

AGENDA ITEM 11

Arrangements for Inter-sessional Working Groups

After extensive discussions with the Member States, in particular the Regional Coordinators, the Chair of the IGC proposes the following decision under this Agenda Item:

Mandate

The Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) is the negotiating and decision-making body. The Intersessional Working Groups (IWGs) are to support and facilitate the negotiations of the IGC.

The IWGs shall provide legal and technical advice and analysis, including, where appropriate, options and scenarios for consideration of the IGC. The IWGs shall report to the IGC on the outcomes of their work and submit draft recommendations, including proposals for text/s, for consideration by the IGC.

Subject matter

All three subjects of the IGC shall be treated on an equal footing and the total time for discussion allocated to each subject in the IGC and in the IWGs should be equal.

The following subjects shall be considered at the respective IWG meeting:

IWG 1: TCEs

IWG 2: TK or GRs (to be decided at the 17th session of the IGC)

IWG 3: GRs or TK (to be decided at the 17th session of the IGC).

Composition

Participation in the IWGs shall be open to all Member States and accredited observers. Each Member State and observer shall be represented by not more than one delegate.

Funding shall be provided by WIPO for one representative each from 71 developing countries and countries in transition, on a proportional basis, as follows: Africa: 25; Asia-Pacific: 17; Latin America and the Caribbean: 15; Central Europe and Baltic: 8; Eastern Europe and Central Asia: 5; and, China: 1. The names of the countries to benefit from the funding shall be communicated to the WIPO Secretariat by the representatives of the regional groupings in the usual way.

The funding shall comprise travel in economy class on the most economical route, hotel accommodation (bed and breakfast) and a daily stipend of 75 Sfr. Regarding hotel accommodation, WIPO shall directly cover the cost of hotel reservations for each of the funded participants. Funding shall not include a daily subsistence allowance, terminal expenses or any other incidental expenses. This funding arrangement for the IWGs does not constitute a precedent for other WIPO meetings.

Indigenous representatives shall be funded by Voluntary Fund as decided by the Advisory Board on the same basis as applicable to State representatives and subject to availability of funds in the Voluntary Fund. The Secretariat is requested to prepare proposed administrative changes to Rules of the Voluntary Fund needed to implement this decision, for adoption by the WIPO General Assembly in 2010.

Observers would participate in the same capacity as in the IGC.

There will be a separate room at WIPO headquarters from where the discussions in the IWGs can be followed by representatives of Member States and accredited observers.

Methods of Work

The IWGs will take, as a basis of their work, all WIPO working documents, including WIPO/GRTKF/IC/16/4, WIPO/GRTKF/IC/16/5 and WIPO/GRTKF/IC/16/6, as may be revised, in line with the IGC's current mandate.

Chairmanship of the IWGs

The Chair and Vice-Chairs of the IGC shall be invited to the IWG meetings. Each IWG shall elect its own Chair.

Duration and Venue of Meetings

The duration of IWG 1 shall be 5 days. Based on the experience of IWG 1, the duration of IWGs 2 and 3 could be adjusted as appropriate.

The IWG meetings will take place at WIPO Headquarters, Geneva.
