



Development Dimensions of Intellectual Property in LDCs - UNCTAD Experience and Practical Examples

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Overview of presentation

- UNCTAD-ICTSD joint activities for LDCs
- Methodology for UNCTAD's work
- Country examples
- Lessons – successes & challenges
- Conclusions





UNCTAD-ICTSD joint activities for LDCs

- Identification of broad IP-related needs: ICTSD needs assessments
- Follow-up technical assistance in selected areas: UNCTAD Development Dimensions of IP Reports (DDIPs)
- Complementary activities; example: Uganda
 - Needs: updating IP Policy & Legal Framework
 - DDIP: IP and technology transfer, access to medicines & textbooks



Methodology for UNCTAD DDIPs

- Need for structured guidelines for coherent technical assistance
- Flexible enough to accommodate national particularities
- Checklist of questions on IP and, e.g.:
 - Innovation
 - Technology transfer
 - Access to medicines
 - Access to knowledge
 - Competition
 - Enforcement & institutions
- Outcome: set of technical recommendations on amendments to domestic legislation & policy priorities





DDIP approach

- Cross cutting nature of IP beyond TRIPS compliance
- IP system is tool to promote development objectives
- Coherence between IP and other laws
 - E.g. national drug policy; national policy on ICTs
- Situation on the ground
 - Strengths/weaknesses of local industry
 - Promotion of competition
 - Public policy concerns
 - Appropriate level of IP and specific IP tools





DDIP LDC examples

- Uganda: technology transfer, access to medicines & textbooks
- Rwanda: IP Policy (IP tools for incremental innovation)
- Cambodia: national copyright system
- Nepal: genetic resources, access to medicines, technology transfer



Lessons (1)

- Successes:
 - Broad range of stakeholders to reflect cross cutting nature of IP
 - Domestic ownership to reflect true needs (bottom up approach)
 - Promote linkages between domestic stakeholders
 - Rapid national adoption in case of Rwanda
 - ICTSD needs assessments provide useful guidance



Lessons (2)

- Challenge: implementation of recommendations
 - Domestic partners lack technical know-how on IPRs and their interfaces with other policies
 - TA providers may lack resources to follow up on recommendations
 - Domestic partners often not well connected with each other
 - Domestic partners are overwhelmed with technical assistance from different providers
 - Legislative changes subject to lobbying pressure



Conclusions

- UNCTAD and ICTSD activities complement each other
- UNCTAD DDIPs and IP policies focus on pro-active use of IP as a development tool
 - Emphasis on holistic perspective: embed IP in broader development context; involve broad range of stakeholders
- Implementation of recommendations remains a challenge





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