**PROPOSED AGENDA**

INDIGENOUS CAUCUS – WIPO/IGC 38

GENEVA, SWITZERLAND DECEMBER 8-9, 2018

SATURDAY, DECEMBER 8, 2018

9:30 am Coffee

10:00 am Opening Prayer / Introductions

10:30 am Selection of Co-Chairs

10:45 am Review of Agenda for Caucus meeting and approval

10:50- 11:30 am Presentation by Simon from WIPO followed by Q&A

11:30 am Coffee Break

11:45- 12:15 Report on IGC 37 & Indigenous Caucus Actions

12:15- 12:45 Overview of relevant IGC 38 Documents

12:45 –

1:00-1:30 Lunch

1:30 – 3:00 Discussion on text for consideration, to include the following: (1) Chair’s Information Note; (2) relevant slides from Secretariat’s Informal Information Session; and/or (3) Substantive Background Note for the Ad Hoc Expert Group to guide this discussion.  Some issues to discuss include the following:

a.      Subject Matter – definition and eligibility criteria (including the temporal issue)

b.      Scope of Protection – “Right to say no” vs. “Right to be compensated”

c.       Interplay between definition of subject matter, scope of protection, and exceptions and limitations

d.      Framework approach (see Chair’s Information Note ¶5)

e.      Measures and/or rights based approach (see Chair’s Information Note ¶9)

f.        “Balancing” from the indigenous perspective

g.       Public Domain

h.      Tiered Approach

i.        Provisions to ensure the authenticity of IPLC’s arts and crafts

3:00-3:15 Coffee Break

3:15 – 5:00 Continue discussion on text for consideration

Discuss feedback that Indigenous Experts will take to meeting on Sunday

5:00 -5:30 Nominate Opening Statement Committee and discuss content

5:30 Adjourn for the day

Sunday, December 9, 2018

11:00 am?

12:00 pm? Discussion on draft Opening Statement

Continue discussion on text

1-1:30 pm Lunch

1:30 – 3:00 pm Continue discussion on text

3:00- 3:15 pm Coffee break

3:15 – 4:30 Discussion on text

4:30pm Indigenous experts join the group and give report

5:00 Finalize Opening Statement

5:30 pm Adjourn

3.      Discuss setting up meetings with country or regional delegations

-At IGC 37 the Indigenous Caucus had a constructive meeting with the EU.  Are there meetings like that that the Caucus wants to set up for this session?  If so, we can develop a plan for setting those up.

5.      Discussion of issues related to the texts

-We could use (1) Chair’s Information Note; (2) relevant slides from Secretariat’s Informal Information Session; and/or (3) Substantive Background Note for the Ad Hoc Expert Group to guide this discussion.  Some issues to discuss include the following:

a.      Subject Matter – definition and eligibility criteria (including the temporal issue)

b.      Scope of Protection – “Right to say no” vs. “Right to be compensated”

c.       Interplay between definition of subject matter, scope of protection, and exceptions and limitations

d.      Framework approach (see Chair’s Information Note ¶5)

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6.      Nominate committee to prepare first draft of Opening Statement