

Attachment 2: Transparency of negotiating documents in selected fora

Fora	Example	1. Date and Location of Meetings	2. Objectives and rules	3. Agendas	4. Lists of Participants	5. Reports or Minutes of Meetings	6 Policy & Research Papers	#7 Negotiating texts
WIPO								
	Standing Committee on Copyright and Related Rights (SCCR)	Yes ¹	Yes	Yes ²	Attached to the end of reports. ³	Conclusions, reports, and draft reports are made available on SCCR web page as they are produced. ⁴	Available on the SCCR's website.	Published on web site ⁵ or reported in minutes.* Negotiating text in diplomatic conferences routinely shared with public.
	Standing Committee on the Law of Patents (SCP)	Yes	Yes	Yes	Attached to end of reports.	Conclusions, reports, and draft reports are made available on SCP web page as they are produced.	Available on SPC web page.	Published on web site or reported in minutes.*
	Patent Cooperation Treaty (PCT) Working Group	Yes ⁶	Yes	Yes ⁷	Attached to the end of reports. ⁸	Draft and final versions ⁹ plus summaries by the chair ¹⁰ available online	Available on PCT website ¹¹	Published on website* ¹² or reported in minutes.
	Committee on Development and Intellectual Property (CDIP)	Yes ¹³	Yes	Yes ¹⁴	Attached to the end of reports. ¹⁵	Meeting reports, draft reports, and summaries by the chair are available online ¹⁶	Studies, working documents ¹⁷ and thematic project summaries ¹⁸ available online.	Published on website, ^{19,20} or reported in minutes.*

* Less formal drafts are often circulated during meeting to all participants.

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	Inter-governmental Committee (IGC) on Intellectual Property, GR, TK and Folklore	Yes ²¹	Yes	Yes ²²	Attached to the end of reports. List includes participating NGOs. ²³	Reports are available online.	Working documents ²⁴ and reports are all posted online.	Group and national submissions are online. ²⁵
WTO**								
	Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS Council)	Yes ²⁶	Yes	There is often informal information about agendas for upcoming meetings, but they are not published on web page.	No	The basic documents of the TRIPS Council include (1) Annual Reports (2) Minutes, and (3) Reports. There are detailed minutes ²⁷ available for all meetings from 1995-present. ²⁸	Background and status reports available online. ²⁹	Depends upon the negotiations. The proposed text for the Implementation of Paragraph 6 of the Doha Declaration was often circulated informally, and subject to many consultations. Extensive examples of text related to Geographic Indicators, and other topics. National questions ³⁰ are available online.

** The WTO has extensive information available online: http://docsonline.wto.org/gen_browseDetail.asp?preprog=1

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	General Council	Yes	Yes	Yes ³¹	No	Yes (available through WTO's Documents Online search tool). ³²	N/A	<p>Depends upon the negotiation. The proposed text for the Implementation of Paragraph 6 of the Doha Declaration was often circulated informally, and was subject to many consultations.</p> <p>Some formal communications from member nations are public³³ and often government make public statements made in General Council meetings.³⁴</p>
	Ministerial conferences	Yes ³⁵	Yes	Yes ³⁶	Yes ³⁷	Detailed minutes offered organized by day, ³⁸ and reports from committees and working groups are available online. ³⁹	Briefing and background documents accessible online. ⁴⁰	Draft and final texts available online. ⁴¹
WHO								

