



IGC Special Session and Preparatory Committee of the Diplomatic Conference

Informal Information Session

Presentation by the Traditional Knowledge Division
and the Office of the Legal Counsel

August 29, 2023



Welcome and Introduction

Mr. Wend Wendland
Director, Traditional Knowledge Division



IGC Special Session September 4-8, 2023

Like any other IGC session: same Chair and Bureau; TK Division is the Secretariat

Text of a draft international legal instrument – document WIPO/GRTKF/IC/SS/GE/23/2 (former document 43/5)

Purpose: “. . . to further close any existing gaps to a sufficient level”

Any “agreements” reached reported to the Preparatory Committee which will incorporate such in the Basic Proposal

One submission received: India

Preparatory Committee September 11-13, 2023, Geneva

Own rules of procedure, Chair and Bureau: OLC is the Secretariat

Purpose: “. . . to establish the necessary modalities of the DipCon”

such as, draft Rules of Procedure; invitees; invitation letters; venue and dates; administrative and final clauses of the Basic Proposal

And - incorporate in the Basic Proposal any “agreements” that are reached in the Special Session

Program



1. Practical and Logistical Arrangements for the IGC Special Session and the Preparatory Committee of the Diplomatic Conference
2. Introduction to Patent Disclosure Requirements for Genetic Resources and Associated Traditional Knowledge and to Document WIPO/GRTKF/IC/SS/GE/23/2
3. Presentation on the Report on Virtual Activities Decided by the Forty-Third Session of the Committee
4. Introduction to the Documents for the Preparatory Committee of the Diplomatic Conference
5. Discussion and Closing Remarks



Practical and Logistical Arrangements for the IGC Special Session and the Preparatory Committee of the Diplomatic Conference

Ms. Tana McCauley

Associate Program Officer, Traditional Knowledge Division

Key Elements of the 2022 General Assembly's Decision

- In July 2022, the WIPO General Assembly decided to convene a Diplomatic Conference to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources.
- The WIPO GA decided to:
 - hold the Diplomatic Conference **no later than 2024**.
 - base the Diplomatic Conference *inter alia* on the **Draft Text**.
 - convene an **IGC Special Session** and a **Preparatory Committee** in the second half of 2023.

Diplomatic Conference Timeline



IGC Special Session and Preparatory Committee Logistics

- Hybrid
- Physical attendance: no limited number per delegation (registration required)
- Virtual attendance: via Zoom (registration required)
- Meeting hours: 10h00-13h00 and 15h00-18h00 (CET)



IGC Bureau for 2022-2023

IGC Chair

- Ms. Lilyclaire Bellamy of Jamaica

IGC Vice-Chairs

- Mr. Jukka Liedes of Finland
- Mr. Yonah Seleti of South Africa
- Mr. Felipe Cariño of the Philippines



Draft Agenda of the IGC Special Session

(WIPO/GRTKF/IC/SS/GE/23/1 Prov.)

1. Opening of the Session
2. Adoption of the Agenda
3. Participation of Indigenous Peoples and Local Communities
 - Update on the Operation of the Voluntary Fund
4. Genetic Resources
5. Adoption of a Report to the Preparatory Committee of the Diplomatic Conference to Conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources
6. Any Other Business
7. Closing of the Session



Draft Agenda of the Preparatory Committee

(GRATK/PM/1 Prov.)

1. Opening of the Meeting
2. Election of a Chair and two Vice-Chairs
3. Adoption of the Agenda
4. Decisions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) Special Session
5. Draft Final Clauses for the Instrument to be considered by the Diplomatic Conference
6. Draft Rules of Procedure of the Diplomatic Conference
7. List of States and Observers to be invited to the Diplomatic Conference and the texts of the Draft Letters of Invitation
8. Agenda, Dates and Venue of the Diplomatic Conference
9. Adoption of the Report
10. Closing of the Session



