



Mr. Chairman,

The recognition of indigenous peoples' original rights over the lands they traditionally occupy is a constitutional precept in Brazil. More than 11% of our national territory - the equivalent to roughly 1 million square kilometers - is reserved for the permanent use and fruition of the indigenous peoples.

Lands traditionally occupied by indigenous peoples are those on which they live on a permanent basis, those used for their productive activities, those indispensable for the preservation of the environmental resources necessary for their well-being and for their physical and cultural reproduction, according to their customs and traditions.

The challenge ahead of us is the need to translate the letter of the law into actual enjoyment of rights in the daily lives of indigenous peoples. The sustainable development of communities that live next to indigenous lands is fundamental to avert a situation in which poverty coupled with lack of alternatives spur the invasion of indigenous lands and the illegal exploitation of their riches.

The obligation to demarcate, protect and ensure respect for all of indigenous peoples' property stems also from the fact that those lands are the reservoir of ecosystems whose sustainable management is essential for the preservation of biodiversity and the environment.

It is worth recalling that the world's largest area of rainforest is located in indigenous lands of the Amazon region.

Brazil also stresses the need to defend and promote traditional knowledge associated with biodiversity. We understand that the access to traditional knowledge must respect the principles of benefit sharing, prior informed consent and identification of the origin. Patent requests must therefore respect these requirements.

A major development in Johannesburg was the decision to negotiate an international regime to ensure the sharing of benefits arising from the use of biological diversity. This will give a major contribution to the implementation of the Convention of Biological Diversity in an area of particular concern to developing countries.

This negotiating process involves the granting of adequate protection to the rights of indigenous peoples over their traditional knowledge associated with the use of genetic resources. It requires a different and more open approach to property rights. The system that has been applied so far is directed towards the rights of the individual, whereas traditional knowledge requires a sui generis system that should safeguard the collective rights of the indigenous communities.

Thank you, Mr. Chairman.