

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

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

BRIEF SUMMARY OF DOCUMENTS

Document prepared by the Secretariat

1. The following is a brief summary of the documents prepared or due to be prepared for the Thirty-Fourth Session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (the “Committee” or “IGC”) as at May 26, 2017. Each of these documents, as well as any additional documents, will be posted as soon as they are finalized at:
http://www.wipo.int/meetings/en/details.jsp?meeting_id=42302.

I. WORKING DOCUMENTS FOR THE THIRTY-FOURTH SESSION

WIPO/GRTKF/IC/34/1 Prov. 2: Draft Agenda

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/34/2: Accreditation of Certain Organizations

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

WIPO/GRTKF/IC/34/3: 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. The required information note providing details of contributions received and beneficiaries is circulated in parallel as document WIPO/GRTKF/IC/34/INF/4.

WIPO/GRTKF/IC/34/4: Consolidated Document on Intellectual Property and Genetic Resources

5. During the Thirtieth Session of the IGC, which took place in Geneva, from May 30 to June 3, 2016, the Committee developed, on the basis of document WIPO/GRTKF/IC/30/4, a further text, the “Second Revision of the Consolidated Document Relating to Intellectual Property and Genetic Resources” and decided that this text, as at the close of the session on June 3, 2016, be transmitted to the Thirty-Fourth session of the Committee, in accordance with the Committee’s mandate for 2016-2017 and the work program for 2017, as contained in document WO/GA/47/19. Document WIPO/GRTKF/IC/34/4 has been prepared for this session pursuant to this decision.

WIPO/GRTKF/IC/34/5: The Protection of Traditional Knowledge: Draft Articles

6. During the Thirty-Second Session of the IGC, which took place in Geneva, from November 28 to December 2, 2016, the Committee developed, on the basis of document WIPO/GRTKF/IC/32/4, a further text, “The Protection of Traditional Knowledge: Draft Articles Rev. 2” and decided that this text, as at the close of the session on December 2, 2016, be transmitted to the Thirty-Fourth session of the Committee, in accordance with the Committee’s mandate for 2016-2017 and the work program for 2017, as contained in document WO/GA/47/19. Document WIPO/GRTKF/IC/34/5 has been prepared for this session pursuant to this decision.

WIPO/GRTKF/IC/34/6: The Protection of Traditional Cultural Expressions: Draft Articles

7. During the Thirty-Third Session of the IGC, which took place in Geneva, from February 27 to March 3, 2017, the Committee developed, on the basis of document WIPO/GRTKF/IC/33/4, a further text, “The Protection of Traditional Cultural Expressions: Draft Articles Rev. 2”. The Committee decided that this text, as at the close of its discussions on “Traditional Cultural Expressions” on March 3, 2017, be transmitted to the Thirty-Fourth Session of the Committee, in accordance with the Committee’s mandate for 2016 2017 and the work program for 2017, as contained in document WO/GA/47/19. Document WIPO/GRTKF/IC/34/6 has been prepared for this session pursuant to this decision.

WIPO/GRTKF/IC/34/7: Indicative List of Outstanding/Pending Issues to Be Tackled/Solved

8. At its Thirty-Third Session, the IGC decided to transmit to its Thirty-Fourth Session an “Indicative List of Outstanding/Pending Issues to be Tackled/Solved at the Next Session”, which was annexed to the Decisions of the Thirty-Third Session of the Committee. Pursuant to this decision, document WIPO/GRTKF/IC/34/7 has been prepared.

WIPO/GRTKF/IC/34/8: The Protection of Traditional Cultural Expressions: Draft Articles

9. Pending the work of the Committee at its Thirty-Fourth session, and subject to any decisions that may be taken by the Committee on that occasion, this document would be the text on traditional cultural expressions developed by the Committee at the Thirty-Fourth Session. It would be made available for the Committee's review in accordance with its mandate for 2016-2017 and the work program for 2017, as contained in document WO/GA/47/19.

