



Council of the
European Union

**Brussels, 5 December 2023
(OR. en)**

16410/23

PI 192

NOTE

From: General Secretariat of the Council
To: Delegations

Subject: 31st Session of the WIPO Committee on Development and Intellectual
Property (CDIP), Geneva, 27 November - 1st December 2023
- Final EU/Member States statements

Delegations will find attached the final EU/Member States statements delivered at the above-mentioned WIPO meeting.

31st Session of the WIPO Committee on Development and Intellectual Property (CDIP)

(Geneva, 27 November – 1st December 2023)

**Reactive statement of the delegation of Spain,
on behalf of the European Union and its Member States
in support of Ukraine**

(Geneva, November 2023)

Thank you very much for giving me the floor.

1. The European Union and its Member States expresses solidarity with Ukraine and supports the sovereignty and the territorial integrity of Ukraine within its internationally recognised borders.
2. We demand on Russia to immediately stop its invasion of Ukraine and cease all violations of international law. Russia must instantly and completely withdraw its troops from the whole territory of Ukraine and fully respect Ukraine's territorial integrity, sovereignty and independence within its internationally recognised borders.

We therefore welcome the decision of the 64th series of meetings of the Assemblies of the Member States of WIPO to continue these activities, hoping for prompt and efficient recovery process of the Ukrainian IP ecosystem.

**Reactive statement of the delegation of Spain,
on behalf of the European Union and its Member States - Israel/Gaza**

Thank you very much for giving me the floor.

Madame Vice-Chair,

I have the honour to speak on behalf of the European Union and its Member States.

1. The European Union and its Member States reiterate their condemnation in the strongest possible terms of Hamas for its brutal and indiscriminate terrorist attacks across Israel. The use of civilians as human shields by Hamas is a particularly deplorable atrocity.
2. We strongly emphasise Israel's right to defend itself in line with international law and international humanitarian law. We reiterate our call on Hamas to immediately release all hostages without any precondition.
3. The EU and its Member State reiterate the importance of ensuring the protection of all civilians at all times in line with international humanitarian law. We deplore all loss of civilian life.
4. We express our gravest concern for the deteriorating humanitarian situation in Gaza and call for continued, rapid, safe and unhindered humanitarian access and aid to reach those in need through all necessary measures including humanitarian corridors and pauses for humanitarian needs. We will work closely with partners in the region to protect civilians, provide assistance and facilitate access to food, water, medical care, fuel and shelter, ensuring that such assistance is not abused by terrorist organisations.
5. The EU and its Member States recall the need to avoid regional escalation and to engage with partners in this respect including with the Palestinian Authority.

6. We are ready to contribute to reviving a political process on the basis of the two-state solution, including through the Peace Day Effort, and welcome diplomatic peace and security initiatives and support the holding of an international peace conference soon.

Thank you, Madame Vice-Chair.

Agenda item 3

General/Opening Statement

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. Spain is honoured to take the floor on behalf of the European Union and its Member States. We would like to congratulate you on your election, and we look forward to working efficiently under your able guidance and during this session.
2. We would like to thank the WIPO Secretariat for organising the meeting and preparing all the documentation for such a wide range of issues.
3. We also would like to thank the Secretariat for processing the completion and evaluation reports on the Project on Copyright and the Distribution of Content in the Digital Environment as well as the impact evaluation report of the Project on Intellectual Property and Socio-Economic Development. We would also like to mention the valuable work happening in relation to the project proposal presented by the honourable delegation of India on intellectual property and unlocking the potential of non-agricultural geographical indications for the empowerment of local communities and preservation or revival of local arts and traditions in India.
4. Besides, we welcome the presentation of Phase II of the project on “Copyright and the Distribution of Content in the Digital Environment” presented by the honourable delegation of Brazil in 2018 and focused on the streaming of audio-visual content in Latin America.

