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INTELLECTUAL PROPERTY
ORGANIZATION

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

Twentieth Session
Geneva, February 14 to 22, 2012

DRAFT DECISIONS OF THE TWENTIETH SESSION OF THE COMMITTEE

adopted by the Committee

DECISION ON AGENDA ITEM 2:

ELECTION OF OFFICERS

Upon the proposal of the Delegation of Paraguay, on behalf of the Group of Countries of Latin America and the Caribbean, seconded by the Delegation of the United States of America on behalf of Group B, and supported by the Delegation of Egypt on behalf of the African Group, the Delegation of Hungary on behalf of the Group of Central European and Baltic States and the Delegation of Algeria on behalf of the Development Agenda Group, the Committee elected as its Chair, His Excellency Ambassador Wayne McCook of Jamaica, unanimously and by acclamation, for the 2012-2013 biennium. Upon the proposal of the Delegation of the United States of America, on behalf of Group B, and seconded by the Delegation of Egypt on behalf of the African Group and Hungary on behalf of the Central European and Baltic States, the Committee elected as its Vice Chairs, for the same period, Ms. Alexandra Grazioli of Switzerland. The Committee decided to elect a second Vice-Chair at its next Session.

DECISION ON AGENDA ITEM 3:

ADOPTION OF THE AGENDA

The Chair submitted the draft agenda circulated as WIPO/GRTKF/IC/20/1 Prov. 2 for adoption and it was adopted.

DECISION ON AGENDA ITEM 4:

ADOPTION OF THE REPORT OF THE NINETEENTH SESSION

The Chair submitted the revised draft report of the Nineteenth Session of the Committee (WIPO/GRTKF/IC/19/12 Prov. 2) for adoption and, subject to certain amendments, it was adopted.

DECISION ON AGENDA ITEM 5:

ACCREDITATION OF CERTAIN ORGANIZATIONS

The Committee unanimously approved accreditation of all the organizations listed in the Annex to document WIPO/GRTKF/IC/20/2 as *ad hoc* observers, namely: ADJMOR; Association for Integration and Sustainable Development in Burundi (*Association pour l'Intégration et le Développement durable au Burundi*) (AIDB); Association of Kabyle Women (*Association de femmes de Kabylie*); Association of Kunas United for Mother Earth (*Asociación Kunas unidos por Napguana*) (KUNA); Civil Society Organizations' Network for Sustainable Agriculture and Environment in East Africa (CISONET); Christ is calling you (*Cristo te llama*); Committee for the Promotion and Protection of Human Rights (*Comitato per la promozione e protezione dei diritti umani*); Copyright Agency Limited; Institute for European Studies at the *Vrije Universiteit Brussel*; Kabylia for the Environment (*Kabylia pour l'environnement*) (AKE); Massai Experience; Ontario Federation on Indian Friendship Centres (OFIFC); and Punto Verde Association (*Asociación Punto Verde*).

DECISION ON AGENDA ITEM 6:

PARTICIPATION OF INDIGENOUS AND LOCAL COMMUNITIES: VOLUNTARY FUND

The Committee took note of documents WIPO/GRTKF/IC/20/3, WIPO/GRTKF/IC/20/INF/5 and WIPO/GRTKF/IC/20/INF/7.

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. Clinton DENGATE, Executive Officer, International Intellectual Property Section, Department of Foreign Affairs and Trade, Canberra, Australia; Mr. Mandixole MATROOS, Second Secretary, Permanent Mission of the Republic of South Africa, Geneva; Ms. Zoraida RODRIGUEZ MONTENEGRO, Legal Counselor, Permanent Mission of Panama, Geneva; Mrs. Maria ROJNEVSCHI, Director, IP Promotion and Publishing Department, State Agency on Intellectual Property (AGEPI), Chisinau, Republic of Moldova; Mrs. Larisa SIMONOVA, Deputy Director, International Cooperation Department, Federal Service for Intellectual Property (ROSPATENT), Moscow, Russian Federation; Mr. Estebancio CASTRO DIAZ, Consultant, International Indian Treaty Council (IITC), Panama City, Panama; Mr. Rodion SULYANDZIGA, First Vice-President, Russian Association of Indigenous Peoples of the North (RAIPON), Moscow, Russian Federation; Ms. Saoudata WALET ABOUBACRINE, President, Tin-Hinan, Ouagadougou, Burkina Faso. The Chair of the Committee nominated Ms. Alexandra GRAZIOLI, Vice Chair of the Committee, to serve as Chair of the Advisory Board.