Indigenous Participation in the IGC Special Session

Indigenous Consultative Forum

- Not a formal committee session or official WIPO meeting, but endorsed by the Committee and facilitated by the Secretariat
- Two-day meeting on September 2 and 3, 2023

WIPO Voluntary Fund

- 4 funded participants at the IGC Special Session
- There will be no Advisory Board Meeting during the IGC Special Session

Additional Resources (1)



Diplomatic Conference on Intellectual Property and Genetic Resources

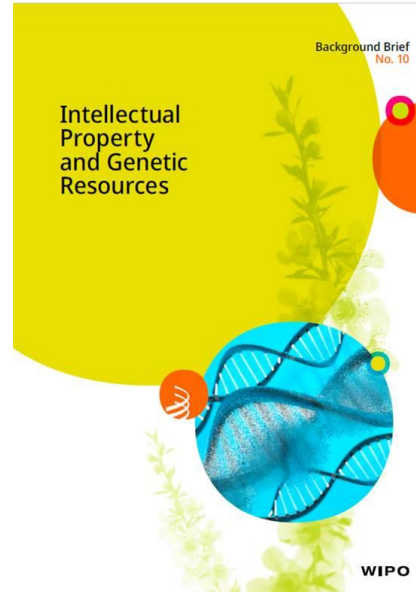
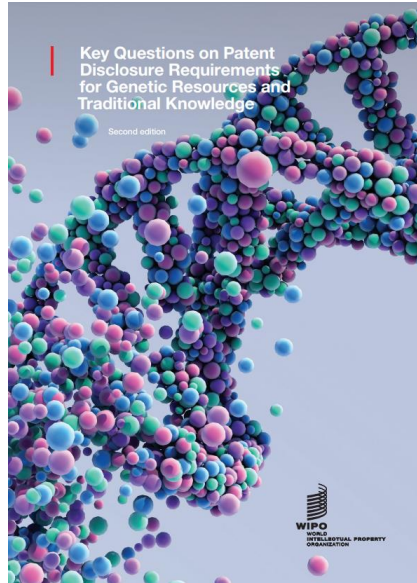
On July 21, 2022, the WIPO General Assembly decided to convene a Diplomatic Conference to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources no later than 2024.

The Diplomatic Conference will be preceded by a Special Session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore from September 4 to 8, 2023 and by the Preparatory Committee of the Diplomatic Conference from September 11 to 13, 2023.

- WIPO General Assembly Decision on the Diplomatic Conference [PDF](#)
- Text of a Draft International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources* [PDF](#)
- Executive Summary: Draft Text on Genetic Resources and Associated Traditional Knowledge* [PDF](#)
- Consolidated Document Relating to Intellectual Property and Genetic Resources [PDF](#)
- Diplomatic Conference Timeline [PDF](#)

<https://www.wipo.int/diplomatic-conferences/en/genetic-resources/index.html>

Additional Resources (2)



[Disclosure Requirements Table](https://www.wipo.int/tk/en/resources/publications.html) and other resources available at <https://www.wipo.int/tk/en/resources/publications.html>



Presentation on the Report on Virtual Activities Decided by the Forty-Third Session of the Committee (WIPO/GRTKF/IC/SS/GE/23/INF/2)

Ms. Fei Jiao

Program Officer, Traditional Knowledge Division



IGC 43 Decisions

- *ad hoc* virtual meetings of experts on possible disclosure requirements
- virtual technical meetings on information systems, registers and databases of genetic resources, traditional knowledge and traditional cultural expressions
- online survey on information systems, registers and databases of genetic resources, traditional knowledge and traditional cultural expressions

Online Survey <https://www.wipo.int/tk/en/igc/consultations.html>

[Home](#) > [Traditional Knowledge](#) > [Intergovernmental Committee](#)

Surveys, Key Issues, Gap Analyses and Consultations

Surveys

The IGC decided to launch an online survey on information systems, registers and databases of genetic resources, traditional knowledge and traditional cultural expressions. Member States and accredited observers are invited to respond to the survey [PDF](#) by May 12, 2023, if they so wish. The results can be found below.

