

Statement by Ambassador Dr. Dinesh Bhattarai, Permanent Representative of Nepal to the UN and the Chair of the LDCs Group, at the Forum for Ambassadors and Senior Officials on Intellectual Property for the Least Developed Countries organized by World Intellectual Property Organization (WIPO) on February 14, 2011

**Hon'ble Ministers,
Director General of the WIPO, Dr. Francis Gurry,
Secretary General of the UNCTAD Dr. Supachai Panitchpakdi,
Director General of the WTO Dr. Pascal Lamy,
Excellencies the Ambassadors,
Ladies and Gentlemen:**

First of all, let me convey the cordial greetings from the newly elected Prime Minister of Nepal to the distinguished gathering here, and best wishes for the success of this meeting.

On behalf the LDCs group in Geneva, I have the honor and privilege to extend a warm welcome to Hon'ble Ministers H.E. Mr. Dilip Barua, Minister for Industries of Bangladesh, H.E. Mr. Frederick Ruhindi, Deputy Attorney General and Minister of State for Justice and Constitutional Affairs of Uganda, and H.E. Mr. Armando Inroga, Minister for Industry and Trade of Mozambique. I extend a warm welcome to the Secretary General of UNCTAD and Director General of WTO. I take their presence amidst us as a strong demonstration of their commitments to the LDCs agenda. I also welcome representatives from the private sectors at this pre-conference forum.

We are meeting here today after World Intellectual Property Organization (WIPO) sponsored four regional meetings to support the LDCs and actively contribute to the ongoing preparatory process of the Fourth UN Conference on LDCs and the conference itself which is scheduled to take place in May in Istanbul. The Forums participated by Ministers, Parliamentarians, Professors, scientists and research officials, underlined the growing importance of Intellectual Property (IP) as a tool for economic, cultural, social and technological development in LDCs. Hon'ble Ministers will share with us the outcomes of those Forums that have identified six deliverables from WIPO. We thank the Director General of WIPO for his initiatives launched for the benefits of LDCs and promotion of innovation and creativity.

We have entered into the second decade of the twenty first century. In less than three months from today, the global partnership between the LDCs and international community is set to enter into its fourth decade. Since this event comes once in a decade and is a major undertaking of the international community, LDCs look to the conference with high hopes. This conference comes at a time when business as usual is said not to be an option. The global political economic context is fundamentally undergoing changes demanding responses differently to address the emergent issues and contain their adverse impacts on peace and political stability.

Excellencies,

LDCs constitute 1/4th of the international community. Since 1970s, when a group of developing countries were identified as the most vulnerable with weak economic, institutional, human resources and geophysical handicaps, their number has increased from 25 in 1971 to 48 today. About 12% of the world population lives in LDCs, 72% of which lives in rural areas and depends for subsistence on agriculture. They account for

less than 2% of the world gross domestic product which comes predominantly from agriculture. Their share in global trade is just 1%. Human Development Index measured in terms of life expectancy, literacy, standards of living and GDP places 32 LDCs at the bottom. Several reports indicate that LDCs are compelled to cut their funding in essential services like education, healthcare, drinking water, energy and so on for debt servicing which is over six billion dollars every year.

LDCs have limited productive capacities and continue to suffer from structural impediments and vulnerabilities. Despite deep reforms carried out, their capacity to compete is nowhere in the picture. Access to technology remains a distant dream as just 1% of the LDCs population has reach to Internet. The failure of the international community to deliver on commitments on MDGs and other internationally agreed development goals combined with a series of multiple global crises such as economic and financial, food and energy and climate change challenges have put the people in poor countries in dire situation.

UN Secretary General Ban Ki-moon remarked last year during the MDGs summit and I quote, 'The LDCs represent the poorest and most vulnerable segment of humanity. They remain at the epicenter of the developmental emergency' Unquote.

Excellencies,

The adoption of Development Agenda in 2007 by the WIPO has affected a paradigm shift in the way intellectual property was conventionally considered. The Agenda remains vital to enhance the technical capacity of LDCs to develop, adapt and use the current international intellectual property regime, and thus help them accelerate economic, social and cultural development.

The promotion of intellectual activity is closely intertwined with technology and innovation. Our focus should be on implementing the shared commitments. The role of WIPO to help LDCs build their competitiveness and diversified productive capacities and create opportunities for the people where they can help themselves by developing and strengthening their IP system is important. While we welcome the attention paid by the Director General towards promoting this agenda in the development discourse and the functioning of WIPO, and addressing the IP needs of the least developed countries; we urge for sustained support to help them overcome their economic, financial and administrative constraints for harnessing their potentials for economic development.