DECISION ON AGENDA ITEM 7:

GENETIC RESOURCES

The Committee discussed all the working and information documents prepared for this session under this Agenda Item, namely documents WIPO/GRTKF/IC/20/4, WIPO/GRTKF/IC/20/5 and WIPO/GRTKF/IC/20/6. The Committee developed, on the basis of these documents, a "Consolidated Document Relating to Intellectual Property and Genetic Resources". The Committee decided that the version of that text, as at the close of the session on February 22, 2012 (copy attached), be transmitted to the WIPO General Assembly for consideration by the General Assembly in accordance with the Committee's mandate contained in WO/GA/40/7.

DECISION ON AGENDA ITEM 8:

DRAFT STUDY ON THE PARTICIPATION OF OBSERVERS IN THE WORK OF THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE

The Committee discussed and took note of the various options contained in the Draft Study on the Participation of Observers in the Work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (document WIPO/GRTKF/IC/20/7) ("the Draft Study") and, with reference to that document, took the following specific decisions:

- a. With respect to Proposal 1 (revision of the application forms for accreditation to the Committee and the establishment of a standing advisory mechanism on accreditation applications) and Proposal 6 (establishment of a standing Advisory Board for the WIPO Voluntary Fund for Accredited Indigenous and Local Communities), the Committee agreed with these options in principle and requested the Secretariat to prepare, for the next session of the Committee, a document on the steps necessary for their practical implementation, including relevant draft amendments to the Rules of the WIPO Voluntary Fund for the Committee's consideration and, if so agreed, transmission by the Committee of those amendments to the 2012 session of the WIPO General Assembly;
- b. With respect to Proposal 2 (representatives of observers as members of "Friends of Chair" and as co-chairs of working and drafting groups) the Committee noted that it is always within the discretion of the Committee's Chair, with the Committee's approval and in accordance with the Committee's Rules of Procedure, to invite representatives of observers to join any "Friends of the Chair" groups that may be established and/or to co-chair working and drafting groups;

- c. With respect to Proposal 3 (revisions to the format of the Indigenous Panel), the Committee requested that the document referred to in (a) above provide more information on the practical implementation and procedural implications of this proposal to enable the Committee to take a decision on this proposal at its next session;
- d. With respect to Proposal 4 (Indigenous expert workshop preceding one upcoming IGC session), the Committee agreed with the organization of such a workshop as set out in paragraphs 10 and 11 of the Draft Study;
- e. With respect to Proposal 5 (enhancing national and regional dialogue and awareness-raising), the Committee strongly encouraged Member States to organize regional and national consultations as referred to in paragraph 12 of the Draft Study;
- f. With respect to Proposal 7 (expanding interaction through information exchange) and Proposal 8 (awareness-raising and communications tools), the Committee agreed with the options in paragraphs 15, 16 and 17 of the Draft Study. The Committee furthermore requested the Secretariat to improve the accessibility of the WIPO website devoted to traditional knowledge, genetic resources and traditional cultural expressions. In this regard, the Committee took note that the existing website includes a webpage dedicated to comments from accredited observers, and requested the Secretariat to encourage such observers to provide comments on Committee documents to be made available on the webpage concerned and to draw the attention of Member States to those comments before each session of the Committee;
- g. With respect to Proposal 9 (strengthening cooperation with other United Nations bodies, programs and agencies), the Committee welcomed the continued cooperation of the WIPO Secretariat with other relevant United Nations and regional intergovernmental bodies, programs, organizations and agencies.

DECISION ON AGENDA ITEM 9:

PROPOSED REVISION TO THE RULES OF PROCEDURE OF THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE

The Committee adopted the amendment to the Rules of Procedure of the Committee as set out in paragraph 5 of document WIPO/GRTKF/IC/20/8.

DECISION ON AGENDA ITEM 10:

ANY OTHER BUSINESS

The Committee noted the submission of a "Joint Recommendation on Genetic Resources and Associated Traditional Knowledge" (WIPO/GRTKF/IC/20/9 Rev.) and agreed that it could be discussed further at the next session of the Committee at which genetic resources is discussed again.

The Committee noted a number of proposals for studies, literature reviews and meetings concerning intellectual property and genetic resources, and agreed that the issue would be considered again at the next session of the Committee at which genetic resources is discussed on the basis of any written proposals that may have been tabled at that time.

DECISION ON AGENDA ITEM 11:

CLOSING OF THE SESSION

The Committee adopted its decisions on agenda items 2, 3, 4, 5, 6, 7, 8, 9 and 10 on February 22, 2012. 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 March 31, 2012. 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 Twenty-Second Session of the Committee.

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