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Agenda Item 5 – General Statement

Statement by H.E. Ravinatha Aryasinha

Permanent Representative of Sri Lanka to the United Nations

Mr. President

My delegation wishes you the best in chairing the 57<sup>th</sup> series of WIPO Assemblies. Sri Lanka would like to align itself with the statement delivered on behalf of the Asia Pacific Group.

We thank Dr. Francis Gurry for his Report and welcome the important steps taken by the Director General with regard to the Development Agenda in WIPO's work.

We also take note of the developments in WIPO's work and mainstreaming of the Development Agenda. However, it is also necessary to develop substantive discussions on the larger conceptual framework of development to ensure that IP regimes will contribute to the socio-economic growth and development in countries.

Sri Lanka attributes the greatest importance to the work carried out by the Intergovernmental Committee on Genetic Resources (GR), Traditional Knowledge (TK) and Folklore (IGC), which is of particular importance to the developing countries. While welcoming the Report of the IGC with regard to its work for the biennium 2016/2017, we wish to see substantive outcome of this important normative area. While extending our strong support to the recommendation to this Assembly for a renewal of mandate for a period of two years (2018-2019), we stress the need to see the conclusion of the text based negotiation process over the next biennium through a clear programme of

work, leading to a consensual legally binding international instrument(s) that would protect and foster the IP rights of GRs, TK and TCEs, particularly, taking into account the different levels of maturity achieved over the last several years of negotiation.

While Sri Lanka takes note of the progress made in the discussions regarding the Draft Design Law Treaty, we also highlight that further work is still needed in reflecting the different levels of development of the Member States in the text of the Treaty to address outstanding issues. We believe that implementation of the proposed Treaty requires augmented capacity by States to carry out its obligations and wish to stress upon the need for technical assistance for developing countries in implementing its provisions.

The establishment of new WIPO external offices, for the current and the next biennia, should be made in an inclusive, transparent, and consensual manner in line with the approved Guiding Principles for external offices, which was adopted by the WIPO GA. We urge the parties to continue further discussions during the General Assemblies to reach consensus on the establishment of the new external offices.

While appreciating the ongoing close cooperation WIPO maintains with developing countries through CDIP and the other committees, with emphasis on providing technical cooperation and capacity building needs of the member States, we note that many developing countries, in particular LDC and Small Island developing States continue to lag behind on the IP protection regime, which further impact these countries from advancing in Sustainable Development Agenda.

We highlight the need for implementation of the Development Agenda of WIPO and in this connection, urge the Director General of WIPO, to take solid efforts in consultation the member States and with the relevant UN and international organizations to mainstream the Sustainable Development Goals in the work programmes of all relevant WIPO bodies. We note the steps already taken by WIPO on SDGs, and we welcome the presentation by the Director General in February this year to Ambassadors and Permanent Representatives in Geneva on “WIPO and the SDGs” as well as the Report on WIPOs Contribution to the implementation of SDGs and its associated targets” by Mr. Ridha Bouabid, Representative of the WIPO Director General on the UN Sustainable Development Goals, the first annual report by the WIPO Secretariat on WIPO contributions to the SDGs.

However, we urge WIPO to consider SDGs holistically rather than in isolation and for WIPO to consider practical ways to incorporate SDGs through mainstreaming them across the WIPO bodies and in partnership with the UN system. In this regard, we note the potential role of CDIP could play and we

welcome decision at the CDIP early this year, to have a standing item on IP and Development in the regular agenda of the CDIP. It is also very important that South-South cooperation remain visible in the WIPO's Agenda and generate more discussion and initiatives within the CDIP.

Mr. President,

As a developing country, Sri Lanka recognizes the significant benefits of using IP as an important tool for technological advancement as well as socio-economic development, which is in line with the present Government's policy of orienting the country towards a knowledge and innovation economy. In this context, Sri Lanka wishes to place on record its sincere appreciation for the valuable cooperation extended to the GOSL by WIPO in developing with Sri Lanka, and supporting the implementation of a 10-Point Action Plan, which could serve as a model to countries similarly placed.

We are pleased to highlight some of the tangible outcomes in implementing this Action Plan as follows :

- Sri Lanka was selected for the first time as one of the four pilot countries to participate in the CDIP Project titled "Intellectual Property, Tourism and Culture". The project which is coordinated by the Sri Lanka Tourism Development Authority (SLTDA), was launched in Sri Lanka, through the creation of a National Steering Committee for the project implementation at national level. The objective of this Project is to contribute to promoting awareness of the role of IP in Sri Lanka and support the tourism-related economic activities of the country.

The National Consultant, who was chosen by WIPO to conduct a comprehensive study with a view to implement the project in Sri Lanka has already submitted the study report. The Report has been approved by WIPO for publication and is expected to be published and launched in November 2017 while workshops and meetings for relevant stakeholders are scheduled to be held in parallel. The study will also be used to develop curriculum on IP for Tourism to be used in the Sri Lanka Hotel School and for Diploma and certificate programmes for those engaged in tourism related SMEs.

