

RESOLUTION OF THE INDIGENOUS PEOPLES PREPARATORY MEETING

Securement of Intellectual Property Rights for Indigenous Peoples

WGIP 90/UNI/2

WHEREAS, traditional knowledge is sacred to and an integral part of Indigenous People's culture;

WHEREAS, such knowledge is currently being utilized without the consent or knowledge of Indigenous Peoples;

WHEREAS, profits are being made from the misuse of traditional knowledge without just compensation to indigenous owners;

WHEREAS, WIPO, UNESCO, FAO, and other UN organizations have existing expertise to advise Indigenous Peoples as to how to use the legal mechanisms of Intellectual Property Rights to protect their traditional knowledge from misuse and abuse;

THEREFORE BE IT RESOLVED:

THAT a formal request be made through proper channels to the responsible UN agencies that advice be given to the Working Group on mechanisms of protection of Intellectual Property Rights;

THAT all future UN Conventions and/or Agreements securely include protection of traditional knowledge and recognition of the collective rights to Intellectual Property of Indigenous Peoples;

THAT specific attention be paid to existing Convention and Agreement procedures, especially the Global Climate Convention, the proposed Forestry Convention/Agreement, the Biodiversity Agreement, and GATT negotiations (the Uruguay Round and the subsequent discussions and agreements), so that Indigenous People's desires to protect Intellectual Property are central to any final Convention or Agreement.

THEREFORE BE IT FURTHER RESOLVED:

THAT the artwork and designs of the Indigenous Peoples cannot be reproduced or copied or otherwise simulated, without the express

written consent of the traditional tribal authorities and indeed, the said indigenous art works will enjoy the same protections as an international copyright; and

BE IT FURTHER RESOLVED:

THAT a clear designation, by label, be placed on indigenous artwork, showing the indigenous origin and maker or manufacturer.