

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

Thirty-Eighth Session
Geneva, December 10 to 14, 2018

VOLUNTARY FUND FOR ACCREDITED INDIGENOUS AND LOCAL COMMUNITIES DECISIONS TAKEN BY THE DIRECTOR GENERAL IN ACCORDANCE WITH THE RECOMMENDATION ADOPTED BY THE ADVISORY BOARD

Information Note prepared by the Director General

1. The arrangements establishing the WIPO Voluntary Fund (“the Fund”), as approved by the General Assembly, are contained in the Annex to Document WO/GA/39/11. Article 6(i) of the Decision states:

“The Advisory Board will adopt its recommendation before the end of the Committee session on the margins of which it meets. This recommendation will identify:

- (i) the subsequent Committee session and, should the case arise, the IWG meeting(s) intended for financial support (i.e., the subsequent session of the Committee),
- (ii) the applicants whom the Advisory Board agrees should be supported for that session and/or the IWG meeting(s), for whom funds are available,
- (iii) any applicant or applicants whom the Advisory Board agrees should be supported in principle but for whom insufficient funds are available,
- (iv) any applicant or applicants whose application has been rejected in accordance with the procedure in Article 10,
- (v) any applicant or applicants whose application has been postponed until the next session of the Committee in accordance with the procedure in Article 10.

The Advisory Board will immediately forward the contents of the recommendation to the Director General who will take a decision in accordance with the recommendation. The Director General will inform the Committee immediately and, in any case, prior to the end of its current session, by means of an information note specifying the decision taken concerning each applicant.”

2. Accordingly, the Secretariat wishes to communicate to the Committee the report and recommendations adopted by the Advisory Board at the conclusion of its meeting held on the margins of the Thirty-Eighth Session of the Committee. This report is attached in the Annex.

3. The Committee is advised that, in accordance with Article 6(d) of the Annex to document WO/GA/39/11 as approved by the General Assembly (39th session), the Director General has taken note of the content of this report and adopted the decisions as recommended by the Advisory Board in paragraph 4 of its report.

[Annex follows]

WIPO VOLUNTARY FUND

ADVISORY BOARD

REPORT

1. The Advisory Board of the WIPO Voluntary Fund for Accredited Indigenous and Local Communities ("the Fund"), whose members were appointed by decision of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore ("the Committee") during its Thirty-Eighth Session and whose names appear at the end of this report, held its thirtieth meeting on December 12, 2018, under the chairmanship of Mr. Faizal Chery SIDHARTA, member *ex officio*, on the margins of the Thirty-Eighth Session of the Committee.

2. The members of the Advisory Board met in accordance with Articles 7 and 9 of the Annex to document WO/GA/39/11. Mr. Q"apaj CONDE CHOQUE, appointed member of the Advisory Board, did not participate in the deliberations and abstained from voting on his application for support by the Fund, in accordance with Article 11 of the said Annex.

3. Recalling Article 5(a) of the Annex to document WO/GA/39/11, the Advisory Board took note of the financial situation of the Fund as described in the Information Note WIPO/GRTKF/IC/38/INF/4 dated November 21, 2018, which was distributed before the opening of the Thirty-Eighth Session of the Committee and which specified that the amount available in the Fund minus the previously committed amount was 96.50 Swiss francs on November 20, 2018. The Advisory Board recalled with appreciation the most recent contribution to the Fund that was made by the Government of Australia on February 28, 2017. Noting though that the Fund would be unable to financially support any recommended applicant with the view to the next IGC sessions without fresh contributions to the Fund by donors, the Advisory Board strongly encouraged WIPO Member States and other potential donors to contribute further to the Fund.

4. The Advisory Board adopted the following recommendations based on the consideration of the list of applicants as it appears in the Information Note WIPO/GRTKF/IC/38/INF/4 as well as of the content of the applications of those applicants, and in accordance with Article 6 (i) of the Annex to document WO/GA/39/11:

- (i) future session intended for financial support in accordance with Article 5(e): 39th session of the Committee;
- (ii) applicants whom the Advisory Board agreed should be supported in principle for the session of the Committee as referred to under paragraph 4 (i), pending sufficient availability of funds (in order of priority):

Mr. Odon NSUMBU KABU

Mr. Q"apaj CONDE CHOQUE

- (iii) applicants whose applications should be postponed for further consideration by the Advisory Board until the next session of the Committee (in alphabetical order):

Mr. Hamadi AG MOHAMED ABBA

Mr. Rodrigo DE LA CRUZ INLAGO

Mr. Ndiaga SALL

- (iv) applicant whose application should be rejected:

Mr. Babagana ABUBAKAR

Mr. Agoussou Marcellin AIGBE

Ms. Edna Maria DA COSTA E SILVA

Mr. Nelson DE LEÓN KANTULE

The content of the present report and the recommendations it contains will be forwarded to the Director General of WIPO following its adoption by the members of the Advisory Board in accordance with Article 6(i) last paragraph of the Annex to document WIPO/GA/39/11.

Done in Geneva, December 12, 2018

Names of the members of the Advisory Board:

Chair: Mr. Faizal Chery SIDHARTA, Minister Counsellor, Permanent Mission of Indonesia in Geneva, Vice-Chair of the Intergovernmental Committee, member *ex officio* [signed]

and in alphabetical order:

Mr. Kamal BIN KORMIN, Assistant Director General, Technical Science and Technology Department, Intellectual Property Corporation of Malaysia, (MyIPO), Ministry of Domestic Trade and Consumer Affairs, Malaysia [signed]

Mr. Q"apaj CONDE CHOQUE, Representative, *Centro de Estudios Multidisciplinarios Aymara*, Bolivia [signed]

Ms. June L. LORENZO, Representative, International Indian Treaty Council, United States of America [signed]

Ms. Paola MORENO, Adviser, Economic, Social and Environmental Affairs Directorate, Ministry of External Relations, Colombia [signed]

Ms. Susan NOE, Representative, Native American Rights Fund, United States of America [signed]

Ms. Shumikazi PANGO, Expert, Ministry of Science and Technology, South Africa [signed]

Ms. Renata RINKAUSKIENE, Counsellor, Permanent Mission of Lithuania, Geneva [signed]

Ms. Aurelia SCHULTZ, Counsel, Office of Policy and International Affairs, Copyright Office, United States of America [signed]

[End of Annex and of document]