## Attachment 2: Transparency of negotiating documents in selected fora

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<th>Fora</th>
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| WIPO                                      | Standing Committee on Copyright and Related Rights (SCCR)                | Yes                              | Yes                      | Yes        | 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 website 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. 5  | Conclusions, reports, and draft reports are made available on SCP web page as they are produced. 7 | Available on SCP website  | Published on website or reported in minutes. *  |
|                                           | Patent Cooperation Treaty (PCT) Working Group                           | Yes                              | Yes                      | Yes        | Attached to the end of reports. 8 | Draft and final versions plus summaries by the chair available online 10 | Available on PCT website 11 | Published on website or reported in minutes. *  |
|                                           | Committee on Development and Intellectual Property (CDIP)               | Yes                              | Yes                      | Yes        | Attached to the end of reports. 15 | Meeting reports, draft reports, and summaries by the chair are available online 16 | Studies, working documents and thematic project summaries available online 18 | Published on website or reported in minutes. *  |

* Less formal drafts are often circulated during meeting to all participants.
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<tr>
<td>Inter-governmental Committee (IGC) on Intellectual Property, GR, TK and Folklore</td>
<td>Yes²¹</td>
<td>Yes</td>
<td>Yes²²</td>
<td>Attached to the end of reports. List includes participating NGOs.²³</td>
<td>Reports are available online.</td>
<td>Working documents²⁴ and reports are all posted online.</td>
<td>Group and national submissions are online.²⁵</td>
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<tr>
<td>WTO**</td>
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<tr>
<td>Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS Council)</td>
<td>Yes²⁶</td>
<td>Yes</td>
<td>There is often informal information about agendas for upcoming meetings, but they are not published on web page.</td>
<td>No</td>
<td>The basic documents of the TRIPS Council include (1) Annual Reports (2) Minutes, and (3) Reports. There are detailed minutes²⁷ available for all meetings from 1995-present.²⁸</td>
<td>Background and status reports available online.²⁹</td>
<td>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 questions³⁰ are available online.</td>
<td></td>
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** The WTO has extensive information available online: [http://docsonline.wto.org/gen_browseDetail.asp?preprog=1](http://docsonline.wto.org/gen_browseDetail.asp?preprog=1)
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<tr>
<td>General Council</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
<td>Yes³¹</td>
<td>No</td>
<td>Yes (available through WTO's Documents Online search tool)³²</td>
<td>N/A</td>
<td>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. Some formal communications from member nations are public³³ and often government make public statements made in General Council meetings.³⁴</td>
</tr>
<tr>
<td>Ministerial conferences</td>
<td>Yes³⁵</td>
<td>Yes</td>
<td>Yes³⁶</td>
<td>Yes³⁷</td>
<td></td>
<td>Detailed minutes offered organized by day,³⁸ and reports from committees and working groups are available online.³⁹</td>
<td>Briefing and background documents accessible online.⁴⁰</td>
<td>Draft and final texts available online.³¹</td>
</tr>
<tr>
<td>WHO</td>
<td></td>
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<tr>
<td>Executive Board (EB)</td>
<td>Yes; current postings on WHO’s website include meetings through 2010.42</td>
<td>Yes</td>
<td>Yes³⁵</td>
<td>Yes⁴⁴</td>
<td>Decision and resolution lists available online.⁴⁵</td>
<td>Secretariat background reports and project progress reports are available online.⁵⁵</td>
<td>Draft texts⁶⁶ and resolutions⁶⁷ widely shared with public at meetings. In some cases are available online.</td>
<td></td>
</tr>
<tr>
<td>World Health Assembly (WHA)</td>
<td>Yes; held annually in May in Geneva.⁵⁰</td>
<td>Yes</td>
<td>Yes⁵¹</td>
<td>Yes⁵²</td>
<td>Notes available by day, online.⁵³</td>
<td>Informational documents are available online.⁵⁴</td>
<td>Various forms of negotiating texts are widely shared with public at meetings. In some cases are available online.⁵⁵</td>
<td></td>
</tr>
<tr>
<td>Inter-governmental Working Group (IGWG) on Public health, innovation and intellectual property.</td>
<td>Yes; posted online when dates and locations are determined.</td>
<td>Yes</td>
<td>Yes⁵⁶</td>
<td>Yes⁵⁷</td>
<td>Outcome documents available online.⁵⁸</td>
<td>Reports⁵⁹, and update reports between sessions available online.⁶⁰</td>
<td>Draft strategies, texts, and timetables are all available online.⁶¹</td>
<td></td>
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<tr>
<td>Inter-governmental Meeting on Pandemic Influenza Preparedness, sharing of viruses and access to vaccines, 3–4 April 2008</td>
<td>Yes; posted online when dates and locations are determined.</td>
<td>Yes</td>
<td>Yes^62</td>
<td>Yes^63</td>
<td>Yes^64</td>
<td>Progress reports^65 and terms of reference^66 available online.</td>
<td>Negotiating texts often shared during meetings. National submissions to terms and conditions available online.^^67</td>
<td></td>
</tr>
<tr>
<td>Expert Working Group (EWG) on R&amp;D Financing</td>
<td>Yes, but sometimes after the fact.</td>
<td>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.</td>
<td>Agenda for fist meeting was available after the fact.^^68 No agenda available from second meeting.</td>
<td>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.</td>
<td>Very minimalist.</td>
<td>Presentations^69 and contributions from member states^70 and other stakeholders^71 are available online. Much of the internal working documents have been secret.</td>
<td>Not yet.</td>
<td></td>
</tr>
<tr>
<td>Pan American Health Organization (PAHO) Executive Committee</td>
<td>Yes^72</td>
<td>Yes</td>
<td>Yes^73. Agendas for subcommittee meetings are also available online.^^74 75</td>
<td>Yes^76</td>
<td>Final report^77, plus subcommittee reports, are available online.^^79</td>
<td>Background documents available online.^^79</td>
<td>Negotiating texts are often widely shared. Final resolutions from meeting are available online.^^80</td>
<td></td>
</tr>
</tbody>
</table>