5. Furthermore, we would like to thank WIPO for the development of two WIPO Tools: the one entitled “Drawing on Creativity, Copyright for Animation Industry Professionals: A Training Tool”, and the one on the “Role of Intellectual Property Rights in the Fashion Industry: From Conception to Commercialization”. We are convinced that they will certainly be very useful for the different users of the IP ecosystem.
6. We appreciate the large amount of work undertaken by the Secretariat. We are also grateful to the Member States for their important input to the work of the Committee. In order to take full advantage of the work done, we hope to continue the discussion on pending issues and valuable proposals for future work.
7. Madame Vice-Chair, the EU and its Member States look forward to continuing this work and contributing constructively to the various discussions during this session.

Thank you.

Agenda item 4(a)

Progress Report on the Implementation of the 45 DA Recommendations

(CDIP/31/2)

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to thank the WIPO Secretariat for preparing the progress report on the implementation of the Development Agenda (DA) for the period from July 2022 to June 2023. It provides a comprehensive overview of the projects and activities carried out in that period of time.
2. We appreciate the structure and format of the report, which makes it possible to quickly grasp the current state of play of the DA.
3. We are pleased to see that WIPO engaged with a wide variety of stakeholders ensuring an impact-driven approach for development, thereby ensuring that IP is a powerful catalyst for jobs, investments and development.
4. The EU and its Member States acknowledge and value the contribution of WIPO and its Secretariat to the implementation of the DA recommendations.

Thank you.

Agenda item 4(b)

Progress Reports – Ongoing Development Agenda Projects

(CDIP/31/3)

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to express their gratitude for the work detailed in document CDIP/31/3, containing a compilation of progress reports on the implementation of the ongoing Development Agenda (DA) projects, for the period from July 2022 to July 2023.
2. The aforementioned report provides an overview of the project implementation, key results and lessons learned.
3. We note that the completion report considers that the projects delivered the key outputs.

Thank you.

Agenda items 5(c)

Report on the International Conference on IP and Development – IP and Innovation for Sustainable Agriculture (April 24, 2023)

(CDIP/31/4)

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to thank the WIPO Secretariat for preparing the Report on the International Conference on IP and Development – IP and Innovation for Sustainable Agriculture (April 24, 2023). The report provides a summary of the main elements of the Conference.
2. We congratulate WIPO for such a successful and well-attended event, attracting a wide and diverse audience and we look forward to attending the next International Conference on IP and Development in 2025.

Thank you.

Agenda item 4(d)

Completion Report of the Project on Copyright and the Distribution of Content in the Digital Environment (CDIP/31/6)

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to thank the WIPO Secretariat for the completion report detailed in document CDIP/31/6, which was carried out by Mr. Rafael Ferraz Vázquez.
2. The completion report highlights, among other things, that the work carried out was appreciated by the relevant stakeholders and that the efforts resulted in an identification of cross-cutting IP issues that are also applicable to the digital audio-visual sector.
3. We consider the evaluation report as relevant and encourage the beneficiaries to duly consider its follow-up recommendations for the project.

Thank you.

Agenda items 4(e)

Evaluation Report of the Project on Copyright and the Distribution of Content in the Digital Environment (CDIP/31/7)

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to express their appreciation for the evaluation report of the Project on Copyright and the Distribution of Content in the Digital Environment CDIP/31/7, which was prepared by Ms. Victoria Sánchez Esteban.
2. The evaluation report concludes that this project had clearly contributed to meeting the two expected results: raising awareness of the role of copyright and related rights in the distribution of content and improving the understanding of the current licensing situation in the digital environment. We welcome the recommendations made by the report, including for WIPO to increase its work to disseminate the project results and outputs more broadly, which could potentially also enhance their usefulness
3. The EU and its Member States also take note of the recommendation made by the report related to develop a second phase, focused on meeting respondents' requests for a more practical approach in order to ensure results with a sustained impact and focused on the needs of smaller creators. Besides, we would like to suggest the Secretariat to devise a strategy for finding partners in the participating countries to continue the work of dissemination and capacity-building, once WIPO has transformed the project outputs into practical materials.

