

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

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UPDATE OF THE LIST OF THE NON-GOVERNMENTAL ORGANIZATIONS ADMITTED AS *AD HOC* OBSERVERS TO THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE

Prepared by the Secretariat

INTRODUCTION

1. This document provides an analysis of the increase in the number of non-governmental organizations (NGOs) admitted as *ad hoc* observers to the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (the IGC). It shows the increase of such observers since the establishment of the IGC and explains the challenges associated with this development. The document concludes by introducing a process to update the list of NGO observers to mitigate the challenges.

INCREASE IN THE NUMBER OF NON-GOVERNMENTAL ORGANIZATIONS ADMITTED AS OBSERVERS AND THEIR ATTENDANCE AT THE IGC SESSIONS

2. Over the last 22 years, the IGC has experienced a significant increase in the number of NGOs admitted as *ad hoc* observers. The total number of NGO observers grew by 417 (from 19 NGOs at IGC 1 to 436 NGOs at IGC 44).

3. However, the number of NGOs that attended the IGC sessions as observers has remained rather stable. For example, for IGC 35 to IGC 44, an average of 23.1 NGO observers (including both WIPO permanent observers and *ad hoc* observers to the IGC) participated in each session.

CHALLENGES

4. The steep rise in NGO observers accredited to the IGC raises the question of whether the list accurately reflects the actual number of organizations still in existence and/or still interested in participating in the negotiations of the IGC.

5. As noted above, between IGCs 35 to 44, an average of only 23.1, or 5.3 per cent of the NGOs, participated in the IGC.

6. It is therefore possible that a substantial number of NGOs listed at https://www.wipo.int/export/sites/www/tk/en/igc/docs/igc_observers.pdf might be defunct or no longer interested in participating in the IGC sessions. Currently, the IGC has no procedure in place to verify, absent notification by the NGOs themselves, whether such organizations are defunct. In order to establish a more effective way of maintaining an up-to-date list of observers and avoiding inefficiencies, such as undeliverable mail, the IGC Secretariat will update the list of *ad hoc* observers in accordance with the following process.

UPDATE OF THE LIST OF NON-GOVERNMENTAL ORGANIZATIONS

7. To identify the NGOs admitted as *ad hoc* observers to the IGC that are defunct or no longer interested in participating in the IGC sessions, the Secretariat will update the current list of observers by:

- (a) Distributing a survey, requesting those *ad hoc* observers that did not participate in the IGC sessions during the last five years to confirm that they remain interested in the work of the IGC and wish to retain their status as *ad hoc* observers.
- (b) Revising the list of observers, following the receipt of the survey responses. We would also send one reminder to NGOs who have not responded to the initial survey request. The subsequent steps would be as follows:
 - (i) Update the contact information of those NGOs admitted as *ad hoc* observers that confirmed their interest in retaining observer status; and
 - (ii) Remove those NGOs admitted as observers that did not confirm their wish to be retained as such, either by expressly stating so or not responding to the survey at all.
- (c) Reporting to IGC 47 about the outcome of the update, i.e. the results of the survey, as well as any revisions made to the list of *ad hoc* observers.
- (d) The process set forth under (a) to (c) will be repeated every five years, as necessary.

8. The IGC is invited to take note of this document and to make any comments it wishes concerning the intended approach.

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