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	Executive Board (EB)	Yes; current postings on WHO's website include meetings through 2010. ⁴²	Yes	Yes ⁴³	Yes ⁴⁴	Decision and resolution lists available online. ⁴⁵	Secretariat background reports ⁴⁶ and project progress reports ⁴⁷ are available online.	Draft texts ⁴⁸ and resolutions ⁴⁹ widely shared with public at meetings. In some cases are available online.
	World Health Assembly (WHA)	Yes; held annually in May in Geneva. ⁵⁰	Yes	Yes ⁵¹	Yes ⁵²	Notes available by day, online. ⁵³	Informational documents are available online. ⁵⁴	Various forms of negotiating texts are widely shared with public at meetings. In some cases are available online. ⁵⁵
	Inter-governmental Working Group (IGWG) on Public health, innovation and intellectual property.	Yes; posted online when dates and locations are determined.	Yes	Yes ⁵⁶	Yes ⁵⁷	Outcome documents available online. ⁵⁸	Reports ⁵⁹ , and update reports between sessions available online. ⁶⁰	Draft strategies, texts, and timetables are all available online. ⁶¹

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	Inter-governmental Meeting on Pandemic Influenza Preparedness, sharing of viruses and access to vaccines, 3–4 April 2008	Yes; posted online when dates and locations are determined.	Yes	Yes ⁶²	Yes ⁶³	Yes ⁶⁴	Progress reports ⁶⁵ and terms of reference ⁶⁶ available online.	Negotiating texts often shared during meetings. National submissions to terms and conditions available online. ⁶⁷
	Expert Working Group (EWG) on R&D Financing	Yes, but sometimes after the fact.	Concise Mandate for the EWG is set out on web page based upon WHA resolution 61.21. However, the basic information about the process remains secret.	Agenda for first meeting was available after the fact. ⁶⁸ No agenda available from second meeting.	In the first meeting, names of outside presenters were reported, along with copies of presentations. No complete list of participants. In the second meeting, no lists of participants.	Very minimalist.	Presentations ⁶⁹ and contributions from member states ⁷⁰ and other stakeholders ⁷¹ are available online. Much of the internal working documents have been secret.	Not yet.
	Pan American Health Organization (PAHO) Executive Committee	Yes ⁷²	Yes	Yes ⁷³ . Agendas for subcommittee meetings are also available online. ^{74 75}	Yes ⁷⁶	Final report ⁷⁷ , plus subcommittee reports, are available online. ⁷⁸	Background documents available online. ⁷⁹	Negotiating texts are often widely shared. Final resolutions from meeting are available online. ⁸⁰

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OECD	Ministerial Meetings	Yes ⁸¹	Yes	Agendas and “at-a-glance” programs for both the stakeholders' meetings and the ministerial meetings are available on the meeting website. ⁸²	Yes ⁸³	Chair's reports available online. ⁸⁴	Recommendations, background reports, and speeches ⁸⁵ available online ⁸⁶ (including, for some meetings, YouTube videos ⁸⁷). Meetings webcast through the OECD website.	Depends upon the negotiation. Final resolutions available online. ⁸⁸
UNCITRAL	Commission Session	Yes; posted online once announced. ⁸⁹	Yes ⁹⁰	Yes ⁹¹	Reporting on the web of the names of the attending nations, ⁹² but not the names of persons or non-government organizations. Not reproduced for general distribution are the list of participants at Commission sessions or working group meetings. ⁹³	Reports available online, ⁹⁴ including working group reports and general reports.	Working documents are extensively cataloged and available online. ⁹⁵	Multiple draft resolutions, plus compiled comments from member nations and revisions to internal procedures, ⁹⁶ are available online. ⁹⁷

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UNIDROIT	Working Group for the preparation of Principles of International Commercial Contracts	Yes ⁹⁸	Yes	Described in Reports. ⁹⁹	Yes ¹⁰⁰	Detailed summaries and notes on the meeting are available online. ¹⁰¹	Position papers available online; ¹⁰² all UNIDROIT studies organized by year online. ¹⁰³	Draft chapters ¹⁰⁴ and previous versions of the Principles are available online. ¹⁰⁵ ¹⁰⁶
UNCTAD	Quadrennial Conference	Yes; happen every four years. Dates and locations are posted once determined.	Yes	Yes ¹⁰⁷	Yes ¹⁰⁸	Draft ¹⁰⁹ and final ¹¹⁰ conference reports, plus summaries of roundtable and discussions ¹¹¹ available online	Background documents, reports, and recommendations are available online. ¹¹²	Draft ¹¹³ texts are available online.