Thank you.

Agenda item 4(f)

Impact Evaluation Report of the Project on Intellectual Property and Socio-Economic Development (CDIP/31/8)

Madame Vice-Chair,

1. The EU and its Member States would like to express their appreciation for the impact evaluation report of the Project on Intellectual Property and Socio-Economic Development, contained in document CDIP/31/8, and undertaken by Mr. Keith Child.
2. We welcome the project's aim to narrow the knowledge gap faced by policymakers in designing and implementing an IP regime and to contribute to better-informed decision-making on IP policies at the national and international levels. In addition, we also appreciate the impact evaluation's aim to look at the long-term developments of the project's deliverables and to provide evidence-based evaluative information to support the Committee's decision-making processes for ongoing and future projects with similar high-level objectives.

Thank you.

Agenda item 4(i)

WIPO Technical Assistance in the Area of Cooperation for Development

Compilation of Topics Proposed by the Secretariat for Future Webinars on Technical Assistance

(CDIP/31/INF/5)

Thank you very much for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to reiterate its satisfaction with the impressive work of the Committee and the Secretariat, which has continued since the closure of the item “An External Review of WIPO Technical Assistance in the Area of Cooperation for Development”. We appreciate the implementation of the proposal submitted by the honourable delegation of Spain containing the following six elements: sharing platforms, coordination and cooperation, quality and effectiveness, selection of consultants, roster of experts, and the TA webpage.
2. We support the approval of the Revised Document on Future Webinars (CDIP/30/8 REV.) in the thirtieth session of the CDIP held in April 2023 in Geneva. Such document contains the delivery strategy for the webinars on technical assistance, we request the Secretariat to start the implementation of this decision.
3. We are pleased that the Committee has closed the discussion on document CDIP/24/8, in view of the adoption of the Terms of Reference for an Independent External Review of WIPO’s Technical Assistance in the Area of Cooperation for Development contained in document CDIP/30/3.
4. Finally, we welcome the two topics proposed by the Secretariat for future webinars on technical assistance named: “Impact-oriented Technical Assistance and Capacity Building: Factors for Success and Lessons Learned” and “Virtual Technical Assistance and Capacity Building: A Critical Look at the Advantages and Limitations”, respectively.

Thank you.

Agenda item 5(a)

Continuation of discussion on the Adopted Recommendations of the Independent Review – Updated Proposal by the Secretariat and Member States Inputs (CDIP/29/6)

Thank you very much for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States acknowledge the thorough work done by the Committee and the Secretariat on the item ‘An Independent Review of the Implementation of the Development Agenda Recommendations’ (document CDIP/18/7) and on the subsequent ‘Secretariat’s Proposal on Modalities and Implementation Strategies for the Adopted Recommendations of the Independent Review and Options as Regards the Reporting and Reviewing Process’ (document CDIP/23/8).
2. We recall that the Committee decided during the last session to continue the discussion on implementation strategy 1, proposed by the Secretariat at this session. We look forward to continuing those discussions.

Thank you.

Agenda items 5(b)

Project on IP and Innovation Collaboration as a Foundation for Technology Transfer and Bringing Research Output to Market – Project Proposal Submitted by the Philippines (CDIP/31/5)

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to thank the honourable delegation of the Philippines for submitting the project proposal for a pilot project on “IP and Innovation Collaboration as a Foundation for Technology Transfer and Bringing Research Output to Market” in April 2023, and to thank the WIPO Secretariat for preparing document CDIP/31/5.
2. We welcome the overall objective of this project to enhance success in innovation collaboration, in particular, for social and economic development, by identifying and disseminating good practices and effective institutional policy frameworks; and developing and refining guidance and training in this area.
3. We look forward to continue with the discussion and exchange of views on this project proposal.

Thank you.

