

Diplomatic Conference to Conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources

Geneva, May 13 to 24, 2024

FIRST REPORT OF THE CREDENTIALS COMMITTEE

prepared by the Secretariat

1. The Credentials Committee (Committee), which was established on May 13, 2024 by the Diplomatic Conference to Conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources, held its first meeting on May 15, 2024.
2. The Delegations of the following States, which were elected members of the Committee by the Diplomatic Conference, attended the meeting: Bangladesh, Chile, China, Japan, United Republic of Tanzania, Slovenia and Thailand.
3. Ms. Shanchita Haque (Bangladesh), who was elected President of the Committee by the Diplomatic Conference, presided over the meeting. The Vice-Presidents, elected by the Diplomatic Conference, were Ms. Xia Yu (China) and Ms. Loy Mhando (United Republic of Tanzania).
4. In accordance with Rule 9(1) of the Rules of Procedure adopted by the Conference on May 13, 2024 (document GRATK/DC/2), the Committee examined the credentials, full powers, letters or other documents of appointment presented for the purposes of Rules 6 and 7 by Delegations of States members of the World Intellectual Property Organization (WIPO), participating in the Conference in accordance with Rule 2(1)(i) of the Rules of Procedure (Member Delegations), and by the Delegation of the European Union participating in the Conference in accordance with Rule 2(1)(ii) of the Rules of Procedure (Special Delegation), as well as by the representatives of intergovernmental and non-governmental organizations, participating in the Conference in accordance with Rule 2(1)(iv) of the Rules of Procedure (Observers).

5. On the basis of the information provided by the Secretariat as to the practice prevailing, in particular, in diplomatic conferences convened by WIPO, as well as in other diplomatic conferences, the Committee decided to recommend to the Conference, meeting in Plenary, that the following criteria should be applied by the Committee in its examination of, and should govern the decision of the Conference on, the credentials, full powers, letters or other documents presented for the purposes of Rules 6 and 7 of the Rules of Procedure:

- (i) as far as any State is concerned, its Delegation's credentials and full powers should be accepted if they were signed by that State's Head of State, Head of Government or Minister for Foreign Affairs; credentials, but not full powers, should be accepted if they were contained in a note verbale or letter of that State's Permanent Representative in Geneva or in a note verbale of that State's Ministry of Foreign Affairs or its Permanent Mission in Geneva, and should not otherwise be accepted; in particular, a communication emanating from a Minister other than the Minister for Foreign Affairs, should not be treated as credentials;
- (ii) as far as any Organization is concerned, its representative's letter or other document of appointment should be accepted if it was signed by the Head (Director General, Secretary General or President) or Deputy Head or official responsible for external affairs of the Organization;
- (iii) electronic communications or hard copies of originals should be accepted if, as to their source, the requirements stated in points (i) and (ii) were fulfilled.

6. Pending a final decision by the Conference, meeting in Plenary, on the above criteria, the Committee decided to apply those criteria to the documents it received.

7. Accordingly, the Committee found in order

- (a) as far as Member Delegations are concerned,
 - (i) the credentials and full powers (that is, credentials for participating in the Conference and for signing the final act, as well as full powers to sign the International Legal Instrument to be adopted by the Diplomatic Conference) of the Delegations of the following (38) States:

Algeria	Jamaica
Argentina	Kiribati
Bosnia Herzegovina	Kuwait
Brazil	Madagascar
Burkina Faso	Malawi
Chile	Morocco
Congo	Nicaragua
Cook Islands	Niger
Costa Rica	Niue
Côte d'Ivoire	Paraguay
Democratic People's Republic of Korea	Portugal
Ecuador	Saint Vincent and the Grenadines
Gambia	Sierra Leone
Ghana	South Africa
Greece	Spain
Guinea Bissau	Togo
Ireland	Uganda

Israel
Italy

United Kingdom
Uruguay

- (ii) the credentials (without full powers) of the Delegations of the following (136) States:

