

WIPO General Assembly

Forty-Ninth (23rd Ordinary) Session
Geneva, October 2 to 11, 2017

PROPOSAL OF THE UNITED STATES AND JAPAN FOR A WIPO IGC MANDATE AND
WORK PROGRAM FOR THE 2018/2019 BIENNIUM

Proposal submitted by the Delegations of the United States of America and Japan

In a communication to the Secretariat received on October 4, 2017, the Delegation of the United States of America, on behalf of the Delegations of the United States of America and Japan, submitted the enclosed proposal in the framework of the agenda item “Report on the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)”.

[Annex follows]

**Assemblies of Member States of WIPO
Fifty-Seventh Session
October 2 to 11, 2017
Matters Concerning the Intergovernmental Committee on Intellectual Property and
Genetic Resources, Traditional Knowledge and Folklore**

Proposal of the United States and Japan

**For a WIPO IGC Mandate
For the 2018/2019 Biennium**

Bearing in mind the Development Agenda recommendations, the WIPO General Assembly agrees that the mandate of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (Committee) be renewed, without prejudice to the work pursued in other fora, as follows:

- (a) The Committee's work in the 2018/2019 biennium will build on the existing work carried out by the Committee with a primary focus on reaching a common understanding on core issues such as the definitions, subject matter, objectives, beneficiaries, scope of protection, safeguarding and the relationship with the public domain. The IGC will consider convening a diplomatic conference only after agreement on definitions, objectives, beneficiaries and scope, as well as the nature of the instrument, has been achieved.
- (b) The Committee will follow, as set out in the table below, a clearly defined work program, based on sound working methods, for the 2018/2019 biennium. This work program will make provision for four sessions of the Committee in 2018/2019, including thematic, cross-cutting and stocktaking sessions.
- (c) The Committee will use all WIPO working documents, as well as any other contributions of member states, using an evidence-based approach, including studies and examples of national experiences, including domestic legislation and examples of protectable subject matter and subject matter that is not intended to be protected.
- (d) The Committee will utilize the assistance of the WIPO Secretariat to conduct the studies contained in documents WIPO/GRTKF/IC/32/8 and WIPO/GRTKF/IC/32/9. The results of the studies will be available to the Committee by the first IGC meeting of 2019. The studies will be conducted in parallel with the work of the IGC, and it is not to delay progress.
- (e) The Committee will also utilize the assistance of the WIPO Secretariat to fast-track its work on the database proposals contained in documents WIPO/GRTKF/IC/32/6 and WIPO/GRTKF/IC/32/7. This work will be ready for adoption by the IGC and consideration by the WIPO General Assembly in 2019.
- (f) The Committee will further utilize the assistance of the WIPO Secretariat to conduct studies on the national implementation of disclosure requirements and national provisions to protect TK and TCEs. The Secretariat will propose terms of reference for these studies, which will be considered by WIPO members in the IGC's first meeting in 2018.

(g) In 2018, the Committee is requested to provide, for information only, a factual report to the General Assembly on its work up to that time, and in 2019, submit to the General Assembly the results of its work.

(h) The General Assembly requests the International Bureau 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.

Work Program

Indicative Dates	Activity
February/March 2018	IGC 35: Genetic Resources Duration: 5 days
September 2018	IGC 36: Traditional Knowledge Duration: 5 days
October 2018	WIPO General Assembly
May/June 2019	IGC 37: Traditional Cultural Expressions Duration: 5 days
September 2019	Cross Cutting issues and Stock Taking Duration: 5 days

[End of Annex and of document]