^1 Date and Location of Meetings: Yes; posted online when dates and locations are determined.
^2 Objectives and rules: Yes.
^3 Agendas: Yes^62 Agenda for first meeting was available after the fact.^^68 No agenda available from second meeting.
^4 Lists of Participants: Yes^63 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.
^5 Reports or Minutes of Meetings: Yes^64 Final report^77, plus subcommittee reports, are available online.
^6 Policy & Research Papers: Progress reports^65 and terms of reference^66 available online.
^7 Negotiating texts: Negotiating texts often shared during meetings. National submissions to terms and conditions available online.^^67

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<tr>
<td>OECD</td>
<td>Ministerial Meetings</td>
<td>Yes(^81)</td>
<td>Yes</td>
<td>Yes(^83)</td>
<td>Chair's reports available online(^84)</td>
<td>Recommendations, background reports, and speeches(^85) available online(^86) (including, for some meetings, YouTube videos(^87)). Meetings webcast through the OECD website.</td>
<td>Depends upon the negotiation.</td>
<td>Final resolutions available online(^88)</td>
</tr>
<tr>
<td>UNCITRAL</td>
<td>Commission Session</td>
<td>Yes; posted online once announced(^89)</td>
<td>Yes(^90)</td>
<td>Yes(^91)</td>
<td>Reports available online,(^94) including working group reports and general reports.</td>
<td>Working documents are extensively cataloged and available online(^95)</td>
<td>Multiple draft resolutions, plus compiled comments from member nations and revisions to internal procedures,(^96) are available online(^97)</td>
<td></td>
</tr>
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<td>UNIDROIT</td>
<td>Working Group for the preparation of Principles of International Commercial Contracts</td>
<td>Yes(^{98})</td>
<td>Yes</td>
<td>Described in Reports.(^{99})</td>
<td>Yes(^{100})</td>
<td>Detailed summaries and notes on the meeting are available online.(^{101})</td>
<td>Position papers available online; (^{102}) all UNIDROIT studies organized by year online.(^{103})</td>
<td>Draft chapters(^{104}) and previous versions of the Principles are available online.(^{105})</td>
</tr>
<tr>
<td>UNCTAD</td>
<td>Quadrennial Conference</td>
<td>Yes; happen every four years. Dates and locations are posted once determined.</td>
<td>Yes</td>
<td>Yes(^{107})</td>
<td>Yes(^{108})</td>
<td>Draft(^{109}) and final(^{110}) conference reports, plus summaries of roundtable and discussions(^{111}) available online</td>
<td>Background documents, reports, and recommendations are available online.(^{112})</td>
<td>Draft(^{113}) texts are available online.</td>
</tr>
</tbody>
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Endnotes for Attachment 2: Transparency of negotiating documents in selected fora

1 http://www.wipo.int/meetings/en/topic.jsp?group_id=62
4 http://www.wipo.int/meetings/en/details.jsp?meeting_id=16828
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
12 http://www.wipo.int/edocs/mdocs/pct/en/pct_wg_1/pct_wg_1_2.pdf
14 http://www.wipo.int/edocs/mdocs/mdocs/en/cdip_1/cdip_1_1_prov.doc
26 http://www.wto.org/english/news_e/events_e/events_e.htm
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
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
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/news_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/min05_e/inf7r3_e.doc
38 http://www.wto.org/english/thewto_e/minist_e/min05_e/min05_e/official_docs_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/official_docs_e.htm
41 http://www.wto.org/english/thewto_e/minist_e/min05_e/official_docs_e.htm
44 http://apps.who.int/gb/ebwha/pdf_files/EB124/EB124DIV1R2.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
55 http://apps.who.int/gb/e/e_whoa62.html
58 http://www.who.int/entity/phi/documents/IGWG_Outcome_document03Maypm.pdf
61 http://apps.who.int/gb/phi/E/index_E.html
64 http://apps.who.int/gb/pip/pdf_files/B124_4Add1-en.pdf
68 http://www.who.int/phi/agenda_Jan09.pdf
73 http://www.paho.org/english/gov/ce/ce143-01-e.pdf
76 http://new.paho.org/hq/index.php?option=com_content&task=blogcategory&id=1258&Itemid=1160
77 http://www.paho.org/english/gov/ce/ce143-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
83 http://www.oecd.org/document/41/0,3343,en_21571361_38415463_40368681_1_1_1_1,00.html
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
89 http://www.uncitrail.org/uncitrail/en/commission/sessions.html
94 Ibid.
95 http://www.uncitrail.org/uncitrail/en/commission/sessions/41st.html
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

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105http://www.unidroit.org/english/workprogramme/study050/wg03/wg-2008.htm
110http://www.unctad.org/Templates/Meeting.asp?intItemID=4287&lang=1
112http://www.unctad.org/Templates/Meeting.asp?intItemID=4287&lang=1