

WIPO General Assembly

Fifty-Eighth (27th Ordinary) Session Geneva, July 8 to 17, 2025

REPORT ON THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE (IGC)

prepared by the Secretariat

I. INTRODUCTION

1. The WIPO General Assembly, at its Fifty-Sixth (26th Ordinary) Session in July 2023, agreed on the mandate for the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) for the 2024/2025 biennium.
2. The IGC's mandate for the 2024/2025 biennium, which was set out in document WO/GA/56/10, provides as follows:

“Bearing in mind the Development Agenda recommendations, reaffirming the importance of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (Committee), noting the different nature of these issues and acknowledging the progress made, the WIPO General Assembly agrees that the mandate of the Committee be renewed, without prejudice to the work pursued in other fora, as follows:

- “(a) 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.

- “(b) Noting that a Diplomatic Conference will be convened to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources no later than 2024, the Committee will, during the next budgetary biennium 2024/2025, continue to discuss intellectual property issues concerning GRs as they relate to the mandate of the Committee.
- “(c) The Committee’s work in the 2024/2025 biennium will build on the existing work carried out by the Committee, including text-based negotiations, with a primary focus on narrowing existing gaps and reaching a common understanding on core issues¹.
- “(d) The Committee will follow, as set out in the table below, a work program based on open and inclusive working methods for the 2024/2025 biennium, including an evidence-based approach as set out in paragraph (f). This work program will make provision for 4 sessions of the Committee in 2024/2025, including thematic, cross-cutting, and stocktaking sessions.
- “(e) The Committee may establish *ad hoc* expert group(s) to address specific legal, policy, or technical issues². The results of such *ad hoc* expert group(s) shall be submitted to the Committee for its consideration.
- “(f) The Committee will 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), as well as any other contributions of Member States, such as conducting/updating studies covering, *inter alia*, examples of national experiences, including domestic legislation, impact assessments, databases, and examples of protectable subject matter and subject matter that is not intended to be protected; and outputs of any expert group(s) established by the Committee and related activities conducted under the capacity-building and technical assistance program of the Secretariat (the Traditional Knowledge Division). The Secretariat is requested to continue to update studies and other materials relating to tools and activities on databases and on existing disclosure regimes relating to GRs and associated TK, with a view to identifying any gaps and continuing to collect, compile and make available online information on national and regional *sui generis* regimes for the intellectual property protection of TK and TCEs. Studies or additional activities are not to delay progress or establish any preconditions for the negotiations.
- “(g) In 2025, the Committee is requested to submit to the General Assembly the results of its work in accordance with the objective reflected in paragraphs (a) and (b). The General Assembly in 2025 will take stock of progress made on GRs, in light of the Diplomatic Conference and IGC 48, TK and TCEs, and based on the maturity of the text(s) on TK and TCEs, including levels of agreement on objectives, scope, and nature of the instrument(s), decide on whether to convene a diplomatic conference and/or continue negotiations.

¹ Core issues include, as applicable, *inter alia*, definitions, beneficiaries, subject matter, objectives, scope of protection, and what TK/TCEs are entitled to protection at an international level, including consideration of exceptions and limitations and the relationship with the public domain.

² The expert group(s) will have a balanced regional and gender representation and use an efficient working methodology. Accredited representatives of Indigenous Peoples as well as local communities will be invited to participate, in line with past practice of the Committee.

- “(h) The General Assembly requests the Secretariat 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 for the IGC.
- “(i) The Secretariat is also requested to facilitate the effective participation of Indigenous Peoples as well as local communities in WIPO’s normative work related to GRs, TK and TCEs.

WORK PROGRAM – 4 SESSIONS

Indicative Dates	Activity
October/November 2024 (IGCs 48 and 49 will be held back-to-back)	IGC 48 Take stock of the progress made on GRs and TK associated with GRs and discuss any issues arising from the Diplomatic Conference. Duration 1 day (this one day session on GRs creates no precedence for future sessions of the Committee).
	IGC 49 Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Duration 5 days.
March 2025	IGC 50 Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Duration 5 days.
June 2025	IGC 51 Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Stocktaking on GRs/TK/TCEs and making a recommendation Duration 5 days.
July 2025	WIPO General Assembly will take stock of the progress made, consider the text(s) and make the necessary decision(s).”

3. Paragraph (g) of the mandate for the biennium 2024/2025 requests the IGC, in 2025, to “submit to the General Assembly the results of its work in accordance with the objective reflected in paragraphs (a) and (b). The General Assembly in 2025 will take stock of progress made on GRs, in light of the Diplomatic Conference and IGC 48, TK and TCEs, and based on the maturity of the text(s) on TK and TCEs, including levels of agreement on objectives, scope, and nature of the instrument(s), decide on whether to convene a diplomatic conference and/or continue negotiations.” This document is prepared pursuant to the aforementioned decision.