Agenda item 6(c)

Project on Intellectual Property and Unlocking the Potential of Non-Agricultural Geographical Indications for the Empowerment of Local Communities and Preservation or Revival of Local Arts and Traditions – Project Proposal Submitted by India

(CDIP/31/9)

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to thank the honourable delegation of India for submitting the project proposal, contained in the document CDIP/31/9.
2. We welcome the overall objective to gain a better understanding of the multifactor impact of non-agricultural GIs on local communities and preservation or revival of local arts and traditions, with a view to developing and implementing an enabling ecosystem for the protection and commercial use of non-agricultural GIs.
3. The EU and its Member States are looking forward to the discussion and exchange of views on this project proposal.

Thank you.

Agenda item 5(d)

Project on Copyright and the Distribution of Content in the Digital Environment – Phase II – Project Proposal Submitted by Brazil (CDIP/31/10)

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to thank the honourable delegation of Brazil for submitting the project proposal, contained in the document CDIP/31/10.
2. We note that this project builds on a former project proposed by Brazil in 2018, focused on the streaming of audio-visual content in Latin America, which was implemented in Argentina, Brazil, Costa Rica, Ecuador, Peru and Uruguay, and resulted in insightful analysis of the evolving Latin American streaming market. The proposed continuation of the Project seeks to build upon the knowledge accumulated through the outputs of the initial Project and to respond to recent developments in the post-COVID-19 era and takes into account the recent developments in the audio-visual market.
3. We support the general objective to gain a better understanding of the use of IP to commercialize the audio-visual content in the era of streaming in Latin America, while building on the achievements of the initial Project and addressing post-COVID-19 challenges.
4. We are interested in learning more on how this project seeks to address a number of concrete actions that had been proposed, discussed and identified by governments of participating countries and stakeholders to sustain the initial results of the project in the post-COVID-19 era.
5. The EU and its Member States are looking forward to the discussion and exchange of views on this project proposal.

Thank you.

Agenda item 5(e)

Compilation of Topics Proposed by Member States to be addressed under the Agenda Item on “Intellectual Property and Development”

(CDIP/31/11 REV)

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to thank all the delegations that have submitted proposals under this agenda item.
2. We support both proposals presented by Group B. As regards to “Proposal 1: IP and the Judiciary: Building capacities and expertise”, we also believe that it might thus be useful to share experiences relating to how Member States improve and update the capacity of judges and related judicial staff in the field of IP. As regards to “Proposal 2: Mainstreaming IP in development cooperation programs”, we are convinced that IP can play a crucial role in development and contribute to SDGs and a discussion sharing experiences and challenges of member states in mainstreaming IP in development through capacity-building activities and/or technical cooperation projects would provide useful insights. This may include multilateral, regional and national capacity-building activities.
3. In addition, we support the proposal presented by the honourable delegation of Poland on “Creativity - society - development: how to solve aging societies’ dilemma by delivering opportunities for youth – IP in use in fixing challenges of today’s world”, as we consider that it is necessary to seek new IP-related solutions to deliver quality-to-value services to aging societies.
4. Furthermore, we welcome the proposal presented by the honourable delegation of Brazil named “AI challenges for IP and development”, as well as the three proposals presented by the honourable delegation of Slovenia identified as “Proposal 1: Intellectual property and innovation in the event of natural disasters”, “Proposal 2: Intellectual property and education”, and “Proposal 3: Intellectual property in the digital world”.

5. Besides, we also welcome the four proposals presented by the African Group designated as “Proposal 1: Building the capacity of universities to manage and commercialise IP: Transferring IP and technology”; “Proposal 2: Digital transformation for IP offices: strengthening capacity-building programmes and services”; “Proposal 3: Bolstering IP infrastructures to address the developmental needs of countries”; and “Proposal 4: Leveraging IP for achieving the SDGs: Strengthening Global Partnerships, South-South and triangular cooperation”.
6. However, we would appreciate to learn more about all these proposals presented by Brazil and the African Group before we can support them.
7. The EU and its Member States are looking forward to the discussion and exchange of views on these topic proposals.

