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

Draft Recommendation to WIPO General Assembly

At its 25th session, the IGC agreed to recommend to the WIPO General Assembly the renewal of its mandate for the 2014-2015 biennium. In this regard, the IGC agreed to recommend the following decision to the General Assembly:

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 2014/2015, and without prejudice to the work pursued in other fora, expedite its work on text-based negotiations with the objective [with a view of finalizing its work] of reaching agreement on a text(s) of an international legal instrument(s) which will ensure the effective protection of GRs, TK and TCEs.

(b) The Committee will follow a clearly defined work program [to be further developed], based on sound working methods, for the 2014/2015 biennium. This work program will include three thematic meetings and one cross cutting meeting in [2014] [2014/2015 biennium].

(c) Option 1. There will be [two/three/four] sessions of the IGC, as detailed in the future work program of the IGC in 2014 taking into account sub paragraph (f) with regard to the possible consideration by the General Assembly in 2014 of the need for additional meetings of the IGC in 2015.

Option 2. There will be [four/six/eight] meetings, as detailed in the future work program of the IGC in the 2014/2015 biennium.

(d) The [IGC/GA] will consider during the biennium the need for intersessional/special sessions and/or informals to progress the work of the Committee.

(e) The focus of the Committee’s work in the 2014/2015 biennium will build on the existing work carried out by the Committee and use all WIPO working documents, including WIPO/GRTKF/IC/25/5, WIPO/GRTKF/IC/25/6 and WIPO/GRTKF/IC/25/7 which are to constitute the basis of the Committee’s work on text-based negotiations, as well as any textual contributions [and other new proposals] by Members.

(f) The Committee is requested to submit to the [2014][2015] General Assembly the text(s) of an international legal instrument(s) which will ensure the effective protection of GRs, TK and TCEs.[ and any new proposals].

Option 1. The General Assembly in [2014][2015] will take stock of and consider the text(s), progress made and decide on [whether to convene] convening a Diplomatic
Conference, and will consider the need for additional meetings, taking account of the budgetary process.

Option 2. The General Assembly in 2014 will take stock of and consider the text(s), progress made and convene a Diplomatic Conference at the earliest in the 2014/2015 biennium, and will consider the need for additional meetings, taking account of the budgetary process.

Option 3. The General Assembly in 2013 will convene a Diplomatic Conference by the end of 2014.

(g) The General Assembly requests the International Bureau to continue to assist the Committee by providing Member States with necessary expertise and funding, in the most efficient manner, of the participation of experts from developing countries and LDCs, taking into account the usual formula.

With a view to progressing/enhancing negotiations, resolving areas of difference and consensus relating to the principles and objectives of the instruments, as well as key articles:

Option 1. Participants are invited to submit examples relating to key issues, including cross cutting issues, and to link them to the text, to be published as information documents.

Option 2. Participants are invited to submit specific examples of GRTKTEC which should be protected and should not be protected and explain how they relate to the text.

Option 3. Secretariat is requested to gather additional information in an information document to further inform discussions in the cross cutting as well as thematic sessions.

(h) [The Committee notes the proposal of the Indigenous Caucus to hold a special session/intersessional/informal meeting, conditional on their ability to secure funds, to exchange views between members states and observers from indigenous and local communities on issues relating to all three texts.]

(i) [Each session of the IGC will be preceded by a one day high level segment with Ambassadors and Senior Officials to share views on key policy issues relating to the negotiations, to further inform/guide the process.]