II. IGC SESSIONS IN 2025

4. Pursuant to the mandate for the 2024/2025 biennium and the work program for 2024 and 2025, the IGC held four sessions since the WIPO General Assembly in 2024, as follows:

- (a) IGC 48, on November 29, 2024, taking stock of the progress made on GRs and TK associated with GRs and discussing any issues arising from the Diplomatic Conference to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources;
 - (b) IGC 49, from December 2 to 6, 2024, on the subject of TK and TCEs;
 - (c) IGC 50, from March 3 to 7, 2025, on the subject of TK and TCEs; and
 - (d) IGC 51, from May 30 to June 5, 2025, on the subject of TK and TCEs and taking stock of the progress made and making a recommendation to the 2025 WIPO General Assembly.
5. IGC 48 took stock of progress made on GRs and TK associated with GRs, and took note of the adoption, on May 24, 2024, of the [*WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge*](#).
6. IGCs 49 and 50 addressed certain cross-cutting issues on TK and TCEs and developed “The Protection of Traditional Knowledge: Draft Articles Rev.” and “The Protection of Traditional Cultural Expressions: Draft Articles Rev.”, and a consolidated text at IGC 50. However, the IGC did not agree on the transmittal of any of those texts to the following session for further consideration.
7. The absence of agreement at IGCs 49 and 50 notwithstanding, IGC 51 continued to work on these texts, and decided that “The Protection of Traditional Knowledge: Draft Articles – Facilitators’ Rev.” (annex to [document WIPO/GRTKF/IC/51/4](#)), and “The Protection of Traditional Cultural Expressions: Draft Articles – Facilitators’ Rev.” (annex to [document WIPO/GRTKF/IC/51/5](#)), as at the close of June 3, 2025, be considered under Agenda Item 6 (“Taking Stock of Progress and Making a Recommendation to the General Assembly”) of IGC 51.
8. In accordance with the Committee’s mandate for the 2024/2025 biennium and the work program for 2025, IGC 51, under Agenda Item 6, took stock of the progress made during the 2024/2025 biennium, and confirmed that the texts contained in the annexes to documents WIPO/GRTKF/IC/51/4 and WIPO/GRTKF/IC/51/5 will be transmitted to the 2025 WIPO General Assembly.
9. IGC 51 also agreed to recommend to the 2025 WIPO General Assembly that the mandate of the Committee be renewed for the 2026/2027 biennium. The Committee further agreed to recommend to the 2025 WIPO General Assembly that the terms of the mandate and work program for 2026/2027 be as follows:
- “Bearing in mind the Development Agenda recommendations, reaffirming the importance of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (Committee), noting the different nature of these issues and acknowledging the progress made, the WIPO General Assembly agrees that the mandate of the Committee be renewed, without prejudice to the work pursued in other fora, as follows:
- “(a) The Committee will, during the budgetary biennium 2026/2027, 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.

“(b) The Committee’s work on TK and TCEs in the 2026/2027 biennium will build on the existing work carried out by the Committee, including text-based negotiations, with a primary focus on narrowing existing gaps and reaching common understanding on core issues.

“(c) Noting the WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge adopted in 2024, the Committee will, during the budgetary biennium 2026/2027, continue to discuss intellectual property issues concerning GRs and their interlinkage with TK and TCEs, without normative work on GRs.

“(d) The Committee will follow, as set out in the table below, a work program based on open and inclusive working methods for the 2026/2027 biennium, including an evidence-based approach with actual examples, including national/regional experiences, as set out in paragraph (e). This work program will make provision for 3 sessions of the Committee in 2026/2027, including thematic, cross-cutting, and stocktaking sessions.

“(e) The Committee will use all WIPO working documents, including WIPO/GRTKF/IC/51/4 (The Protection of Traditional Knowledge: Draft Articles) and WIPO/GRTKF/IC/51/5 (The Protection of Traditional Cultural Expressions: Draft Articles), as well as any other contributions of Member States, such as conducting/updating studies covering, inter alia, examples of national experiences, including domestic legislation, impact assessments, databases, and examples of protectable subject matter and subject matter that is not intended to be protected; and outputs of any related activities conducted under the capacity-building and technical assistance program of the Secretariat (the Traditional Knowledge Division). The Secretariat is requested to continue to collect, compile and make available online information on national and regional *sui generis* regimes for the intellectual property protection of TK and TCEs. Studies or additional activities are not to delay progress or establish any preconditions for the negotiations.

“(f) In 2026, the Committee is requested to submit to the General Assembly the results of its work. The General Assembly in 2027 will take note of discussions on GRs, and take stock of progress made on TK and TCEs, and based on the maturity of the text(s) on TK and TCEs, including levels of agreement on objectives, scope, and nature of the instrument(s), decide on whether to convene a diplomatic conference and/or continue negotiations.

“(g) The General Assembly requests the Secretariat 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 for the IGC.

“(h) The Secretariat is requested to facilitate the effective participation of Indigenous Peoples as well as local communities in WIPO’s normative work related to TK and TCEs. With a view to deepening interaction, the Secretariat is also requested to organize, within existing resources, a hybrid Expert Workshop, following similar arrangements *mutatis mutandis* to those as agreed at the Twentieth Session of the Committee under Agenda Item 8.

WORK PROGRAM – 3 SESSIONS

Indicative Dates	Activity
March 2026	IGC 52 Undertake discussions on GRs and negotiations on TK and/or TCEs. Duration 8 days
September/October 2026	IGC 53 Undertake discussions on GRs and negotiations on TK and/or TCEs. Duration 8 days.
March/April 2027	IGC 54 Undertake discussions on GRs and negotiations on TK and/or TCEs. Take note of discussions on GRs and take stock of progress made on TK/TCEs, and make a recommendation Duration 8 days.
July 2027	WIPO General Assembly will take stock of the progress made, consider the text(s) and make the necessary decision(s)."

III. CONTRIBUTION TO THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA RECOMMENDATIONS

10. Further to the 2010 WIPO General Assembly decision "to instruct the relevant WIPO Bodies to include in their annual report to the Assemblies, a description of their contribution to the implementation of the respective Development Agenda Recommendations", IGC 51 also included an agenda item on the contribution of the IGC to the implementation of the Development Agenda Recommendations. In this regard, there was no statement made under this item.

11. *The WIPO General Assembly is invited to:*

(i) *take note of the information contained in this document; and*

(ii) *renew the mandate of the IGC for the biennium 2026/2027 on the terms and according to the program set out in paragraph 9 above.*

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