Thank you.

Agenda item 5(f)

Compilation of Sub-Topics Proposed by Member States for the International Conference on Intellectual Property and Development (CDIP/31/12)

Thank you Madame Vice-Chair for giving me the floor.

Madame Vice-Chair,

1. The EU and its Member States would like to thank all the delegations that have submitted proposals under this agenda item.
2. We support the three proposals presented by Group B. As regards to “Proposal 1: Vertical tech transfers: Higher Education-Industry collaboration and the facilitative role of IP frameworks”, we also believe that an international conference that invites presentations about vertical tech transfers between universities and the private sector would have the potential to combine the issues related to IP and education, youth, and small businesses. Besides, it would be beneficial for MS to hear about how different countries govern vertical tech transfer with varying levels of intervention.
3. As regards to “Proposal 2: How to make the young generation engage with IP – IP education and training at schools and universities, IPR awareness among kids and youngsters”, we are convinced that a discussion about how IP is integrated into educational curricula of schools and universities and how topics are introduced based on the educational level would be useful. As regards to “Proposal 3: IP and financing for MSMEs”, we strongly believe that this sub-topic could provide a means to explore a variety of issues of interest to both developed and developing Member States.
4. In addition, we support the proposal presented by the honourable delegation of Poland on “IP and creative minds – grasping the future of creativity through IP”, as we also believe that an exchange of practices and national experiences about how to build and increase IP awareness among fine arts academies and artistic school students is essential.
5. Furthermore, we can support the proposal presented by the honourable delegation of the United Kingdom on “The role of IP in incentivising AI-enabled innovation for sustainable

development”, as we also believe that it will be useful to discuss about the role of IP in supporting innovators to leverage the potential of AI for sustainable development.

6. We welcome the proposal presented by the honourable delegation of Brazil named “Creative economy in the new digital age – IP as a tool for development”, the three proposals presented by the honourable delegation of Slovenia identified as “Proposal 1: Intellectual property and innovation in the event of natural disasters”; “Proposal 2: Intellectual property and education; and “Proposal 3: Intellectual property in the digital world”. Besides, we also welcome the proposal presented by the African Group designated as “The role of IP and innovation in addressing global public health challenges: fostering technological transfer and collaborations”. However, we would appreciate to learn more about all these proposals presented by Brazil and the African Group before we can support them.
7. The EU and its Member States are looking forward to the discussion and exchange of views on these topic proposals.

Thank you.

Agenda item 5 (g)

Executive Summary of the WIPO Tool Entitled “Drawing on Creativity, Copyright for Animation Industry Professionals: A Training Tool”

See document CDIP/31/INF/2

No statement.

Agenda item 5 (h)

Executive Summary of the WIPO Tool on the Role of Intellectual Property Rights in the Fashion Industry: From Conception to Commercialization

See document CDIP/31/INF/3

No statement.

Agenda item 5 (i)

Executive Summary of the WIPO Tool on Building a Digital Publishing Economy: Opportunities and Framework for Development

See document CDIP/31/INF/4.

No statement.

Agenda item 6

Intellectual Property and Development – Addressing Climate Change: IP Helps Achieve the Goals of Carbon Peaking and Carbon Neutrality

No statement.

Agenda item 7

Future Work

No statement.

Agenda item 8

Summary by the Chair

No statement.

Agenda item 10

Closing statement

(To be developed further, as necessary, during the session)

Madame Vice-Chair,

1. [The EU and its Member States congratulate you Madame Vice-Chair for your able leadership and thank you for your efficient guidance through this 31th session of the CDIP. We thank the WIPO Secretariat for their hard work prior to and during this week, and the interpreters for their invaluable efforts in helping us understand each other.
2. The EU and its Member States welcome the outcome of this meeting, as reflected in the Summary of the Madame Vice-Chair, and thank all Member States for their valuable contribution to the session. The EU and its Member States look forward to having further constructive discussions at the next session.]

Thank you.
