

# LETTER TO MEMBER STATES OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

17<sup>th</sup> September 2013

Dear WIPO Member States



<http://cis-india.org>

**TWN**

Third World Network  
[www.twn.my](http://www.twn.my)



Knowledge Ecology  
International  
[www.keionline.org](http://www.keionline.org)



**LOCOST**

(Low Cost Standard  
Therapeutics), India

**AIDAN** (All-India  
Drug Action Network)

We are writing to express concern over the holding of the WIPO Forum during the WIPO Assemblies.

At the 2012 WIPO Assemblies, developed countries proposed that the WIPO General Assembly should include a one-day session hearing from industries aimed at fostering relations with industry. This issue was neither discussed nor was a formal decision taken on the matter. Consequently over the period of one year we understand that the WIPO Secretariat has on its own initiative held informal consultations to discuss the suggestion.

Recently the WIPO Secretariat issued a notice stating that it was holding a WIPO Forum 2013, *From Inspiration to Innovation: The Game-Changers* during the Assemblies. According to the notice<sup>1</sup>, the WIPO Forum will take place on 24<sup>th</sup> September from 3.30pm – 5.30pm in the plenary hall, where the Assemblies will be meeting. This suggests that it is the intention of the Secretariat to interrupt the proceedings of the Assemblies to accommodate the holding of the WIPO Forum that is unilaterally designed by the Secretariat.

We are seriously concerned with the process and manner in which the Forum has been organized.

WIPO is an intergovernmental organization and according to Article 8.3(ii) of the WIPO Convention it is the task of the Coordination Committee to prepare the agenda for the Assemblies. Accordingly we find it concerning that the Assembly proceedings will be disrupted to accommodate the holding of a Forum that has not been formally approved by the WIPO membership. In fact we understand that during the informal consultations several developing countries expressed reservations about the holding of such a Forum. The holding of a forum during the Assemblies effectively converts the Assemblies from a member state driven process to a multi-stakeholder forum.

Further, the WIPO Assemblies tend to be short of time due to the vast number of agenda items that need to be dealt with. According to the annotated agenda, the Assembly may hold night sessions to finish its workload, as has been done in the past. Thus it seems inappropriate to further burden the Assemblies with a WIPO Forum.

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<sup>1</sup> [http://www.wipo.int/pressroom/en/articles/2013/article\\_0019.html](http://www.wipo.int/pressroom/en/articles/2013/article_0019.html)

In addition, the WIPO Forum has been designed by the Secretariat in that the speakers and the theme appears to have been chosen by the Secretariat without the approval of the WIPO membership. It claims to feature “global innovators” but does not feature the significant issues of users (e.g. patients, consumers, visually impaired, students) particularly the challenges of access that prevail in the developing world. In this context, the forum also seems to be unbalanced.

**We urge WIPO member states to take urgent action to safeguard the intergovernmental nature of the Assemblies, in particular to ensure that the Secretariat-driven WIPO Forum does NOT disrupt/interrupt the proceedings of the Assemblies.**

**We also stress the importance of ensuring that any future initiative linked to the WIPO Assemblies should only be undertaken after inclusive and transparent discussions among WIPO members and a formal decision.**