Endnotes for Attachment 2: Transparency of negotiating documents in selected fora

- 1 http://www.wipo.int/meetings/en/topic.jsp?group_id=62
- 2 http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=116612
- 3 http://www.wipo.int/edocs/mdocs/copyright/en/sccr_17/sccr_17_5_prov.pdf
- 4 http://www.wipo.int/meetings/en/details.jsp?meeting_id=16828
- 5 http://www.wipo.int/edocs/mdocs/copyright/en/sccr_18/sccr_18_5.pdf
- 6 http://www.wipo.int/meetings/en/topic.jsp?group_id=238
- 7 http://www.wipo.int/edocs/mdocs/pct/en/pct_wg_1/pct_wg_1_1_rev.doc
- 8 http://www.wipo.int/edocs/mdocs/pct/en/pct_wg_1/pct_wg_1_16.pdf
- 9 http://www.wipo.int/edocs/mdocs/pct/en/pct_wg_2/pct_wg_2_14_prov.pdf
- 10 http://www.wipo.int/edocs/mdocs/pct/en/pct_wg_2/pct_wg_2_13.pdf
- 11 http://www.wipo.int/edocs/mdocs/pct/en/pct_wg_2/pct_wg_2_11.pdf
- 12 http://www.wipo.int/edocs/mdocs/pct/en/pct_wg_1/pct_wg_1_2.pdf
- 13 http://www.wipo.int/meetings/en/topic.jsp?group_id=241
- 14 http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_1/cdip_1_1_prov.doc
- 15 http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_1/cdip_1_4.pdf
- 16 http://www.wipo.int/meetings/en/details.jsp?meeting_id=15082
- 17 http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=92813
- 18 http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_3/cdip_3_4.pdf
- 19 http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_3/cdip_3_7.pdf
- 20 http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_3/cdip_3_3.pdf
- 21 http://www.wipo.int/meetings/en/topic.jsp?group_id=110
- 22 http://www.wipo.int/edocs/mdocs/tk/en/wipo_grtkf_ic_13/wipo_grtkf_ic_13_1_prov_2.pdf
- 23 http://www.wipo.int/edocs/mdocs/tk/en/wipo_grtkf_ic_12/wipo_grtkf_ic_12_9.pdf
- 24 http://www.wipo.int/edocs/mdocs/tk/en/wipo_grtkf_ic_13/wipo_grtkf_ic_13_inf_2.pdf
- 25 http://www.wipo.int/edocs/mdocs/tk/en/wipo_grtkf_ic_13/wipo_grtkf_ic_13_9.pdf
- 26 http://www.wto.org/english/news_e/events_e/events_e.htm
- 27 Council for Trade-Related Aspects of Intellectual Property Rights - Minutes of Meeting Held in the Centre William Rappard on 3 March 2009
- 28 http://docsonline.wto.org/imrd/gen_searchResult.asp?RN=0&searchtype=browse&q1=%28+%40meta%5FSymbol+IP%FCC%FCM%FC%2A%29+&language=1
- 29 Council for Trade-Related Aspects of Intellectual Property Rights - Report on the Implementation of Article 66.2 of the TRIPS Agreement - European Communities - Addendum
- 30 Council for Trade-Related Aspects of Intellectual Property Rights - Review of Legislation - Questions posed by Switzerland - Addendum
- 31 http://www.wto.org/english/thewto_e/gcounc_e/meet_feb09_e.htm
- 32 General Council - Minutes of Meeting - Held in the Centre William Rappard on 3 February 2009
- 33 <http://docsonline.wto.org/imrd/directdoc.asp?DDFDocuments/t/WT/GC/118.doc>
- 34 Intervention by Brazil at WTO General Council on seizure of 500 kilos of generic medicines by Dutch customs authorities, Reported in Knowledge Ecology Notes. February 3, 2009.
- 35 http://www.wto.org/english/thewto_e/minist_e/minist_e.htm
- 36 http://www.wto.org/english/thewto_e/minist_e/min05_e/min05_e.htm#objectives
- 37 http://www.wto.org/english/thewto_e/minist_e/min05_e/inf7r3_e.doc
- 38 http://www.wto.org/english/thewto_e/minist_e/min05_e/min05_13dec_e.htm
- 39 http://www.wto.org/english/thewto_e/minist_e/min05_e/official_docs_e.htm
- 40 http://www.wto.org/english/thewto_e/minist_e/min05_e/brief_e/brief00_e.htm
- 41 http://www.wto.org/english/thewto_e/minist_e/min05_e/draft_text_e.htm
- 42 <http://www.who.int/governance/calendar/2009/en/index.html>
- 43 http://www.who.int/governance/eb/eb_members/en/index.html
- 44 http://apps.who.int/gb/ebwha/pdf_files/EB124/EB124DIV1R2.pdf
- 45 http://apps.who.int/gb/ebwha/pdf_files/EB124/B124_DIV3-en.pdf
- 46 <http://docsonline.wto.org/imrd/directdoc.asp?DDFDocuments/t/WT/GC/118.doc>
- 47 http://apps.who.int/gb/ebwha/pdf_files/EB124/B124_33-en.pdf
- 48 http://apps.who.int/gb/ebwha/pdf_files/EB124/B124_13-en.pdf
- 49 http://apps.who.int/gb/or/e/e_124r1.html