WIPO/GRTKF/IC/34/9: Joint Recommendation on Genetic Resources and Associated Traditional Knowledge

10. During the Twentieth Session of the IGC, which took place in February 2012, the Delegations of Canada, Japan, Norway, the Republic of Korea and the United States of America made available a "Joint Recommendation on Genetic Resources and Associated Traditional Knowledge". This was contained in document WIPO/GRTKF/IC/20/9/Rev. This document was resubmitted to the Twenty-Third, Twenty-Fourth, Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth, Thirty-First and Thirty-Second Sessions of the IGC, and circulated as documents WIPO/GRTKF/IC/23/5, WIPO/GRTKF/24/5, WIPO/GRTKF/IC/26/5, WIPO/GRTKF/IC/27/6, WIPO/GRTKF/IC/28/7, WIPO/GRTKF/IC/29/5, WIPO/GRTKF/IC/30/6, WIPO/GRTKF/IC/31/5 and WIPO/GRTKF/IC/32/6, respectively. The co-sponsors have resubmitted this joint recommendation as a working document for this session.

WIPO/GRTKF/IC/34/10: Joint Recommendation on the Use of Databases for the Defensive Protection of Genetic Resources and Traditional Knowledge Associated with Genetic Resources

11. During the Twenty-Third Session of the IGC, which took place in February 2013, a joint recommendation regarding the use of databases for the defensive protection of genetic resources and traditional knowledge associated with genetic resources was co-sponsored by the Delegations of Canada, Japan, the Republic of Korea and the United States of America. This proposal was contained in document WIPO/GRTKF/IC/23/7. The Joint Recommendation was resubmitted to the Twenty-Fourth, Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth, Thirty-First and Thirty-Second Sessions of the IGC by the co-sponsors as documents WIPO/GRTKF/IC/24/7, WIPO/GRTKF/IC/26/6, WIPO/GRTKF/IC/27/7, WIPO/GRTKF/IC/28/8, WIPO/GRTKF/IC/29/6, WIPO/GRTKF/IC/30/7, WIPO/GRTKF/IC/31/6 and WIPO/GRTKF/IC/32/7, respectively. The co-sponsors have resubmitted this joint recommendation as a working document for this session.

WIPO/GRTKF/IC/34/11: Proposal for the Terms of Reference for the Study by the WIPO Secretariat on Measures Related to the Avoidance of the Erroneous Grant of Patents and Compliance with Existing Access and Benefit-Sharing Systems

12. During the Twenty-Third Session of the IGC, which took place in February 2013, a proposal for the terms of reference for a study on measures related to the avoidance of the erroneous grant of patents and compliance with existing access and benefit sharing systems, was made available by the Delegations of Canada, Japan, the Republic of Korea and the United States of America. This proposal was contained in document WIPO/GRTKF/IC/23/6. The proposal was resubmitted to the Twenty-Fourth Session of the IGC as document WIPO/GRTKF/IC/24/6 Rev. by the Delegations of Canada, Japan, the Republic of Korea, the Russian Federation and the United States of America, and further resubmitted to the Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth, Thirty-First and

Thirty-Second Sessions of the IGC by the Delegations of Canada, Japan, Norway, the Republic of Korea, the Russian Federation and the United States of America as documents WIPO/GRTKF/IC/26/7, WIPO/GRTKF/IC/27/8, WIPO/GRTKF/IC/28/9, WIPO/GRTKF/IC/29/7, WIPO/GRTKF/IC/30/8, WIPO/GRTKF/IC/31/7 and WIPO/GRTKF/IC/32/8, respectively. The co-sponsors of documents WIPO/GRTKF/IC/26/7, WIPO/GRTKF/IC/27/8, WIPO/GRTKF/IC/28/9, WIPO/GRTKF/IC/29/7, WIPO/GRTKF/IC/30/8, WIPO/GRTKF/IC/31/7 and WIPO/GRTKF/IC/32/8 have resubmitted this proposal as a working document for this session.

WIPO/GRTKF/IC/34/12: Traditional Cultural Expressions: A Discussion Paper

13. During the Thirty-Third Session of the IGC, which took place in February 2017, a discussion paper on traditional cultural expressions was made available by the Delegation of the United States of America. This discussion paper was contained in document WIPO/GRTKF/IC/33/5. The Delegation of the United States of America has resubmitted this discussion paper as a working document for this session.

