**WIPO**

**16th Session of the Committee on Development and Intellectual Property (CDIP)**

**Third World Network Statement on Technology Transfer Project Evaluation**

Thank You, Mr. Chair.

Technology transfer is an important function of WIPO, clearly recognised in the UN-WIPO Agreement as well as in the WIPO Development Agenda (DA) recommendations. Against this background we make the following comments.

The main objective of this Project was to enable implementation of Recommendations 19, 25, 26 and 28.

However the Evaluation does not seem to have specifically evaluated the extent to which the Project and its outputs enabled implementation of the mentioned Recommendations. The Evaluation states that the stakeholders interviewed confirmed the high policy relevance. However we note from Appendix II of CDIP/16/3 that the majority of the persons interviewed are from the Secretariat.

We have keenly followed implementation of this Project. We have also participated in several of the activities that were organized.

A concern we would like to raise is that the orientation of the activities, except perhaps for the Studies that were commissioned, was that the activities tend to take an IP maximalist approach. Further the activities did not throw much light on the barriers created by IP on technology transfer and ways and means to overcome those barriers.

In this regard we would like to highlight that in May 2014, Third World Network submitted a paper summarizing existing literature on practical examples and experiences on patent related impediments to transfer of technology to the Standing Committee on Patents. However these key issues were barely discussed at the activities organized under the Project.

With regard to Recommendation 1 in the Evaluation Report, we do think it would be useful for the Secretariat to provide a mapping of WIPO’s existing services including tools, guidelines etc. in the field of technology transfer and this mapping should be provided to the CDIP for further discussion.

On Recommendation 2 of the Evaluation Report, we remain unconvinced that the general elements under Recommendation 2 will result in satisfactory implementation of the DA Recommendations.

For instance Recommendation 25 states: “to take appropriate measures to enable developing countries to fully understand and benefit from different provisions, pertaining to flexibilities provided for in international agreements …” Implementation of Recommendation 25 requires identification of “appropriate measures”. In this regard what is mentioned in paragraph 114 (e) of the Evaluation Report is inadequate.

Recommendation 28 requires exploring supportive IP-related policies and measures that Member States, especially developed countries, could adopt for promoting transfer and dissemination of technology. What these IP-related policies and measures are need to be identified.

To take the Development Agenda recommendations forward we would call on the Member States to invite the authors of the various Studies made under the Project to present the Studies to the CDIP. This could lead to Member States taking a fresh look on what steps need to be taken to further implementation of Recommendations 19, 25, 26 and 28.

With regard to Recommendation 3 of the Evaluation Report, we are of the view that the Secretariat would benefit from further direction from the CDIP prior to strengthening its presence in international fora and conferences on technology transfer.