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- 50 <http://www.who.int/mediacentre/events/governance/wha/en/index.html>
- 51 http://apps.who.int/gb/ebwha/pdf_files/A62/A62_1Rev1-en.pdf
- 52 http://apps.who.int/gb/ebwha/pdf_files/A62/A62_DIV1Rev1.pdf
- 53 <http://www.who.int/mediacentre/events/2009/wha62/journal/en/index.html>
- 54 http://apps.who.int/gb/ebwha/pdf_files/A62/A62_ID3-en.pdf
- 55 http://apps.who.int/gb/e/e_wha62.html
- 56 http://apps.who.int/gb/pip/pdf_files/PHI_IGWG2_1Rev1-en.pdf
- 57 http://apps.who.int/gb/phi/pdf/igwg2/PHI_IGWG2_DIV2_REV3.pdf
- 58 http://www.who.int/entity/phi/documents/IGWG_Outcome_document03Maypm.pdf
- 59 http://apps.who.int/gb/phi/pdf/igwg2/PHI_IGWG2_2Add1-en.pdf
- 60 http://apps.who.int/gb/phi/pdf/igwg2/PHI_IGWG2_3-en.pdf
- 61 http://apps.who.int/gb/phi/E/index_E.html
- 62 http://apps.who.int/gb/pip/pdf_files/PIP_IGM_WG_1Rev1-en.pdf
- 63 http://apps.who.int/gb/pip/pdf_files/APIPIGMDIV3%20Rev1.pdf
- 64 http://apps.who.int/gb/pip/pdf_files/B124_4Add1-en.pdf
- 65 http://apps.who.int/gb/pip/pdf_files/B124_4Add1-en.pdf
- 66 http://apps.who.int/gb/pip/pdf_files/PIP_IGM_WG_3-en.pdf
- 67 http://apps.who.int/gb/pip/pdf_files/PIP_IGM_WG_2-en.pdf
- 68 http://www.who.int/phi/agenda_Jan09.pdf
- 69 <http://www.who.int/phi/1stmeeting/en/index.html>
- 70 http://www.who.int/phi/mspublichearing_rdf/en/index.html
- 71 http://www.who.int/phi/shpublichearing_rdf/en/index.html
- 72 http://new.paho.org/hq/index.php?option=com_content&task=blogcategory&id=1258&Itemid=1160
- 73 <http://www.paho.org/english/gov/ce/ce143-01-e.pdf>
- 74 <http://www.paho.org/english/gov/ce/spp/spp40-01-e.pdf>
- 75 <http://www.paho.org/english/gov/ce/msd/msd21-01-e.pdf>
- 76 http://new.paho.org/hq/index.php?option=com_docman&task=doc_download&gid=2145&Itemid=
- 77 <http://www.paho.org/english/gov/ce/ce143-fr-e.pdf>
- 78 <http://www.paho.org/english/gov/ce/msd/msd21-fr-e.pdf>
- 79 <http://www.paho.org/english/gov/ce/ce143-02-e.pdf>
- 80 <http://www.paho.org/english/gov/ce/ce143.r1-e.pdf>
- 81 http://www.oecd.org/document/49/0,3343,en_2649_34487_32618737_1_1_1_1,00.html
- 82 <http://www.oecd.org/dataoecd/62/10/40506254.pdf>
- 83 http://www.oecd.org/document/41/0,3343,en_21571361_38415463_40368681_1_1_1_1,00.html
