



Statement by H.E. Archbishop Ivan Jurkovič, Permanent Representative of the
Holy See to the United Nations and
Other International Organizations in Geneva
60th series of Meetings of the WIPO Assemblies
May 7, 2020

Mr. President,

1. The Delegation of the Holy See expresses its sincere congratulations to you and to the Chair of the Coordination Committee for the integrity and the transparency manifested throughout the process for the election of the Director-General, especially in these troubled times. Equally, we would like to take this opportunity to commend all of the frontline workers around the globe who “offer a witness of care and love for our neighbors, to the point of exhaustion and not infrequently at the expense of their health”¹. It is also an occasion to manifest deep appreciation to Dr. Francis Gurry for his commitment to intellectual property in general, for his leadership and for the achievements during the twelve years as Director-General of the World Intellectual Property Organization. The historical Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities and the Beijing Treaty on Audiovisual Performances, concluded and entered into force during his mandate, among others, bear witness to his fruitful management.
2. The Delegation of the Holy See congratulates Mr. Daren Tang on his appointment as WIPO Director-General. Given his record of accomplishment and the priorities he set out before the election, there is much expectation that this Organization will continue to be led in the right direction and stands ready to cooperate.
3. The Holy See recognizes the role of the protection system of intellectual property in promoting the literary, scientific or artistic production and,

¹ Pope Francis, Urbi et Orbi Message, 12 April 2020

generally, the inventive activity for the sake of the “common good”. At the same time, it emphasizes the ethical and social dimensions that uniquely involve the human person and its action. The exceptional challenge that the whole human family is currently facing demonstrates that the magnitude of the response must match the scale of the crisis and it must be multilateral, with countries showing solidarity to the most vulnerable communities and nations.

4. The current crisis has also exposed and highlighted the need to communicate the complexities of intellectual property and to place it in the context of innovation and creativity frameworks. The Delegation of the Holy See is confident that the new WIPO COVID-19 search facility of PATENTSCOPE will represent a critical tool in disseminating information on technologies that others may build upon for the global fight against COVID-19². Such initiatives are a practical response that will provide scientists, engineers, public health policymakers, industry actors, and members of the general public with an easily accessible source of intelligence for improving the detection, prevention, and treatment of diseases such as the novel coronavirus.
5. In the coming years, digital transformation and artificial intelligence will present new challenges; the Organization and its services have to adapt urgently to this continually changing scenario. Artificial Intelligence is not “neutral”. It is a result of many disciplines involved each entailing a specific area of responsibility. As recalled by Pope Francis, “Solid reasons need to be developed to promote perseverance in the pursuit of the common good, even when no immediate advantage is apparent. There is a political dimension to the production and use of artificial intelligence, which has to do with more than the expanding of its individual and purely functional benefits (...) There is a need to create intermediate social bodies that can incorporate and express the ethical sensibilities of users and educators”³. The Delegation of the Holy See believes that questions of ethics, human rights, and creative sector markets are central considerations, both in re-examining existing IP policy goals in a changing world, and in affirming our shared responsibility and

² Patent Scope COVID 19 Index , launched on 22 April 2020 available at <https://patentscope.wipo.int/search/en/covid19.jsf>

³ Pope Francis, Meeting with the Participants in the Plenary Assembly of the Pontifical Academy For Life, 28th February 2020.

common purpose to ensure that these emerging technologies are developed and used ethically and for the good of humanity and the environment.

Among the various important areas of concern that this body is called to address, some new debates are of particular interest to this Delegation:

- reaching an agreement on a text of an international legal instrument, which will ensure the effective protection of genetic resources, traditional knowledge, traditional cultural expressions, and folklore. The crucial role played by indigenous communities in relationship with their ancestral lands calls for a different model of development which takes into consideration the connection between the human person and the environment. During this biennium of negotiation, the Holy See considers it critical that the discussion on the legal instrument must not only favor the preferential option on behalf of the poor, the marginalized, and the excluded, but also consider their leading role. “Others must be acknowledged and esteemed precisely *as others*, each with his or her feelings, choices, and ways of living and working. Otherwise, the result would be, once again, “a plan drawn up by the few for the few”⁴, if not “a consensus on paper or a transient peace for a contented minority”.

- moving forward in the negotiation on the Treaty on the Protection of Broadcast Organizations, taking into account current rapid technological developments. The service provided by broadcasters and the significant value of broadcast calls the Member States of WIPO to continuous work in updating the existing international framework with due regard to technological developments.

- the copyright system must continue to play its essential role in incentivizing and rewarding creativity and innovation and, at the same time, to take into account the broader interests of our society, such as education, research, access to information and creative content. Promoting the quality and the accessibility of education worldwide should be a priority for every Member State and, in this context, limitations and exceptions are a key issue to take into account. Education, which etymologically means “to bring out” or “to lead out”, has a fundamental role in helping people to discover their talents and potential and to use them at the service of mankind: each person has something to offer to society and must be enabled to provide his or her contribution. The challenges facing our human family today are global, in a more wide-ranging sense than is often thought. Through education, it is possible not only to form minds to a broader vision capable of embracing distant

⁴ Apostolic Exhortation *Evangelii Gaudium* (24 November 2013), 239: AAS 105 (2013), 1116.

realities, but even more to recognize that mankind's moral responsibility today does not just extend through space, but also through time, and those present choices have repercussions for future generations.

In conclusion, Mr. President

Allow me to renew the Holy See's congratulations to the Director-General for his election and to express again our willingness to collaborate as usual with him and the Secretariat.

Thank you, Mr. President.