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

Thirty-Fourth Session
Geneva, June 12 to 16, 2017

DRAFT DECISIONS OF THE THIRTY-FOURTH 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/34/1 Prov. 2 for adoption and it was adopted.

DECISION ON AGENDA ITEM 3:

ADOPTION OF THE REPORT OF THE THIRTY-THIRD SESSION

The Chair submitted the draft report of the Thirty-Third Session of the Committee (WIPO/GRTKF/IC/33/7 Prov. 2) for adoption and it was adopted.

DECISION ON AGENDA ITEM 4:

ACCREDITATION OF CERTAIN ORGANIZATIONS

The Committee unanimously approved the accreditation of the five organizations listed in the Annex to document WIPO/GRTKF/IC/34/2 as *ad hoc* observers, namely: Federación Indígena Empresarial y Comunidades Locales de México, Asociación Civil (CIELO); Indigenous Movement for Peace Advancement and Conflict Transformation (IMPACT); DAGBAKA Action pour un Monde Equitable (DAPME) NGO; Promotion des Yaelima de Dekese (PROYADE); and Social Economic and Governance Promotion Centre (SEGP).

DECISION ON AGENDA ITEM 5:

REPORTING ON THE *SEMINAR ON INTELLECTUAL PROPERTY AND TRADITIONAL CULTURAL EXPRESSIONS* (JUNE 8 AND 9, 2017)

The Committee took note of the oral reports from the rapporteurs: Mr. Ahmed Al-Shehhi, Specialist of Organizations and Cultural Relations, Ministry of Heritage and Culture, Muscat, Oman; Dr. Sumit Seth, First Secretary, Permanent Mission of India to the United Nations, Geneva, Switzerland; Ms. Bernadette Butler, Minister-Counsellor, Permanent Mission of the Commonwealth of the Bahamas to the United Nations Office and other international organizations, Geneva, Switzerland; and Ms. Liene Grike, Adviser, Economic and Intellectual Property Affairs, Permanent Mission of the Republic of Latvia to the United Nations Office and other international organizations, Geneva, Switzerland.

The Committee also took note of document WIPO/GRTKF/IC/34/INF/9.

DECISION ON AGENDA ITEM 6:

PARTICIPATION OF INDIGENOUS AND LOCAL COMMUNITIES

The Committee took note of documents WIPO/GRTKF/IC/34/3, WIPO/GRTKF/IC/34/INF/4 and WIPO/GRTKF/IC/34/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. Hamadi Ag Mohamed Abba, Representative, ADJMOR, Mali; Mr. Abdoul Aziz Dieng, Technical Advisor, Ministry of Culture and Communication, Senegal; Mr. Parviz Emomov, Second Secretary, Permanent Mission of Tajikistan, Geneva; Ms. Aideen Fitzgerald, Policy Officer, International Policy and Cooperation

Section, IP Australia, Australia; Ms. June Lorenzo, Representative, Indigenous World Association (IWA), United States of America; Ms. Nusta Maldonado, Third Secretary, Permanent Mission of Ecuador, Geneva; Mr. Kamal Kumar Rai, Representative, Himalayan Folklore and Biodiversity Study Program, IPs Society for Wetland Biodiversity Conservation, Nepal; and Ms. Ofa Veiqaravi Solimailagi, Senior Legal Officer, Office of the Attorney-General, Suva, Fiji.

The Chair of the Committee nominated Ambassador Robert Matheus Michael Tene, Vice-Chair of the Committee, to serve as Chair of the Advisory Board.

DECISION ON AGENDA ITEM 7:

TRADITIONAL CULTURAL EXPRESSIONS

The Committee developed, on the basis of document WIPO/GRTKF/IC/34/6, a further text, "The Protection of Traditional Cultural Expressions: Draft Articles Rev. 2". The Committee decided that this text, as at the close of this agenda item on June 15, 2017, be considered by the Committee under Agenda Item 8 (Taking Stock of Progress and Making a Recommendation to the General Assembly), in accordance with the Committee's mandate for 2016-2017 and the work program for 2017, as contained in document WO/GA/47/19.

The Committee also took note of documents WIPO/GRTKF/IC/34/7, WIPO/GRTKF/IC/34/12, WIPO/GRTKF/IC/34/INF/7 and WIPO/GRTKF/IC/34/INF/8.

DECISION ON AGENDA ITEM 8:

TAKING STOCK OF PROGRESS AND MAKING A RECOMMENDATION TO THE GENERAL ASSEMBLY

DECISION ON AGENDA ITEM 9:

CONTRIBUTION OF THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE (IGC) TO THE IMPLEMENTATION OF THE RESPECTIVE DEVELOPMENT AGENDA RECOMMENDATIONS

The Committee held a discussion on this item. The Committee decided that all statements made on this item would be recorded in the report of the Committee and that they would also be transmitted to the WIPO General Assembly taking place from October 2 to 11, 2017, in line with the decision taken by the 2010 WIPO General Assembly related to the Development Agenda Coordination Mechanism.

DECISION ON AGENDA ITEM 10:

ANY OTHER BUSINESS

There was no discussion under this item.

DECISION ON AGENDA ITEM 11:**CLOSING OF THE SESSION**

The Committee adopted its decisions on agenda items 2, 3, 4, 5, 6, 7, 8 and 9 on June 16, 2017. 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 by August 31, 2017. 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.

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DECISION ON AGENDA ITEM 8:

TAKING STOCK OF PROGRESS AND MAKING A RECOMMENDATION TO THE GENERAL ASSEMBLY

The Committee noted that throughout the 2016-2017 biennium, a draft text was prepared on each subject matter, narrowing the gaps on core issues. Noting the progress made, the Committee considered that more work needs to be done.

Bearing in mind the Development Agenda recommendations and affirming the importance of the Committee, the Committee recommended that the WIPO General Assembly decide that the Committee should continue its work during the 2018-2019 biennium and that the Assembly decide on a mandate and a work program.

The Committee submitted herewith to the WIPO General Assembly the results of its work on genetic resources, traditional knowledge and traditional cultural expressions:

- Consolidated Document Relating to Intellectual Property and Genetic Resources (document WIPO/GRTKF/IC/34/4);
- The Protection of Traditional Knowledge: Draft Articles (document WIPO/GRTKF/IC/34/5);
- The Protection of Traditional Cultural Expressions: Draft Articles (document WIPO/GRTKF/IC/34/8).

The Committee decided that this decision is without prejudice to the elements of the mandate to be approved by the General Assembly.