

Eleventh Session, United Nations Permanent Forum on Indigenous Issues  
New York, 7-18 May 2012

**Statement on Comprehensive Dialogue with the World Intellectual Property Organization  
Agenda Item 5**

Presented on behalf of the Global Indigenous Youth Caucus:

Thank you, Mr. Chair. We, the Global Indigenous Youth Caucus, understand that the World Intellectual Property Organization (WIPO) is a specialized agency of the UN with the agenda to support an international intellectual property rights system. Nonetheless, WIPO presently retains an agenda that uses watered-down consultation policies when dealing with Indigenous Nations and Peoples, as opposed to obtaining their free, prior and informed consent in the framework of Indigenous knowledge systems and genetic resources. Presently, the protection of traditional knowledge and other inherent and inalienable rights of Indigenous Nations and Peoples is not on the table for WIPO's mandate. WIPO is a contemporary, monopolistic manifestation of piracy that magnifies the Doctrine of Discovery and Domination. We take on the responsibilities of respecting our ancestors' legacy at this critical moment in history, and for that reason we recommend:

- First, that the General Assembly of WIPO agree to extinguish the mandate of the Intergovernmental Committee (IGC) on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. We will not allow WIPO to impose stewardship upon us as it pretends to protect our traditional knowledge, cultural heritage and biological resources; with the IGC in place, we reject the legitimacy of WIPO altogether.
- In the broader picture, the legacy of colonialism calls for the piracy of genetic resources, cultural heritage and traditional knowledge as the next step in accordance with socially-constructed excuses for theft of the land. Western modes of development only characterize one paradigm, and the strategies of Indigenous alternative models also deserve to be fully represented within the international arena, more than ever in regard to resistance of the biocolonialism that has developed as a result of the Doctrine of Discovery and Domination. Furthermore, we request that the Permanent Forum, along with the entire United Nations system, respect our right to a mandate for Indigenous Nations and Peoples that is equal to that of the States of the UN system; otherwise Indigenous Nations and Peoples remain subjected to diplomacy constructed through the Doctrine of Discovery and Domination, violating our inherent and inalienable human rights as Indigenous Nations and Peoples.
- Moreover, WIPO is an organization that promotes access to our cultural heritage, our collective identity, our knowledge, our resources, and consequently WIPO constantly puts our existence under threat from exploitation, theft, misrepresentation, misuse, and commodification in the name of so-called development. The current Chair and Member States of WIPO subjugate Indigenous Nations and Peoples by referring to us as "indigenous communities," and by downgrading us to merely "stakeholders," "beneficiaries," or "observers" in the diplomatic process. We are denied full, equal and effective participation, and, once more, the Doctrine of Discovery and Domination frames the status of Indigenous Nations and Peoples in the current state system. We

assert our right to self-determination as well as our right to free, prior and informed consent, and thus we see WIPO as a direct violation of the transparency that the United Nations is supposed to foster. Equal to the reality that no monetary compensation can redress land that is lost and cultural knowledge and practices bound to our traditional lands and territories, WIPO cannot be allowed to conquer Indigenous Nations and Peoples by continuing a mandate that intends to create broad decisions for future generations concerning our traditional knowledge, cultural heritage and genetic resources.

The cost of inadequately designed international policies and legal standards is far-reaching beyond the danger of short-term planning for development and profit; the regulations of WIPO negatively impact the current status of our youth and threaten the well-being of the next seven generations to come. The overall goals of WIPO continue the Doctrine of Discovery and Domination, adding to conqueror-based destruction of the environment and its biodiversity, resulting poverty, human rights abuses, and igniting conflicts that turn out internally displaced persons and refugees; combating these globalized issues in a way that does more than just put Band-Aids on problems requires the skills generated by Indigenous knowledge transfer and the establishment of alternative systems, including courses of action established to combat the bio-colonizers of WIPO.