

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

Forty-Ninth Session
Geneva, December 2 to 6, 2024

BRIEF SUMMARY OF DOCUMENTS

Document prepared by the Secretariat

I. WORKING DOCUMENTS FOR THE FORTY-NINTH SESSION

1. The following is a brief summary of the documents prepared for the Forty-Ninth Session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (the “Committee” or “IGC”) as of November 14, 2024. Each of these documents, as well as any additional documents, will be posted as soon as they are finalized at: https://www.wipo.int/meetings/en/details.jsp?meeting_id=80927

WIPO/GRTKF/IC/49/1 Prov. 2: Draft Agenda for the Forty-Ninth Session

2. This document contains the proposed items to be dealt with by the Committee, and is submitted to the Committee for possible adoption.

WIPO/GRTKF/IC/49/2: Accreditation of Certain Organizations

3. This document sets out the name, contact details and aims and objectives of two organizations that have applied to the Committee for accreditation as *ad hoc* observers to the current and future sessions of the Committee.

WIPO/GRTKF/IC/49/3: Participation of Indigenous and Local Communities: Voluntary Fund

4. The WIPO General Assembly, in 2005, established the “WIPO Voluntary Fund for Accredited Indigenous and Local Communities”. The decision was taken on the basis of document WO/GA/32/6, subsequently amended by the WIPO General Assembly in September 2010, which sets out the objectives and operation of the Fund. This document refers to the appointment of the Fund’s Advisory Board, and provides information on the fund-raising drive initiated by the Secretariat. The required information note providing details of contributions received and beneficiaries is circulated in parallel as document WIPO/GRTKF/IC/49/INF/4.

WIPO/GRTKF/IC/49/4: The Protection of Traditional Knowledge: Draft Articles

5. At its Forty-Seventh Session, which took place from June 5 to 9, 2023, the Committee developed, on the basis of document WIPO/GRTKF/IC/47/5, a further text, “The Protection of Traditional Cultural Expressions: Draft Articles – Facilitators’ Rev.”. The Committee decided that this text, as at the close of Agenda Item 5, on June 7, 2023, be considered by the Committee under Agenda Item 6 (Taking Stock of Progress and Making a Recommendation to the General Assembly), and transmitted to the 2023 General Assembly. The WIPO General Assembly in 2023 decided that the Committee “will, during the next budgetary biennium 2024/2025, in a Member State driven process, continue its work on the protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs), with the objective of finalizing an agreement on an international legal instrument(s), without prejudging the nature of outcome(s), relating to intellectual property, which will ensure the balanced and effective protection of TK and TCEs”, and “use all WIPO working documents, including WIPO/GRTKF/IC/47/14 (The Protection of Traditional Knowledge: Draft Articles) and WIPO/GRTKF/IC/47/15 (The Protection of Traditional Cultural Expressions: Draft Articles) [...]”. This document has been prepared for this session pursuant to this decision.

WIPO/GRTKF/IC/49/5: The Protection of Traditional Cultural Expressions: Draft Articles

6. At its Forty-Seventh Session, which took place from June 5 to 9, 2023, the Committee developed, on the basis of document WIPO/GRTKF/IC/47/5, a further text, “The Protection of Traditional Cultural Expressions: Draft Articles – Facilitators’ Rev.”. The Committee decided that this text, as at the close of Agenda Item 5, on June 7, 2023, be considered by the Committee under Agenda Item 6 (Taking Stock of Progress and Making a Recommendation to the General Assembly), and transmitted to the 2023 General Assembly. The WIPO General Assembly in 2023 decided that the Committee “will, during the next budgetary biennium 2024/2025, in a Member State driven process, continue its work on the protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs), with the objective of finalizing an agreement on an international legal instrument(s), without prejudging the nature of outcome(s), relating to intellectual property, which will ensure the balanced and effective protection of TK and TCEs”, and “use all WIPO working documents, including WIPO/GRTKF/IC/47/14 (The Protection of Traditional Knowledge: Draft Articles) and WIPO/GRTKF/IC/47/15 (The Protection of Traditional Cultural Expressions: Draft Articles) [...]”. This document has been prepared for this session pursuant to this decision.

WIPO/GRTKF/IC/49/6: The Protection of Traditional Knowledge: Updated Draft Gap Analysis

7. At its Twelfth Session, held in Geneva from February 25 to 29, 2008, the IGC decided that the WIPO Secretariat would, taking into account the previous work of the IGC, prepare a draft of the gap analysis on the protection of traditional knowledge, as a working document for the Thirteenth Session of the IGC. In 2017, the WIPO General Assembly requested the Secretariat to “update the 2008 gap analyses on the existing protection regimes related to TK and TCEs.” Document WIPO/GRTKF/IC/37/6 was prepared for the Thirty-Seventh Session pursuant to this decision. The same document was re-issued for IGCs 38, 39, 40, 44, 45, 46 and 47, and has been re-issued for this session as document WIPO/GRTKF/IC/49/6.