	English	French	Spanish	Arabic	Chinese	Russian
ADACO	PDF	PDF				
AIPPI	PDF			PDF		PDF
Brazil	PDF					
Croatia	PDF	PDF	PDF	PDF	PDF	PDF
Czech Republic	PDF			PDF		PDF
Ecuador			PDF			
France	PDF	PDF	PDF	PDF	PDF	PDF
Guatemala	PDF	PDF	PDF	PDF	PDF	PDF
Japan	PDF			PDF		
Kyrgyzstan	PDF	PDF	PDF	PDF	PDF	PDF
Lao	PDF					
Lithuania	PDF	PDF	PDF	PDF	PDF	PDF
Niger		PDF				
Oman	PDF			PDF		PDF
Peru			PDF			
Poland	PDF			PDF		PDF
Russian Federation						PDF
Slovenia	PDF			PDF		PDF
Spain	PDF	PDF	PDF	PDF	PDF	PDF
Thailand	PDF			PDF		PDF
Trinidad and Tobago	PDF					
Türkiye	PDF					PDF
Uganda	PDF					
United States of America	PDF			PDF		PDF
Zimbabwe	PDF					



Virtual expert meetings on information system

- Textual proposals on GRs, TK and TCEs texts
 - Article 7 of the Text of a Draft International Legal Instrument relating to Intellectual Property, Genetic Resources and Traditional Knowledge associated with Genetic Resources
- Establishment of a Subsidiary Technical Task Force to further address the technical, legal and operational issues relating to information systems



Virtual expert meetings on patent disclosure requirements

- Recommendation and textual proposals on the Text of a Draft International Legal Instrument relating to Intellectual Property, Genetic Resources and Traditional Knowledge associated with Genetic Resources
 - Article 2
 - Article 3
 - Article 6
 - Article 7
 - Article 8



Introduction to the Documents for the Preparatory Committee of the Diplomatic Conference

Ms. Christine Castro Hublin

Head, Legal and Constitutional Affairs Section, Office of the Legal Counsel

Draft Rules of Procedure of the Diplomatic Conference

(GRATK/PM/3)

- | | |
|---------------|--|
| Chapter I: | Objective, Competence, Composition and Secretariat of the Conference |
| Chapter II: | Representation |
| Chapter III: | Committees and Working Groups |
| Chapter IV: | Officers |
| Chapter V: | Conduct of Business |
| Chapter VI: | Voting |
| Chapter VII: | Languages and Minutes |
| Chapter VIII: | Open and Closed Meetings |
| Chapter IX: | Observer Delegations and Observers |
| Chapter X: | Amendments to the Rules Of Procedure |
| Chapter XI: | Final Act |



List of Invitees to the Diplomatic Conference and the Texts of the Draft Letters of Invitation

GRATK/PM/4



Draft Administrative Provisions and Final Clauses for the Instrument to be Considered by the Diplomatic Conference

(GRATK/PM/2)

- The draft administrative provisions and final clauses are modeled on the corresponding provisions of WIPO Treaties and take into account Articles 10 to 20 in document WIPO/GRTKF/IC/43/5
- The draft administrative provisions and final clauses will be considered and approved by the Preparatory Committee for further consideration by the Diplomatic Conference



Draft Administrative Provisions and Final Clauses for the Instrument to be Considered by the Diplomatic Conference

Article 10: General Principles on
Implementation

Article 11: Assembly

Article 12: International Bureau

Article 13: Eligibility to Become a Party

Article 14: Ratification and Accession

Article 15: Revision

Article 16: Amendment of Articles [11] and [12]

Article 17: Signature

Article 18: Entry into Force

Article 19: Effective Date to Become a Party

Article 20: Denunciation

Article 21: Reservations

Article 22: Languages

Article 23: Depository



Discussion and Closing Remarks

Ms. Anna Morawiec Mansfield

Legal Counsel, Office of the Legal Counsel