- In April 2017, Sri Lanka with assistance from WIPO, held a National Workshop on Traditional Knowledge and Traditional Cultural Expressions from 27-28 April 2017. During the National Workshop, the stakeholders and experts considered a comprehensive National TK Policy. The outcome of the Workshop served to strengthen Sri Lanka's efforts to

finalize the draft National TK policy, which is presently being progressed through the Ministry of Industry and Commerce.

In addition, Sri Lanka as the former chair of G-15 hosted a TK Workshop for G-15 countries in April 2017, as a sequel to the first G-15 TK workshop held in Algeria in 2016 and the Workshop was held back-to-back with the National Workshop on TK.

We also note with appreciation the visit of Ambassador Minelik Getahun, Assistant Director General of the Global Issues Sector of WIPO in connection with the opening ceremonies of the G-15 and national workshops on TK and the celebration of 'World IP Day' on 26 April 2016. He was the highest level official from WIPO to visit Sri Lanka since the visit of DG/WIPO to Sri Lanka in November 2013.

- As part of the ongoing collaboration with WIPO, Sri Lanka has been chosen for implementing the Enabling IP Environment (EIE) Project to Increase the Capacity of Sri Lankan Institutions for Technology Development, Management and Commercialization. The project aims at encouraging universities and research institutions of Sri Lanka to increase the pace for IP-based technology commercialization and help build the local innovation eco-system. The project is now underway with a hub, sub-hubs and spokes identified and the initial round of awareness programs being carried out. Patent drafting training has started and the establishment of Technology Transfer Offices (TTO) in Universities and Research Institutions (all selected spokes) is now being progressed. Further, a select group from the Project parties will receive long term training. Commercial Law Development Program (CLDP) of USA too is partnering the WIPO program with respect to the establishment of TTOs and the training.

The EIE project follows WIPO's IP Hub Mission to Sri Lanka in 2016, to discuss the uses of many tools of IP, in order to create Intellectual Property Hubs (IP Hubs) which brought together a group of stakeholders from the public and private sectors, including 21 line Ministries and 64 research institutions, as well as other actors, drivers, service-providers, technology and research professionals, technology businesses, investors and funders, research universities.

- The drafting of a comprehensive Intellectual Property Policy is being progressed with technical support of WIPO. A National Consultant will soon be appointed to draft the IP policy and it is also planned to hold consultations with relevant stakeholders during the process.

- During the 56<sup>th</sup> WIPO General Assembly, Sri Lanka submitted the Instrument of Accession to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled. Discussions with book publishers and visually impaired stakeholders will commence soon to discuss the road map to implement Marrakesh Treaty requirements. Further, discussions will be held with ABC consortium in order to get assistance to establish a mechanism in this regard.
- Steps have been taken to operationalize the accession process to the Madrid system (Agreement and Protocol for the International Registration of Marks). The Government has allocated funds for the next 2 years to implement an Action Plan in this regard.
- Already steps have been taken to upgrade the NIPO website to international standard and implement an E-NIPO project in order to have a Madrid compatible system. A Madrid awareness raising session was undertaken by WIPO in November 2016. Under the accession process to Madrid, WIPO has agreed to provide technical assistance and capacity building to NIPO for 2016-2018, to facilitate upgrading the national IP system as a Madrid compatible system. NIPO is currently engaged in infrastructure development of the office. The draft amendment to the existing IP laws providing facilitation for international and local trade mark applications through Madrid system is being finalized.
- The on-line Sri Lankan Innovation Dashboard<sup>1</sup> (SL-IDB) on Sri Lanka's scientific landscape which encompasses a bird's eye view of the innovation eco-system in the country was launched in July 2015 and it was further developed with technical assistance and expertise provided by WIPO, which undertook Missions to Sri Lanka.

The on-line Sri Lankan Innovation Dashboard will be institutionalized through NASTICA (National Science Technology and Innovation Coordination Authority) early next year with the enactment of legislation and the SLIDB will be used to generate a unique national researcher ID. Sri Lanka in 2017 ranked 90 out of 127 economies in the world according to the Global Innovation Index of 2017. (In 2014 Sri Lanka was ranked 105 out of 143 countries, In 2015 Sri Lanka was ranked 85 among 141 countries while in 2016 Sri Lanka ranked 91 among 128.)

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- The Cabinet of Ministers has approved amendments to the Intellectual Property law, which aims to facilitate registration of “Geographical Indications” in Sri Lanka and safeguard the interests of the producers and exports of Ceylon Tea and Ceylon Cinnamon. Proposed amendment as an interim measure to protect Geographical Indications (GIs) has now been gazetted. The amendments are expected to be tabled in Parliament for approval and NIPO is making preparations to issue GI registration certificates accordingly.

Mr. President,

On regional cooperation, during 13<sup>th</sup> WIPO-SAARC Consultation Meeting on Cooperation in the field of Intellectual Property which was held on 28 September 2017, Sri Lanka highlighted the need to finalize the proposed Memorandum of Understanding (MoU) to strengthen mutual cooperation between WIPO and SAARC countries, during the forthcoming SAARC meetings.

Mr. Chairman,

In conclusion, Sri Lanka looks forward to expanding on these processes of cooperation with WIPO and to contribute to the current discussions.