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

**Twenty-First Session**  
**Geneva, April 16 to 20, 2012**

### **DRAFT DECISIONS OF THE TWENTY-FIRST SESSION OF THE COMMITTEE**

*Adopted by the Committee*



## DECISION ON AGENDA ITEM 2:

## ELECTION OF VICE-CHAIR

Upon the proposal of the Delegation of the Islamic Republic of Iran, on behalf of the Asia-Pacific Group, and seconded by the Delegation of Egypt, on behalf of the African Group and the Delegation of Algeria, on behalf of the Development Agenda Group, the Committee elected as its second Vice-Chair, Mr. Bebeb A.K.N. Djundjuran of Indonesia, for the 2012-2013 biennium.

## DECISION ON AGENDA ITEM 3:

## ADOPTION OF THE AGENDA

The Chair submitted the draft agenda circulated as WIPO/GRTKF/IC/21/1 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/21/2 as *ad hoc* observers, namely: *Taif Adkimn Mapuche Indigenous Association (Asociación indígena Mapuche Taif Adkimn)*; *Indigenous Center for Sustainable Development Association (Asociación Centro Indígena para el Desarrollo Sostenible) (CINDES)*; *Zande Cultural Association (Association Culturelle Zande)*; *D Besi Lukaya Association (Association D Besi Lukaya) (ABL)*; *IPS Inga-Camentsa Del Alto Putumayo Indigenous Association (Asociación Indígena IPS Inga-Camentsa Del Alto Putumayo)*; *Werken Kimun Mapuche Corporation (Corporacion Mapuche Werken Kimun)*; *High Authority "Embroideres Union" Traditional Devil Dance (Diablada Tradicional "Union Bordadores" del Gran Poder)*; *Federation of Indigenous Border Communities of Putumayo (Federación de Comunidades nativas Fronterizas del Putumayo) (FECONAFROPU)*; *Action Group for Literacy and Social and Cultural Advancement (Groupe d'Action pour la promotion socio-culturelle et alphabetization)*; *Global Development for Pygmy Minorities (GLODEMP) (L'O.N.G. GLODEPM)*; *Non-governmental Organization Rayouwan Mata (L'O.N.G. Rayouwan Mata)*; *Old River Productions and Legal Services (Les Productions et Services Juridiques de la Vieille Rivière)*; *Pinyin Development Organization (PDO)*; *Public Association Regional Centers for Education for Sustainable Development RCE Kyrgyzstan*; and, *Solidarity for a Better World (Solidarité pour un Monde Meilleur) (SMM)*.

## DECISION ON AGENDA ITEM 5:

## PARTICIPATION OF INDIGENOUS AND LOCAL COMMUNITIES

The Committee took note of documents WIPO/GRTKF/IC/21/3, WIPO/GRTKF/IC/21/INF/5 and WIPO/GRTKF/IC/21/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. Tomás Alarcón Eyzaguirre, President, *Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos (CAPAJ)*, Tucna, Peru; Mrs. Leilene Marie Carantes-Gallardo, Consultant, Tebtebba Foundation, Indigenous Peoples' International Centre for Policy Research and Education, Baguio City, Philippines; Ms. Edwina Lewis, Assistant Director, International Policy and Cooperation Section, IP Australia,



Canberra, Australia; Mrs. Ewa Lisowska, Senior Policy Advisor, International Cooperation Division, Patent Office of the Republic of Poland, Warsaw, Poland; Mr. Mandixole Matroos, Second Secretary, Permanent Mission of the Republic of South Africa, Geneva; Mr. Juan Camilo Saretzki, First Secretary, Permanent Mission of Colombia, Geneva; Mr. Kijoong Song, Deputy Director, Korean Intellectual Property Office (KIPO), Daejeon, Republic of Korea; Mrs. Tarisi Vunidilo, Secretary-General, Pacific Islands Museum Association (PIMA), Port Vila, Vanuatu; 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 6:

##### TRADITIONAL KNOWLEDGE

The Committee discussed all the working and information documents prepared for this session under this Agenda Item, in particular documents WIPO/GRTKF/IC/21/4, WIPO/GRTKF/IC/21/5, WIPO/GRTKF/IC/21/INF/4 and WIPO/GRTKF/IC/21/INF/8. The Committee developed, on the basis of these documents and comments made in plenary, a text "The Protection of Traditional Knowledge: Draft Articles" in accordance with the General Assembly mandate contained in document WO/GA/40/7. The Committee decided that this text, as at the close of the session on April 20, 2012 as corrected and amended by the plenary on the afternoon on April 20, 2012, be transmitted to the WIPO General Assembly for consideration by the General Assembly in accordance with the Committee's mandate contained in document WO/GA/40/7.

#### DECISION ON AGENDA ITEM 7:

##### PARTICIPATION OF OBSERVERS

The Committee discussed the proposals in document WIPO/GRTKF/IC/21/6 and agreed that no changes would be made at the present time to the observer accreditation process or the Indigenous Panel. The Committee agreed with the proposal that no changes be made at this time to the arrangements related to the WIPO Voluntary Fund for Accredited Indigenous and Local Communities. The Committee requested the Secretariat to prepare an information document, for the next session of the Committee, providing information on the practical, procedural and budgetary implications of the following suggestions put forward by the Indigenous Caucus, namely that (1) a new status being that of Indigenous Peoples, separate from observers, be established within the Committee, (2) indigenous peoples be represented, as a matter of course, within any "Friends of the Chair" groups that may be established from time to time, (3) representatives of indigenous peoples be, as a matter of course, appointed as co-chairs of working and drafting groups, (4) equal representation with Member States on the Advisory Board of the WIPO Voluntary Fund (in other words, the Board would comprise four representatives of Member States, four representatives of indigenous and local communities, and the Chair of the Board who is a Vice-Chair of the Committee), (5) the Secretariat consult with the Chair of the Indigenous Caucus, inter-sessionally, regarding selection of panelists for the Indigenous Panel, and (6) panelists of the Indigenous Panel be invited to address the substantive working documents of the Committee session concerned in order to contribute directly to the development of the work of the IGC. To assist in the preparation of such document, the Committee invited IGC participants to send written submissions in respect of the suggestions (1) to (6) above to the WIPO Secretariat before May 7, 2012.

#### DECISION ON AGENDA ITEM 9:

##### CLOSING OF THE SESSION

The Committee adopted its decisions on agenda items 2, 3, 4, 5, 6, 7 and 9 on April 20, 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 May 31, 2012. Committee



[End of Annex and of document]