

## COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY (CDIP)

### Second Session

Geneva, July 7 to 11, 2008

#### Summary by the Chair

1. The WIPO General Assembly, in its session held in September-October 2007, decided to adopt the recommendations for action on the 45 agreed proposals, and to immediately implement the 19 proposals identified by the Chair of the PCDA, in consultation with Member States and the Secretariat. The General Assembly also decided to establish a Committee on Development and Intellectual Property (CDIP) to:

- (a) develop a work-program for implementation of the adopted recommendations;
- (b) monitor, assess, discuss and report on the implementation of all recommendations adopted, and for that purpose it shall coordinate with relevant WIPO bodies; and
- (c) discuss intellectual property and development related issues as agreed by the Committee, as well as those decided by the General Assembly.

It was also decided that the Committee would report and may make recommendations annually to the General Assembly.

2. The First Session of the CDIP was held from March 3 to 7, 2008. The CDIP adopted the Rules of Procedure included in document CDIP/1/2 and discussed the initial working document prepared by the Chair of the PCDA, in consultation with Member States and the Secretariat, and decided to use it as a working document of the CDIP (CDIP/1/3). The delegations discussed activities to implement adopted recommendations 2, 5, 8, 9 and 10 in the list of 26 and agreed that the proposed activities, as suitably modified following discussions, would be sent to the Secretariat to assess the human and financial resource requirements, before the July 2008 session. In addition, the CDIP reviewed and commented on activities being implemented under adopted recommendation 1 in the list of 19, suggested changes and considered new activities. It was agreed that the Secretariat would make the necessary modification and furnish a progress report on the adopted recommendations in the list of 19 for the July 2008 session of the Committee. The Committee also agreed that the Chair would organize informal consultations between the first and second sessions to continue consideration of the work program for implementation of the adopted recommendations.

3. The Second Session of the CDIP was held from July 7 to 11, 2008. 101 Member States, 8 inter-governmental organizations (IGOs) and 37 non-governmental organizations (NGOs) participated in the session.

4. The CDIP decided to admit, on an *ad hoc* basis, one NGO, namely, the International Committee for the Indigenous Peoples of the Americas (INCOMINDIOS), without implications as to their status for future WIPO meetings.

5. The CDIP adopted the draft agenda as proposed in document CDIP/2/1 Prov.
6. The CDIP adopted the Report of the First Session, contained in document CDIP/1/4 Prov.
7. The Chair of the CDIP, Ambassador C. Trevor Clarke, invited Mr. Francis Gurry, who has been nominated by the Coordination Committee of WIPO as the candidate for appointment to the post of Director General of WIPO, to address the Committee. Mr. Gurry emphasized his commitment to the effective implementation of the WIPO Development Agenda, pledging to personally supervise this important initiative in the future. He also added that the development dimension must be taken into account horizontally across the Organization and concluded that the Development Agenda represented a major opportunity to address the role of intellectual property in development and the contribution of intellectual property to narrowing the knowledge gap and the digital divide. He assured delegations that the appropriate budgetary resources would be made available to support the implementation of proposals contained in the Development Agenda.
8. The CDIP discussed document CDIP/2/2, which included revised text on the proposed activities for the implementation of adopted recommendations 2, 5, 8, 9 and 10 in the list of 26 and additional human and financial resource requirements relating to those recommendations. The Committee agreed with the revised text with some modifications and also agreed on the indicative figures on the respective human and financial resource requirements proposed by the Secretariat for implementing the recommendations, as contained in Annex II of this document. In respect of these recommendations, the Committee also took note of the information contained in documents CDIP/2/INF/1, CDIP/2/INF/2 and CDIP/2/INF/3. The Committee also discussed adopted recommendation 1 in the list of 19 recommendations, and agreed to the proposed activities included in document CDIP/2/2 with some modifications, as included in Annex I of this document. Further, the Committee discussed activities for the implementation of adopted recommendations 3,4,6,7 and 11 and agreed to the proposed activities, as contained in Annex I. These recommendations had also been discussed in the informal consultations organized by the Chair on April 16 and 17, 2008.
9. The Committee discussed the activities for implementation of adopted recommendations 20, 22 and 23 in Cluster B, list of 26, following the same procedure as had been established during the first session of the CDIP. Accordingly, the Committee agreed that the proposed activities, as suitably modified following discussions, would be sent to the Secretariat to assess the human and financial resource requirements, and would be communicated to the Member States before the third session of the CDIP. The CDIP also reviewed and commented on activities being implemented under adopted recommendation 12 in the list of 19, suggested changes and considered new activities. It was agreed that the Secretariat would make the necessary modifications and furnish a progress report on the adopted recommendation in the list of 19 for the third session of the Committee.
10. The Committee noted that there was a need to discuss the necessary mechanisms for its coordination with other relevant WIPO bodies in implementing the adopted recommendations, and also the modalities for monitoring, assessing and reporting on the implementation of recommendations. The Committee therefore decided to have a discussion on these issues at the third session of the CDIP.

11. The CDIP noted that the Draft Report of the Second Session will be prepared by the Secretariat and communicated to the Permanent Missions of the Member States, and will also be made available to Member States, IGOs and NGOs, in electronic form, on the WIPO website. Comments on the Draft Report should be communicated in writing to the Secretariat within three weeks of its issue. The revised Draft Report would then be considered for adoption at the beginning of the third session of the CDIP.

12. In line with its mandate, the CDIP decided to submit a report, with recommendations, to the 2008 WIPO General Assembly, containing the following elements:

(a) Information about the first and second sessions of the CDIP (held in March 2008 and July 2008 respectively); the informal consultations (held in April 2008); and the documents considered in those meetings, including the adopted Rules of Procedure of the Committee.

(b) Report on the activities for implementation by WIPO in respect of the work program for the adopted recommendations contained in Annex 1 of this document. These recommendations belong to the list of 19 and were discussed in the first and second sessions of the CDIP. Implementation of activities relating to the remaining recommendations in the list of 19 has been initiated by WIPO and will be reviewed in the third session of the CDIP.

(c) Recommend the work program in respect of the adopted recommendations, contained in Annex II of this document, with the necessary adjustments to the revised program and budget for 2009, for the additional requirements of human and financial resources for implementing these recommendations.

(d) Urge the General Assembly to make such resources available to the Secretariat, in a manner consistent with WIPO's program and budgetary processes, to ensure speedy and robust implementation of the WIPO Development Agenda

(e) Urge the General Assembly to encourage all Member States, the Secretariat and other relevant WIPO bodies to effectively implement the adopted recommendations.

*13. The CDIP considered and noted the contents of this Summary by the Chair.*

[Annex I follows]