WIPO/GRTKF/IC/49/7: The Protection of Traditional Cultural Expressions: Updated Draft Gap Analysis

8. At its Twelfth Session, held in Geneva from February 25 to 29, 2008, the IGC decided that the WIPO Secretariat would, taking into account the previous work of the IGC, prepare a draft of the gap analysis on the protection of traditional cultural expressions, as a working document for the Thirteenth Session of the IGC. In 2017, the WIPO General Assembly requested the Secretariat to “update the 2008 gap analyses on the existing protection regimes related to TK and TCEs.” Document WIPO/GRTKF/IC/37/7 was prepared for the Thirty-Seventh Session pursuant to this decision. The same document was re-issued for IGCs 38, 39, 40, 44, 45, 46 and 47, and has been re-issued for this session as document WIPO/GRTKF/IC/49/7.

WIPO/GRTKF/IC/49/8: Proposal for Updating the List of Non-Governmental Organizations Admitted as *Ad Hoc* Observers to the IGC

9. The Delegation of the Russian Federation submitted a proposal to invite the IGC to continue updating the list of non-governmental organizations admitted as *ad hoc* observers to the IGC, for consideration by the Forty-Ninth Session of the IGC under agenda item 3 “Accreditation of Certain Organizations”.

II. INFORMATION DOCUMENTS FOR THE FORTY-NINTH SESSION

WIPO/GRTKF/IC/49/INF/1: List of Participants

10. A draft list of participants will be circulated at the Forty-Ninth Session of the Committee.

WIPO/GRTKF/IC/49/INF/2: Brief Summary of Documents

11. The present document has been prepared as an informal guide to the Committee’s documentation.

WIPO/GRTKF/IC/49/INF/3: Draft Program for the Forty-Ninth Session

12. In line with the Committee’s request at its Tenth Session, this document sets out a suggested program and identifies a possible timing for each agenda item. This draft program is indicative only, and the actual organization of work of the Committee would be determined by the Chair and its members in line with the rules of procedure.

WIPO/GRTKF/IC/49/INF/4: Voluntary Fund for Accredited Indigenous and Local Communities: Information Note on Contributions and Applications for Support

13. This document sets out information required to be reported to the Committee on the operation of the Voluntary Fund for Accredited Indigenous and Local Communities. The rules are set out in the Annex to document WO/GA/32/6, as approved by the WIPO General Assembly at its Thirty-Second Session and subsequently amended by the WIPO General Assembly in September 2010. In particular, it gives information on contributions received or pledged, and actual support provided to representatives of accredited Indigenous and local communities.

WIPO/GRTKF/IC/49/INF/5: Information Note for the Panel of Indigenous and Local Communities

14. Following a decision of the Committee at its Ninth Session, each subsequent session of the Committee has commenced with a panel chaired by a member of an Indigenous community. The panel has been held at the commencement of the previous 39 sessions of the Committee. On each occasion, representatives of Indigenous Peoples and local communities gave presentations on a specific theme related to the IGC's negotiations. This document sets out the proposed practical arrangements for the panel at the Forty-Ninth Session of the Committee.

WIPO/GRTKF/IC/49/INF/7: Glossary of Key Terms Related to Intellectual Property and Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions

15. At its Nineteenth Session, "the Committee invited the Secretariat to update the glossaries available in documents WIPO/GRTKF/IC/19/INF/7 ('Glossary of Key Terms Related to Intellectual Property and Traditional Cultural Expressions'), WIPO/GRTKF/IC/19/INF/8 ('Glossary of Key Terms Related to Intellectual Property and Traditional Knowledge') and WIPO/GRTKF/IC/19/INF/9 ('Glossary of Key Terms Related to Intellectual Property and Genetic Resources'), to combine them in a single document and to publish the consolidated glossary as an information document for the next session of the Committee". This document is made available in the same version of the consolidated glossary for the session.

WIPO/GRTKF/IC/49/INF/8: Update of the Technical Review of Key Intellectual Property-Related Issues of the WIPO Draft Instruments on Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions Within the Framework of Indigenous Human Rights

16. At its Fortieth Session, the Committee requested the Secretariat to commission, within existing resources, the updating by an Indigenous expert of the Technical Review of Key Intellectual Property-related Issues of the WIPO Draft Instruments on Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions ("the Technical Review"), submitted to the Committee as an information document during the Twenty-Ninth Session of the Committee. Ms. Neva Collings, Board Director, NSW Aboriginal Housing Office, Department of Family and Community Services, Australia, and Mr. Elifuraha Laltaika, Senior Lecturer and Director, Research Tumaini University Makumira, Tanzania, were commissioned to update the Technical Review. This document provides an updated version of the Technical Review.

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