Afghanistan	Guinea	Poland
Albania	Guyana	Qatar
Angola	Holy See	Republic of Korea
Antigua and Barbuda	Honduras	Republic of Moldova
Armenia	Hungary	Romania
Australia	India	Russian Federation
Austria	Indonesia	Rwanda
Bahrain	Iran (Islamic Republic of)	Saint Kitts and Nevis
Bangladesh	Iraq	Saint Lucia
Barbados	Japan	Samoa
Belarus	Jordan	Sao Tome and Principe
Belgium	Kazakhstan	Saudi Arabia
Bhutan	Kenya	Senegal
Bolivia (Plurinational State of)	Kyrgyzstan	Serbia
Botswana	Lao People's Democratic Republic	Seychelles
Brunei Darussalam	Latvia	Singapore
Bulgaria	Lebanon	Slovakia
Burundi	Lesotho	Slovenia
Cabo Verde	Liberia	Solomon Islands
Cambodia	Libya	Sri Lanka
Cameroon	Lithuania	Sudan
Canada	Luxembourg	Sweden
Central African Republic	Malaysia	Switzerland
China	Maldives	Syrian Arab Republic
Colombia	Mali	Tajikistan
Comoros	Malta	Thailand
Croatia	Marshall Islands	Timor-Leste
Cuba	Mauritania	Tonga
Cyprus	Mauritius	Trinidad and Tobago
Czech Republic	Mexico	Tunisia
Democratic Republic of the Congo	Monaco	Türkiye
Denmark	Mongolia	Turkmenistan
Djibouti	Montenegro	United Arab Emirates
Dominican Republic	Mozambique	United Republic of Tanzania

Egypt	Namibia	United States of America
El Salvador	Nauru	Uzbekistan
Estonia	Nepal	Vanuatu
Eswatini	Netherlands (Kingdom of the)	Venezuela (Bolivarian Republic of)
Ethiopia	New Zealand	Viet Nam
Fiji	Nigeria	Yemen
Finland	North Macedonia	Zambia
France	Norway	Zimbabwe
Gabon	Oman	
Georgia	Pakistan	
Germany	Panama	
Grenada	Peru	
Guatemala	Philippines	

(b) as far as the Special Delegation is concerned, the credentials of the Delegation of the European Union (1).

(c) as far as Observer Delegations are concerned, no credentials were submitted.

(d) as far as the Observers are concerned, the letters or documents of appointment of representatives of the following Observers:

- (i) *intergovernmental organizations*: African Intellectual Property Organization (OAPI); African Regional Intellectual Property Organization (ARIPO); African Union (AU); European Patent Organisation (EPO); Food and Agriculture Organization of the United Nations (FAO); General Secretariat of the Andean Community; International Union for the Protection of New Varieties of Plants (UPOV); League of Arab States (LAS); *Organisation internationale de la francophonie* (OIF); Patent Office of the Cooperation Council for the Arab States of the Gulf (GCC Patent Office); South Center (SC); United Nations (UN); United Nations Educational, Scientific and Cultural Organization (UNESCO); World Health Organization (WHO); World Trade Organization (WTO) (15).
- (ii) *non-governmental organizations*: Action for Respect and Protection of the Environment (ARPE); ADJMOR; *Agencia Internacional de Prensa Indígena* (AIPIN); American Intellectual Property Law Association (AIPLA); Arts Law Centre of Australia; Assembly of Armenians of Western Armenia, The; Assembly of First Nations; *Association congolaise pour le développement agricole* (ACDA); *Association pour la Valorisation du Patrimoine Culturel des Communes du Cameroun* (AVP3C); *Association pour le devenir des autochtones et de leur connaissance originelle* (ADACO); Biotechnology Industry Organization (BIO); Brazilian Intellectual Property Association (ABPI); Call of the Earth (COE); *Centre de Recherche et de Promotion du Droit* (CRPD); *Centre du Commerce International pour le Développement* (CECIDE); Centre for Documentation, Research and Information of Indigenous Peoples (doCip); Center for International Environmental Law (CIEL); Centre for International Intellectual Property Studies (CEIPI); Centre for Support of Indigenous Peoples of the North/Russian Indigenous Training Centre (CSIPN/RITC); *Centro de Estudios Multidisciplinarios Aymara* (CEM-Aymara); China Council for the Promotion of