We live in an age of information and knowledge. It is necessary that we have a fair, equitable and efficient intellectual property regime in which there is increased participation of least developed countries. It is also necessary to build human, institutional and physical infrastructures including in technological field to harness the innovative and creative potentials of the people of LDCs. We need to create a favorable IP environment for economic development and bridge the gap in knowledge and digital divide.

It is encouraging to note a new vision and direction in the deliverables WIPO has identified for addressing the needs of LDCs to use invention and creativity for development and improvement of living conditions of the people in these countries. The deliverables range from policies and strategies to developing technical skills, building a knowledge infrastructures and establishing technology and innovation support centers, branding and documentation and digitization of traditional knowledge. Their implementation is expected to bridge the knowledge gap and contribute towards the eradication of poverty, to build data base in order to make information easily

accessible for development and encourage the innovative approach for the promotion of goods and services of LDCs for value addition.

We consider the launching of the Access to Specialized Patent Information (ASPI) by the WIPO in partnership with the leading patent information providers as an important medium of disseminating technological knowledge. We thank the Director General for his leadership in putting in place this network. We are of the view that this arrangement can become effective and result oriented only if we create a network of national intellectual property institutions and knowledge infrastructures that promote use of science and technology, scientific and research culture, develop human resources, enhance the level of knowledge, quality of education and establish linkages between governments, universities, and financial institutions. It is encouraging to see the implementation of technology transfer initiative for LDCs through Appropriate Technology Project which is demand driven. We are thankful to WIPO for having launched this project in Nepal.

Excellencies,

We all know that LDCs are lagging behind in race of development not because they are less gifted or they do not have potentials to develop. What they need is access to technology and enhanced capacity to effect innovation.

LDCs have great potentiality in Intellectual Properties, especially Traditional Knowledge, Traditional Cultural Expression and Biodiversity for development. We are committed to develop these resources to serve our people. We support the issue of equitable distribution of benefits from Genetic Resources and Traditional Knowledge. We are of the view that while using these resources; the users should always disclose the country of origin, should acquire the pre-consent of the originating country and should confirm the benefit sharing scheme with them. This rich heritage faces the risk of fading away in the absence of protection measures, technical knowhow and financial resources. Serious efforts are needed to promote economic development, protect and preserve rich cultural heritage. Initiatives to protect them through IPRs, branding, and documentation and digitization are necessary. We, therefore, call upon WIPO to assess LDCs' needs, help them develop comprehensive strategies and use these precious indigenous resources for wealth creation and employment generation.

Small and Medium Enterprises (SMEs) are effective instruments for poverty reduction and employment generation on a sustainable basis. SMEs can benefit to a large extent from the greater use of the IP system for economic growth.

Youths are an engine of creativity and innovation. Youthful aspirations are defining the order of the day. It is often said that the countries with major chunk of youthful population are going to be the hub of creativity and economic growth in coming decades. This is good news for us given that over 20% of LDCs population is of youths that belong to 15 to 21 years of age as defined by the UN. With proper education, employment and sufficient resources for development, they can be the drivers of change and development. Failing this results in unsustainable 'youth bulge' leading to instability and threat to peace and prosperity at the national, regional and global level. The uprisings seen across the globe in recent days are deemed to be emanating from the neglect of the youth potentials.

Trade has remained as one of transformational forces in the world. The impact of its downward spiral in recent years is being seen in social, economic and political spheres. The need for a strong multilateral framework for cooperation based on rules for economic growth, job creations and prosperity has become all the more important to

promote peace and stability across the world. As we remain engaged for an early conclusion of Doha Development Round which has the development at the center, we are encouraged to hear that the year 2011 brings the political context that is more committed and favorable for its conclusion.

Excellencies,

It is encouraging to see IP emerging as an integral part of development process. Access to technological knowledge is key to innovation and knowledge creation. Technological innovation can bring revolutionizing effects in education, health, energy and fuel efficiency, infrastructures and so on. Technology has made a remarkable shift from traditional commodity based economy to knowledge based one. It has made far reaching breakthroughs, transformed the world, and brought prosperity in the lives of human beings. LDCs need concrete support for inducing technological innovation to translate their rich resources into results, and make development relevant to the life of poor people. For this, they need to be supported to invest more in research and development to achieve higher and sustainable growth and come out of entrenched poverty. The Fourth UN Conference on the LDCs provides an opportunity to embed innovation and creativity in development cooperation and enhance the productive capacity of the LDCs and their competitiveness in a rapidly evolving knowledge economy through building a national knowledge base. This calls for a renewed, focused and strengthened global partnership.

Thank you for your kind attention.