WIPO/GRTKF/IC/34/13: Identifying Examples of Traditional Knowledge to Stimulate a Discussion of What Should be Protectable Subject Matter and What is Not Intended to be Protected

14. During the Thirty-Second Session of the IGC, which took place in November 2016, a document identifying examples of traditional knowledge to stimulate a discussion of what should be protectable subject matter and what is not intended to be protected, was made available by the Delegation of the United States of America. This was contained in document WIPO/GRTKF/IC/32/10. The Delegation of the United States of America has resubmitted this document as a working document for this session.

II. INFORMATION DOCUMENTS FOR THE THIRTY-FOURTH SESSION

WIPO/GRTKF/IC/34/INF/1 Prov.: List of Participants

15. A draft list of participants will be circulated at the Thirty-Fourth Session of the Committee.

WIPO/GRTKF/IC/34/INF/2: Brief Summary of Documents

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

WIPO/GRTKF/IC/34/INF/3: Draft Program for the Thirty-Fourth Session

17. 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/34/INF/4: Voluntary Fund for Accredited Indigenous and Local Communities: Information Note on Contributions and Applications for Support

18. 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/34/INF/5: Information Note for the Panel of Indigenous and Local Communities

19. Following a decision of the Committee at its Seventh 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 25 sessions of the Committee. On each occasion, representatives of indigenous and local communities gave presentations on a specific theme related to the IGC's negotiations. The presentations are available on WIPO's site at: <http://www.wipo.int/tk/en/igc/panels.html>. This document sets out the proposed practical arrangements for the panel at the Thirty-Fourth Session of the Committee.

WIPO/GRTKF/IC/34/INF/6: Voluntary Fund for Accredited Indigenous and Local Communities: Decisions taken by the Director General in accordance with the Recommendations adopted by the Advisory Board

20. This information note will inform the Committee on the decisions on funding that the Director General will take in accordance with the recommendation that the Advisory Board of the Voluntary Fund for Accredited Indigenous and Local Communities may adopt in the margins of the Thirty-Fourth Session of the Committee.

WIPO/GRTKF/IC/34/INF/7: Glossary of Key Terms Related to Intellectual Property and Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions

21. 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 as an updated version of the consolidated glossary for the session.

WIPO/GRTKF/IC/34/INF/8: Technical Review of Key Intellectual Property-Related Issues of the WIPO Draft Instruments on Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions by Professor James Anaya

22. The United Nations Permanent Forum on Indigenous Issues (UNPFII) recommended at its Eleventh Session that "WIPO commission a Technical Review, to be conducted by an

indigenous expert, focusing on the draft texts concerning traditional knowledge, genetic resources and traditional culture expressions, and to provide comments thereon to the Intergovernmental Committee through the Forum. The review should be undertaken within the framework of indigenous human rights.” In consultation with the Secretariat of the UNPFII, Professor James Anaya, Professor of Human Rights Law and Policy, University of Arizona, United States of America, was commissioned by the Secretariat of WIPO in 2014 to undertake this technical review under his sole responsibility. Professor Anaya completed his review in 2014 and submitted it to the Secretariat of the UNPFII. On May 28, 2015, the Secretariat of WIPO received a request from the UNPFII Secretariat to submit the technical review undertaken by Professor Anaya to the Committee as an information document. Pursuant to the request above, the technical review was made available for the Twenty-Ninth, Thirtieth, Thirty-First, Thirty-Second and Thirty-Third Sessions of the IGC as an information document. Document WIPO/GRTKF/IC/34/INF/8 containing the same technical review has also been prepared for this session.

WIPO/GRTKF/IC/34/INF/9: Report on the Seminar on Intellectual Property and Traditional Cultural Expressions

23. The *Seminar on Intellectual Property and Traditional Cultural Expressions* will take place on June 8 and 9, 2017, prior to the Thirty-Fourth Session of the IGC. This document provides links to the Seminar’s presentations and other relevant information.

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