

## **South Centre Statement to the WIPO Intergovernmental Committee on IP, Genetic Resources, Traditional Knowledge and Folklore 51st Session**

Dear Madam Co-Chairs, distinguished delegates, participants,

The IGC has made considerable progress with the conclusion of the WIPO treaty on GRs and ATK. The core obligation of the treaty is a mandate for patent applicants, when the claimed invention is based on GRs, to disclose the origin of a GR and the origin of any associated TK provided by indigenous or local communities. We urge Member States to ratify the instrument so that it can come into force in the near future, once 15 countries have ratified. The domestication of the treaty will serve to enhance the quality and transparency of the patent system. It will also serve to support the objective of fair and equitable benefit sharing from access and utilization of GRs and associated TK.

The IGC can also continue work on other aspects of the intersect of GRs and IP, such as how can patent offices improve making available the information they receive on the disclosure requirement, other mechanisms to prevent unjustified patent grants, and facilitating exchange on the scope of patenting on genetic resources including digital genetic sequence data.

In taking stock of its work on the protection of TK and TCEs, we find that viable options for an international legal instrument or instrument(s) on TK/TCEs are emerging with greater clarity. A final timeline for conclusion would support the negotiation process, with a date set for a Diplomatic Conference in the next biennium.