

Item 28

Chairman's text

September 30, 2009

"The WIPO General Assembly reaffirms its belief that traditional knowledge (TK) and traditional cultural expressions (TCEs) have taken on new economic and cultural significance within a globalized information society and that genetic resources (GRs) have assumed increasing economic, scientific and commercial value to a wide range of stakeholders. The General Assembly acknowledges the intrinsic value of these issues which are also important in global trade and economic development. The General Assembly respects and recognizes the wish of indigenous and local communities and Member States that their TK, TCEs and GRs should not be misappropriated and misused. Indigenous and local communities have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, TK and TCEs.

In this respect, and bearing in mind the Development Agenda recommendations, the WIPO General Assembly agrees that the mandate of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore be renewed as follows:

(a) The Committee will, during the next budgetary biennium (2010/2011), and without prejudice to the work pursued in other fora, continue its work and undertake text-based negotiations with the objective of reaching agreement on a text of an international instrument (or instruments) on GRs, TK and TCEs.

(b) The Committee will follow, as set in the Annex, a clearly defined work program for the 2010/2011 biennium. This work program will make provision for, in addition to the 15th session of the Committee scheduled for December

2009, four sessions of the IGC and three inter-sessional working groups, in the 2010-2011 biennium.

(c) The focus of the Committee's work in the 2010/2011 biennium will build on the existing work carried out by the Committee, including WIPO documents WIPO/GRTKF/IC/9/4, WIPO/GRTKF/IC/9/5 and WIPO/GRTKF/IC/11/8A, and any other texts which States may wish to propose, which are to constitute the basis of the Committee's negotiations.

(d) The Committee is requested to submit to the 2011 General Assembly the text (or texts) of an international instrument (or instruments). The General Assembly in 2011 will decide whether to convene a Diplomatic Conference.

(e) The General Assembly requests the International Bureau to continue to assist the Committee by providing Member States with necessary expertise and funding of the participation of experts from developing countries and LDCs according to the usual formula.

(f) The General Assembly adopts the draft report of the 14th session of the Committee as reflected in document WIPO/GRTKF/IC/14/12 Prov. 2 as the report of that session."

[Annex follows]

Date	Activity
February/March 2010	First Intersessional Working Group
May/June 2010	IGC 16
September 2010	WIPO General Assembly
October 2010	Second Intersessional Working Group
December 2010	IGC 17
February/March 2011	Third Intersessional Working Group
May/June 2011	IGC 18
Early September 2011	IGC 19
September 2011	WIPO General Assembly