



WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

E

ORIGINAL: ENGLISH
DATE: DECEMBER 10, 2010

Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

Seventeenth Session
Geneva, December 6 to 10, 2010

DRAFT DECISIONS OF THE SEVENTEENTH SESSION OF THE COMMITTEE

prepared by the Secretariat

DECISION ON AGENDA ITEM 2:

ADOPTION OF THE AGENDA

The Chair submitted the draft agenda circulated as WIPO/GRTKF/IC/17/1 Prov. 1 for adoption and it was adopted.

DECISION ON AGENDA ITEM 3:

ADOPTION OF THE REPORT OF THE SIXTEENTH SESSION

The Chair submitted the revised draft report of the sixteenth session of the Committee (WIPO/GRTKF/IC/16/8 Prov.2) for adoption and it was adopted.

DECISION ON AGENDA ITEM 4:

ACCREDITATION OF CERTAIN ORGANIZATIONS

The Committee unanimously approved accreditation of all the organizations listed in the Annex to document WIPO/GRTKF/IC/17/2 as *ad hoc* observers, namely: African Cultural Regeneration Institute (ACRI), *Asociación Akuaipa Waimakat*, *Asociación de Pueblos Indígenas de Venezuela (APIVEN)*, *Association pour le Développement de la Société Civile Angolaise (ADSCA)*, *Consejo Maya de la Propiedad Cultural e Intelectual de Guatemala (SAQIL NAÓJ)*, Free University Berlin, Genetic Resources, Traditional Knowledge and Folklore (GRTKF Int.), Grand Council of the Crees (Eeyou Istchee) (GCCEI), Himalayan Folklore and Biodiversity Study Program IPs Society for Wetland Biodiversity Conservation Nepal, Intellectual Property Assets Rights Management (IPARM), *Organización Nacional Indígena de Colombia (ONIC)*, Pacific Island Museums Association (PIMA), *Sonccoypa Cusicuynin*, Tanzanian Intellectual Property Rights Network (TIP-Net), Union for Ethical Bio Trade

DECISION ON AGENDA ITEM 5:

PARTICIPATION OF INDIGENOUS AND LOCAL COMMUNITIES: VOLUNTARY FUND

The Committee took note of documents WIPO/GRTKF/IC/17/3, WIPO/GRTKF/IC/17/INF/4 and WIPO/GRTKF/IC/17/INF/6.

- ✓ The Committee strongly encouraged and called upon members of the Committee and all interested public or private entities to contribute to the WIPO Voluntary Fund for Accredited Indigenous and Local Communities.

The Chair proposed, and the Committee elected by acclamation, the following eight members of the Advisory Board to serve in an individual capacity: Mr. Stanley S. ATSALI, Patent Examiner, Kenya Industrial Property Institute, Nairobi, Kenya, Mr. Heinjoerg HERRMANN, Counsellor, Permanent Mission of Germany, Geneva, Mrs. Lucia Fernanda INACIO BELFORT, representative of the *Instituto Indígena Brasileiro para Propriedade Intelectual (INBRAPI)*, Mr. Musa Usman NDAMBA, representative of the Mbororo Social, Cultural & Development Association (MBOSCUDA), Mrs. Antonia Aurora ORTEGA PILLMAN, Ejecutiva, Dirección de Inventiones y Nuevas Tecnologías, Instituto Nacional de Defensa de la Competencia y de la Protección de la Propiedad Intelectual (INDECOPI), Lima, Perú, Ms. Poppy SAVITRI, Director of Traditions, Directorate General of Cultural Values, Film and Art Ministry of Culture and Tourism, Jakarta, Indonesia, Mr. Ngwang SONAM SHERPA, representative of the Nepal Indigenous Nationalities Preservation Association (NINPA) and Mr. Emin TEYMUROV, Attaché, Permanent Mission of the Republic of Azerbaijan. The Chair of the Committee nominated Mr. Vladimir Yossifov, Vice Chair of the Committee, to serve as Chair of the Advisory Board.

