



Statement by H.E. Archbishop Ivan Jurkovič, Permanent Representative of the Holy See to the
United Nations and Other International Organizations in Geneva
57th Series of Meetings of the WIPO Assemblies
Geneva, 2 October 2017

Mr. President,

Your Excellencies and distinguished delegates,

The Delegation of the Holy See wish to express its gratitude for your generous commitment as the Chair of WIPO General Assembly. We would also like to take this opportunity to thank the Director General for his report and the Secretariat for their hard work throughout this year, especially in preparing this General Assembly.

Mr. Chair, no one can question the significant progress and results achieved by this organization in recent years, particularly in relation to global Intellectual Property services. The steady growth of applications and the expansion of membership has been achieved thanks to proper responses to the evolving demands from the real world.

The economic and social gap between the “haves” and “have-nots” is widening and there are major asymmetries in the world. Over the last years, we have witnessed how advanced economies are investing trillions of dollars in Research and Development (R&D), while low- and middle-income countries and transition economies confront myriad demands with very limited resources. As shown by the Global Index Report, new technologies are being developed and diffused globally at unprecedented speed. The major challenge is to ensure that all countries benefit from the rapid diffusion of these technologies and that the existing large differences in technological capacity are not further exacerbated. This is a crucially important issue that requires careful attention.

Technology innovation and diffusion will represent critical elements for the realization of the Sustainable Development Goals (SDGs). A well-designed intellectual property system, in accordance with Article 7 of the TRIPS Agreement, “should contribute to the promotion of technological innovation, the transfer and dissemination of technology, the mutual advantage of producers and users of technological knowledge, in a manner conducive to social and economic welfare, and to a balance of rights and obligations”. Innovators from the private sector are committed to supporting the realization of the SDGs, with their knowledge and expertise, and they are taking this commitment seriously. What is needed is sincere and open dialogue, with responsible cooperation on the part of all: political authorities, the scientific community, the business

world and civil society. “Positive examples are not lacking; they demonstrate that a genuine cooperation between politics, science and business can achieve significant results”¹. Reviewing the ten-year history of the WIPO Development Agenda, the Organization should continue to approach intellectual property enforcement in the context of broader societal interests and, especially, development-oriented concerns.

The achievement of the SDGs should be oriented by three helpful principles: solidarity, subsidiarity and concern for the common good. Solidarity means we care about the concerns of others as much as our own. A natural consequence of the respect for the centrality of the human person and the pursuit of the common good of the human family is an effective exercise of solidarity². On the other hand, in its proper sense and implementation, solidarity is an obligation of all persons and of all nations to co-operate with one another in our globalized world and to work collectively towards “eliminating obstacles to development.”³

In relation to the normative Agenda of the Organization, this principle should guide our action at the Intergovernmental Committee on Intellectual Property Genetic Resources, Traditional Knowledge and Folklore (IGC). As the Director General recalled, appropriate intellectual property-related tools, both existing or to be developed, “may importantly contribute to empowering Indigenous Peoples by helping them to promote and protect their traditional knowledge and traditional cultural expressions from misappropriation by third parties, and benefit from their commercial exploitation, if they so wish”. Respect for the rights of traditional communities with regard to Intellectual Property protection of genetic resources requires a view of traditional knowledge as “a common asset of that same community, which has grown with small, anonymous contributions over great many generations.”⁴ The IGC Committee should continue its work during the 2018-2019 biennium with the aim of ensuring the achievement of “equitable economic participation of native populations in the benefits deriving from the commercial exploitation of biological resources, and the promotion of effective means of ensuring respect for the collective ownership of traditional knowledge.”⁵

Subsidiarity calls for greater consultation and collaboration among nations and through the working of international organizations, particularly here at WIPO. We have seen that there were pitfalls when strategies were developed without consultation or with too heavy a reliance on a “one-size-fits-all” approach to development. Furthermore,

¹ Pope Francis. Address to the United Nations Office at Nairobi , 26 November 2015.

² More than a mere expression of “random acts of kindness”, solidarity “presupposes the creation of a new mindset which thinks in terms of community and gives priority of the life of all over the appropriation of goods by a few.” *Evangelium gaudium*, 188

³ UN Declaration on the Right to Development, art. 3.3.

⁴ John Paul II, Encyclical Letter *Laborem Exercens* (LE), NN. 10 and 3

⁵ John Paul II, Address to ‘Jubilee of the Agricultural World’, 11 November 2000

technology will play an important role in solving the global challenge of climate change. Technology intelligence and the provision of patent based research can assist in many ways in the development and deployment of climate change and mitigation technologies. We must rediscover how creative and effective multilateral and multi-stakeholder activities can be, particularly when they are guided by a common vision and motivated by a moral and pressing imperative. In this sense, the WIPO Green Project represents an important initiative in the context of supporting innovation, technology development and transfer through collaborative approaches, as highlighted by the Paris Agreement. The development of a longer-term programme for RESEARCH AND DEVELOPMENT (R&D) collaboration on climate technologies, in conjunction with the development of good practices for technology and innovation systems and governance of national technology innovation systems, represents a sustainable way forward.

Mr. President,

the main goal of the international community in developing a fair regime of intellectual property rights should aim toward the good of all and the pursuit of more equitable international relations, especially regarding poorer and more vulnerable people. “In the present condition of global society, where injustices abound and growing numbers of people are deprived of basic human rights and considered expendable, the principle of the common good immediately becomes logical and inevitable”⁶.

Mr. President,

In conclusion, as we proceed with the Agenda of these Assemblies, we should continue to keep in touch with the real world, which is formed by innovators, creators, users of the Intellectual Property system and “an important part of humanity [that] does not share in the benefits of progress and is in fact relegated to the status of second-class citizens”⁷

Thank you, Mr. President.

⁶ Pope Francis, Encyclical Letter *Laudato si* § 158,3

⁷ Pope Francis. Address to the Secretary General of the United Nations and other Directors of various International Organizations. 5 May 2014.