



**Statement by the South Centre  
WIPO ACE 18<sup>th</sup> Session**

We recall that the mandate of the ACE is to facilitate dialogue, exchange of experiences, and technical cooperation on enforcement issues, while the WIPO Development Agenda, particularly Recommendation 45, calls for intellectual property enforcement to be approached in the context of broader societal interests and development-oriented concerns.

In this regard, discussions under the Committee should promote balanced and effective enforcement frameworks that are consistent with national development priorities, legal traditions, and the flexibilities available under the TRIPS Agreement. Enforcement systems should support innovation and creativity while also safeguarding public interests, including access to knowledge, public health, technology transfer, biodiversity conservation, and sustainable development.

We encourage continued attention to preventing the abuse of enforcement procedures and to ensuring that legislative assistance and capacity-building activities fully reflect the principles of balance, proportionality, and policy space available to Member States.

The South Centre also welcomes the discussion on the biotechnology sector. In this context, we stress that effective enforcement discussions should not be limited to combating counterfeiting, but should also address the misappropriation of genetic resources and associated traditional knowledge. The prevention of biopiracy remains an important concern for many developing countries and Indigenous Peoples and Local Communities.

We therefore support future work under the ACE that would enable Member States to share national experiences and case studies relating to the misappropriation of genetic resources and traditional knowledge, strengthen capacity to address improper intellectual property claims, and explore synergies with relevant WIPO processes, including the implementation of the WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge. Such exchanges could include experiences relating to the implementation of disclosure requirements in patent applications, mechanisms for addressing false or incomplete disclosures, and measures to improve transparency and legal certainty in the patent system. Sharing these experiences would contribute to preventing biopiracy, reducing the risk of erroneous patent grants, and supporting the effective implementation of the new Treaty.