- 84 <http://www.oecd.org/dataoecd/53/49/40989438.pdf>
- 85 <http://www.oecd.org/dataoecd/37/40/40972025.pdf>
- 86 http://www.oecd.org/document/57/0,3343,en_21571361_38415463_38628601_1_1_1_1,00.html
- 87 <http://www.youtube.com/futureinternet>
- 88 <http://www.oecd.org/dataoecd/49/28/40839436.pdf>
- 89 <http://www.uncitral.org/uncitral/en/commission/sessions.html>
- 90 <http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/CN.9/653&Lang=E>
- 91 <http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/CN.9/644&Lang=E>
- 92 [http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/63/17\(Supp\)&Lang=E](http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/63/17(Supp)&Lang=E)
- 93 http://www.uncitral.org/uncitral/en/publications/library/research_guide/doctypes.html
- 94 Ibid.
- 95 <http://www.uncitral.org/uncitral/en/commission/sessions/41st.html>
- 96 <http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/CN.9/660/Add.3&Lang=E>
- 97 <http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/CN.9/658/ADD.14/CORR.1&Lang=E>
- 98 <http://www.unidroit.org/english/workprogramme/study050/wg03/wg-2009.htm>
- 99 See, for example, the report of the May 2009 meeting:
<http://www.unidroit.org/english/workprogramme/study050/wg03/wg-2009.htm>
- 100 <http://www.unidroit.org/english/workprogramme/study050/wg03/wg-members.htm>
- 101 <http://www.unidroit.org/english/documents/2008/study50/s-50-misc28-e.pdf>
- 102 <http://www.unidroit.org/english/documents/2007/study50/s-50-104-e.pdf>

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- 103<http://www.unidroit.org/english/documents/2007/contents.htm>
- 104<http://www.unidroit.org/english/documents/2008/study50/s-50-106-e.pdf>
- 105<http://www.unidroit.org/english/workprogramme/study050/wg03/wg-2008.htm>
- 106<http://www.unidroit.org/english/workprogramme/study050/s-050-listofdocs2006onwards.htm>
- 107http://www.unctad.org/en/docs/td414_en.pdf
- 108http://www.unctad.org/en/docs/tdinf41_en.pdf
- 109http://www.unctad.org/en/docs/tdl399_en.pdf
- 110<http://www.unctad.org/Templates/Meeting.asp?intItemID=4287&lang=1>
- 111http://www.unctad.org/en/docs/tdl412_en.pdf
- 112<http://www.unctad.org/Templates/Meeting.asp?intItemID=4287&lang=1>
- 113http://www.unctad.org/en/docs/tdl398a4_en.pdf