DECISION ON AGENDA ITEM 6:

TRADITIONAL CULTURAL EXPRESSIONS/EXPRESSIONS OF FOLKLORE

The Committee took note of the text of the draft articles on traditional cultural expressions prepared by the open-ended informal drafting group established by the Committee, a copy of which the Committee requested be added to the report of the present session of the Committee. The Committee requested that the text be made available as a working document for the Committee at its next session (May 9 to 13, 2011).

In addition, and with a view to further refining the draft articles and, in particular, reducing the number of options and alternative proposals, the Committee invited the Committee's Chair, with the assistance of his Vice-chairs, to undertake informal intersessional consultations with all delegations and to prepare, if possible, a further draft of the articles (a Chair's text) for consideration by the Committee at its next session. In such a case, the Chair's text would be considered alongside the text prepared by the open-ended informal drafting group.

The Committee invited the Secretariat to prepare and make available for the next session of the Committee a glossary on intellectual property and traditional cultural expressions as recommended by the first Intersessional Working Group in its Summary Report (WIPO/GRTKF/IC/17/8).

DECISION ON AGENDA ITEM 7:

TRADITIONAL KNOWLEDGE

The Committee requested the Secretariat to prepare a further draft of document WIPO/GRTKF/IC/17/5, reflecting, with attribution, the comments and proposals made during the seventeenth session, and to make such further draft available for the second Intersessional Working Group taking place from February 21 to 25, 2011. The Secretariat was also invited to make structural changes to the document so as to align its structure more closely with that of the Committee's document on traditional cultural expressions as referred to above and to report on such structural changes in the further draft of document WIPO/GRTKF/IC/17/5.

The Committee invited the Secretariat to prepare and make available for the second Intersessional Working Group a glossary on intellectual property and traditional knowledge as recommended by the first Intersessional Working Group in its Summary Report (WIPO/GRTKF/IC/17/8).

DECISION ON AGENDA ITEM 8:

GENETIC RESOURCES

The Committee requested the Secretariat to make available copies of the following documents for the third Intersessional Working Group taking place from February 28 to March 4, 2011 (IWG 3): WIPO/GRTKF/IC/8/11, WIPO/GRTKF/IC/11/10, WIPO/GRTKF/IC/17/6, WIPO/GRTKF/IC/17/7, WIPO/GRTKF/IC/17/10, WIPO/GRTKF/IC/17/11, WIPO/GRTKF/IC/17/INF/10, WIPO/GRTKF/IC/17/INF/11, WIPO/GRTKF/IC/17/INF/12 and WIPO/GRTKF/IC/17/INF/13, as well as the WIPO Technical Study on Disclosure Requirements Concerning Genetic Resources and Traditional Knowledge (WIPO publication No. 786).

The Committee invited Committee participants to provide written comments on documents WIPO/GRTKF/IC/17/6, WIPO/GRTKF/IC/17/7, WIPO/GRTKF/IC/17/10 and WIPO/GRTKF/IC/17/11 before January 14, 2011 and requested the Secretariat also to make those comments available for IWG 3.

The Committee requested IWG 3 to prepare, taking into account all the documents and comments thereon referred to, a draft text of objectives and principles for intellectual property and

genetic resources, as well as a draft prioritized list of options for future work by the Committee on intellectual property and genetic resources, including, to the extent possible, textual recommendations, and to transmit such draft text and draft list, with any textual recommendations, to the Committee for its next session.

The Committee suggested that IWG 3 should, in a flexible manner, devote adequate time to discuss both objectives and principles and options, with at least one day on objectives and principles and at least two days on options.

The Committee also suggested that IWG 3 should preferably discuss objectives and principles first and options second.

DECISION ON AGENDA ITEM 10

CLOSING OF THE SESSION

The Committee adopted its decisions on agenda items 2, 3, 4, 5, 6, 7 and 8, on December 10, 2010. It agreed that a draft written report, containing the agreed text of these decisions and all interventions made to the Committee, would be prepared and circulated before February 18, 2011. Committee participants would be invited to submit written corrections to their interventions as included in the draft report before a final version of the draft report would then be circulated to Committee participants for adoption at the next session of the Committee.

[End of document]