line with recent trends to establish similar structures in many UN and international organizations. I would recall, for instance, that in the IMF, an independent evaluation office has been established since four years which has the aim to provide objective analyses of various aspects of its work including technical assistance has already enabled a greater degree of transparency on development issues.

Mr. Chairman,

My delegation, in a statement to an earlier session of the IIM had also supported the participation of civil society and public interest groups in our discussions in WIPO. Their voice is particularly important on issues such as software patents, an area of interest to both developed and developing countries and on which it appears there are many views as to the limits of harmonization of patents vis-à-vis the promotion of creativity. My delegation would suggest that WIPO organize some interactive panel discussions pertaining to the use of ICT for Development including IPR aspects of free and open source software as a contribution to the WSIS process in order to both open up some risk free space for dialogue and to create a path towards that welcome synergy, coordination and harmonization of efforts within the UN system which the African Group has so rightly underlined in their proposal submitted to the third session of the IIM.