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DATE: DECEMBER 9, 2022

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

Forty-Fifth Session
Geneva, December 5 to 9, 2022

DECISIONS OF THE FORTY-FIFTH SESSION OF THE COMMITTEE

Adopted by the Committee

DECISION ON AGENDA ITEM 2:

ADOPTION OF THE AGENDA

The Chair submitted the draft agenda circulated as WIPO/GRTKF/IC/45/1 Prov. 2 for adoption and it was adopted.

DECISION ON AGENDA ITEM 3:

ACCREDITATION OF CERTAIN ORGANIZATIONS

The Committee took note of document WIPO/GRTKF/IC/45/2 and agreed that the list of Non-Governmental Organizations admitted as *ad hoc* observers to the Committee be updated.

DECISION ON AGENDA ITEM 4:

PARTICIPATION OF INDIGENOUS AND LOCAL COMMUNITIES

The Committee took note of documents WIPO/GRTKF/IC/45/3 and WIPO/GRTKF/IC/45/INF/4.

The Committee strongly encouraged and called upon members of the Committee and all interested public and private entities to contribute to the WIPO Voluntary Fund for Accredited Indigenous and Local Communities.

The Chair proposed, and the Committee elected by acclamation, the following eight members of the Advisory Board to serve in an individual capacity: Ms. Catherine Bunyassi Kahuria, Chief State Counsel, Office of the Attorney General and Department of Justice, Republic of Kenya; Mr. Vueti Kosoni May, First Secretary, Permanent Mission of Fiji; Mr. Sebastian Molina Necul, Chief of the IP Division, Undersecretariat for International Economic Affairs, Chile; Ms. Sonia Patricia Murcia Roa, Representative, Maloca *Internationale*; Mr. Musa Usman Ndamba, Representative, Mbororo Social Cultural Development Association (MBOSCUDA); Mr. Thomas Reitingger, Senior Patent Examiner, Patent Division, German Patent and Trademark Office, Federal Ministry of Justice, Germany; Mr. Jason Searle, Representative, Adviser, Native American Rights Fund (NARF); and Mr. Emil Žatkuliak, Head of the International Affairs Department, Industrial Property Office of the Slovak Republic, Slovakia.

The Chair of the Committee nominated Mr. Yonah Seleti, a Vice-Chair of the Committee, to serve as Chair of the Advisory Board.

DECISION ON AGENDA ITEM 5:

REPORTING ON THE *AD HOC* EXPERT GROUP ON TRADITIONAL KNOWLEDGE AND TRADITIONAL CULTURAL EXPRESSIONS

The Committee took note of the oral report from the Co-Chairs of the *ad hoc* expert group on traditional knowledge and traditional cultural expressions, Ms. Edwina Lewis and Mr. Anthony Kakooza.

The Committee requested the Secretariat to update and streamline by IGC 46 some documents from the early years of the IGC on topics such as rights and measures-based approaches, the interplay between national and international instruments, the differences between minimum and maximum standards, and options for the legal nature of international instruments.

DECISION ON AGENDA ITEM 6:

TRADITIONAL KNOWLEDGE/TRADITIONAL CULTURAL EXPRESSIONS

The Committee developed, on the basis of document WIPO/GRTKF/IC/45/4, a further text, "The Protection of Traditional Knowledge: Draft Articles – Facilitators' Rev.", and on the basis of

document WIPO/GRTKF/IC/45/5, a further text, “The Protection of Traditional Cultural Expressions: Draft Articles – Facilitators’ Rev.”. The Committee decided that these texts, as at the close of this agenda item on December 9, 2022, be transmitted to the Forty-Sixth Session of the Committee, in accordance with the Committee’s mandate for 2022-2023 and the work program for 2022.

The Committee took note of and held discussions on documents WIPO/GRTKF/IC/45/6, WIPO/GRTKF/IC/45/7, WIPO/GRTKF/IC/45/8, WIPO/GRTKF/IC/45/9, WIPO/GRTKF/IC/45/10, WIPO/GRTKF/IC/45/11, WIPO/GRTKF/IC/45/12, WIPO/GRTKF/IC/45/13, WIPO/GRTKF/IC/45/INF/7 and WIPO/GRTKF/IC/45/INF/8.

DECISION ON AGENDA ITEM 7:

ESTABLISHMENT OF AN *AD HOC* EXPERT GROUP(S)

The Committee agreed that a meeting of an *ad hoc* expert group on traditional knowledge/traditional cultural expressions be organized prior to the Forty-Sixth Session of the Committee, following the same arrangements *mutatis mutandis* as agreed at the Thirty-Seventh Session under Agenda Item 6. The Committee agreed that the meeting will take place on Sunday, February 26, 2023 from 9:00 to 16:30 Geneva time.

DECISION ON AGENDA ITEM 8:

ANY OTHER BUSINESS

There was no discussion under this item.

DECISION ON AGENDA ITEM 9:

CLOSING OF THE SESSION

The Committee adopted its decisions on agenda items 2, 3, 4, 5, 6 and 7 on December 9, 2022.

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