

STATEMENT OF BRAZIL

Thank you, Madam President,

I would like to take advantage of the fact that we have more interpreters today to deliver my intervention in my mother tongue.

Thank you, Madam President,

At the outset, let me express my satisfaction in having you presiding again the WIPO General Assembly. We trust that your ability and experience will greatly facilitate the debates held during this session.

Let me also welcome the Director-General, Francis Gurry, in the beginning of his second term at the helm of WIPO, as well as the designated Deputy Director-Generals and Assistant Director-Generals, whose names we will confirm in this session. To those who will soon leave the Organization we extend our words of appreciation for the support we could always count on.

The new team will find an organization improved when compared to the DG first term. Seven years after the adoption of its Development Agenda, WIPO benefits today from a revamped institutional structure to better address the needs of all and each one of its Member States, be they developed or developing countries.

Madam President,

The Development Agenda is key for the legitimacy of this organization. It reminds us all that the fair reward for the intelligence, creativity and human talent has to be complemented by assuring the right of access to health, culture, work, knowledge, information and education.

An achievement of its members, the Development Agenda is a work in progress. Nonetheless, there are already many successful initiatives to celebrate.

Under its encouragement, the Secretariat produced concrete and positive results, such as the studies conducted by the Chief Economist on the role of intellectual property in developing countries' economies.

Under its guidance, WIPO's members concluded the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, a historic milestone not only for this organization, but also for the international community in general.

Distinguished Delegates,

It is necessary to keep moving ahead.

We should overcome those deadlocks that have recently paralyzed the work in this organization.

This situation must evolve, mostly on those issues related to the interests of more than two thirds of the WIPO membership.

There are important decisions to be made in the next days. Two of them are central for Brazil:

- the definition of a working plan for the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore; and
- progress on exceptions and limitations to copyright.

The IGC has been debating these issues since 2001. Thirteen years have elapsed, time more than enough to establish rules for the protection against the misappropriation of genetic resources, traditional knowledge and folklore. We must put aside our complacency and smaller interests to effectively implement the mandates conferred to this Intergovernmental Committee by this General Assembly.

A second priority is the international engagement on the discussions regarding exceptions and limitations to copyright. We cannot allow intellectual property to become an obstacle to the work of librarians and archivists in their mission to spread and preserve knowledge for billions of human beings.

Madam President,

The success of this General Assembly will naturally depend on our collective capacity to address different interests in a way that respects the sensitivities of all members. In this sense, it is fundamental that this GA result in the definition of a balanced work programme, which addresses the protection of IP rights and the promotion of development. These objectives, by the way, are fully and harmonically addressed by the WIPO Development Agenda, as adopted by all the Member States. The insistence in seeking a work programme that does not reflect the interests of all – mostly of the majority of the Members – has prevented an outcome that is in everybody's interest. To ignore this reality or to pretend that this Organization does not have a role beyond the protection of IP rights and the provision of services would only deepen the impasses that we have been facing.

contemple a proteção dos direitos de propriedade intelectual E a promoção do desenvolvimento, objetivos que, a propósito, a Agenda do Desenvolvimento da OMPI, conforme adotada por todos os Estados Membros, contempla de forma integral e harmônica. A insistência em buscar uma agenda de trabalho que não reflete os interesses de todos - e, sobretudo, da maioria dos Estados Membros - vem impedindo o avanço dos interesses DE TODOS. Ignorar essa realidade ou pretender que esta Organização não tem um papel para além da proteção de direitos e da prestação de serviços apenas resultaria na reprodução e aprofundamento dos impasses que vimos enfrentando.

Let me conclude by reiterating Brazil's commitment to keep contributing to WIPO's progress, during this GA and in the different institutional bodies of this organization.

Thank you.