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REPÚBLICA DE MOÇAMBIQUE
JUNTO DAS NAÇÕES UNIDAS
GENEVA



PERMANENT MISSION OF THE
REPUBLIC OF MOZAMBIQUE
TO THE UNITED NATIONS
GENEVA

Talking notes by H. E. Ambassador Pedro Comissário, Permanent Representative of the Republic of Mozambique to United Nations and Others International Organization in Geneva at the 26th Session of the of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

(Geneva, 3rd February 2014)

- Thank you, Mr Chairman, for giving me the floor and allow me to state that we highly value your excellent leadership of this Committee.
- Mozambique wishes to align herself with the statement made by Algeria, on behalf of the African Group.
- Mozambique has been following the negotiations in the IGC process and we remain deeply committed to seeing a constructive and mutually beneficial result from this current session.
- The question of a multilateral regime for the protection of genetic resources, traditional knowledge and folklore has occupied the attention of the international community for well over a decade. During this time, many developing countries, including Mozambique, have become increasingly concerned about the seeming lack of meaningful progress to achieve what ought to be a relatively simple set of ideals well recognized in WIPO and other inter-governmental organizations, namely, the protection of the intellectual and scientific contributions and knowledge of communities whether they be described as “indigenous” “traditional” or “modern.”

- Mozambique believes strongly that well-established principles of international law and intellectual property law already set the stage for the recognition within WIPO that all creativity is equal, and that knowledge in its various forms has economic and cultural value that can be appropriated or misappropriated. The IGC process has spent considerable time (in fact, too much time) on accomplishing a legally enforceable framework to facilitate the protection of genetic resources, traditional knowledge and folklore. The time for meaningful and credible action and commitment is here.
- To advance the negotiation process, countries and groups of countries should act concertedly with good will, conscious that the process will certainly contribute to an outcome that strengthens a number of WIPO's organizational mandates including the promotion of intellectual property for development, strengthening the interests of developing countries in a more comprehensive regulatory approach to the protection of knowledge goods, and ensuring that the rights and interests of all knowledge creators, no matter where they reside or how they are categorized, is protected.
- We are fully aware of the stakes involved. Many industries are accustomed and benefit immensely already from the existing system in which genetic resources, traditional knowledge and folklore are easily accessed, utilized and marketed globally without attribution, much less compensation, to the source communities whose collective historical and on-going investment of resources – both human and material- are responsible for the first generation of this knowledge.
- Mr. Chairman, it would make a mockery of the system of protection for knowledge goods—intellectual property—if this process fails to produce a credible outcome. Here, we must have strong political will and a long-term view of development. As we have seen in other fora, a renewed commitment to enforcement of misappropriation of genetic resources, traditional knowledge and folklore requires all member states of WIPO to engage meaningfully in the IGC process. There should not be one system or set of principles of protection for knowledge goods emanating from one

part of the world, and another for those goods coming from other parts. History has taught us time and time again that any regime based on inequity will not succeed and, instead, can generate systemic challenges for those successes that the international community and WIPO have already attained.

- Mozambique believes strongly that WIPO, with the aid of experts and the political will of governments, can and will do better in this round of the IGC process.
- The several commitments on solidarity, assistance and support to developing countries must be translated here in letter and spirit to an international instrument that strongly and equally defends the knowledge goods of developing countries, thus allowing their further integration in the world economy and within WIPO itself.
- Mr. Chair, once again, the time is now for the political will needed to conclude the negotiations of the texts and to move expeditiously to convene a diplomatic conference by 2015 to adopt an international legally-binding instrument for the protection of GRs, TK and TCES.
- Mozambique like many of the countries represented here is ready and willing to continue working towards that end in good faith, with an attitude of responsibility and consensus-building to ensure that 2015 will witness the end of this long road to protect GRs, TK and TCEs.

Geneva, 3rd February 2014