International Trade (CCPIT); Civil Society Coalition (CSC); *Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos (CAPAJ)*; Committee for the Indigenous Peoples of the Americas (Incomindios); CropLife International; Digital Law Center (DLC); Elders Council of the Shor People; European Communities Trade Mark Association (ECTA); European Law Students' Association (ELSA International); For Alternative Approaches to Addiction, Think & do tank (FAAAT); Foundation for Aboriginal and Islander Research Action (FAIRA); *Fundación Empresas Indígenas*; German Association for the Protection of Industrial Property (GRUR); Global Expert Network on Copyright User Rights (User Rights Network); Global Intellectual Property Alliance (GLIPA); Health and Environment Program (HEP); Indian Council of South America (CISA); Indigenous Information Network (IIN); Indigenous Knowledge and Wisdom Centre Ltd; Innovation Council; *Instituto Indígena Brasileiro da Propriedade Intelectual (InBraPi)*; Intellectual Property Owners Association (IPO); International Association for the Protection of Intellectual Property (AIPPI); International Federation of Intellectual Property Attorneys (FICPI); International Federation of Pharmaceutical Manufacturers Associations (IFPMA); International Federation of Reproduction Rights Organizations (IFRRO); International Indian Treaty Council, International Publishers Association (IPA); International Society for the Development of Intellectual Property (ADALPI); International Trademark Association (INTA); Japan Intellectual Property Association (JIPA); Ka'uikiokapō; Kanuri Development Association; Knowledge Ecology International, Inc. (KEI); MALOCA Internationale; Max Planck Institute for Innovation and Competition (MPI); Native American Rights Fund (NARF); Native Nations Law and Policy Center, University of California, Los Angeles School of Law; Omani Association for Intellectual Property (OAIP); *Ordre suprême des ancêtres (OSA)*; Pacific Islands Forum Secretariat; Queen Mary Intellectual Property Research Institute (QMIPRI); *Red Mujeres Indígenas sobre Biodiversidad (RMIB)*; Tebtebba Foundation - Indigenous Peoples' International Centre for Policy Research and Education; The Federalist Society for Law and Public Policy Studies (the Federalist Society); The World Conservation Union (IUCN); Third World Network Berhad (TWN); Tulalip Tribes of Washington Governmental Affairs Department; *Union des peuples autochtones pour le réveil au développement (UPARED)*; *Voie éclairée des Enfants Démunis (VED)*; WhyWeCraft Association (71).

8. The Committee recommends to the Conference, meeting in Plenary, to accept the credentials and full powers of the Delegations mentioned in paragraphs (7)(a)(i) and 7(b), above, the credentials of the Delegations mentioned in paragraph 7(a)(ii) above, and the letters or documents of appointment of the representatives of the organizations mentioned in paragraph 7(d) above.

9. The Committee requested the Secretariat to bring Rules 6 (Credentials and Full Powers), 7 (Letters of Appointment) and 10 (Provisional Participation) of the Rules of Procedure to the attention of Member Delegations or Observer Delegations not having presented credentials or full powers and of the representatives of Observers not having presented letters or other documents of appointment.

10. The Committee decided that a report on its meeting would be prepared by the Secretariat and issued as its report, to be presented by the President of the Committee to the Conference, meeting in Plenary.

11. The Committee decided that it would re-convene to examine any further communications concerning Member Delegations, the Special Delegations, Observer Delegations, or Observers which might be received by the Secretariat after the close of its meeting.

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