

**Seventeenth Session of the Permanent Forum
on Indigenous Issues
New York, April 16 – 27, 2018**

**Draft Statement by the Secretariat of
the World Intellectual Property Organization**

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under Agenda item 4
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E nga mana, e nga reo, e nga hau e wha, tenei te mihi.

Thank you Madam Chair for giving us the floor.

My name is Kiri Toki. I am Maori, from New Zealand, of Ngati Wai, Ngapuhi and Ngati Whatua tribal descent. I am the WIPO Indigenous Fellow and have the honour to speak on behalf of the WIPO Secretariat.

Article 31 of the UNDRIP refers to the right of Indigenous Peoples to “maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge and traditional cultural expressions”. WIPO’s mission is to facilitate the development of a balanced and effective international intellectual property system for the benefit of all, including Indigenous Peoples.

WIPO’s capacity-building program for Indigenous Peoples intends to help them:

- grasp the issues that lack of protection raises;
- understand the nature and scope of the existing intellectual property-related tools that they may use for such protection; and
- define the approach that they consider to be best in line with their own objectives and for their own development.

WIPO’s substantial capacity-building program includes practical workshops, distance learning courses and trainings, an indigenous fellowship, as well as the dissemination of briefs, studies and toolkits.

WIPO recently launched a short animation that illustrates key intellectual property issues regarding the protection of traditional knowledge, traditional cultural expressions, and genetic resources, as well as a new publication: *Documenting Traditional Knowledge – A Toolkit*.

WIPO will grant scholarships for two Indigenous Peoples to attend the WIPO Academy summer school program this year in Geneva, based

on a selection process that was advertised earlier.

A side event organized by WIPO tomorrow, on 17 April, in Conference Room 7 will provide an update on our recent activities including showing the new WIPO short animation and unveiling the TK Toolkit. You are all warmly invited to attend this side-event.

Since 2009, and in furtherance of the UNDRIP, the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore has been undertaking intense text-based negotiations with the objective of reaching an agreement on an international legal instrument or instruments which will ensure the balanced and effective protection of genetic resources, traditional knowledge and traditional cultural expressions. To date, significant progress has been made in developing three draft texts in this regard.

In October last year, the WIPO General Assembly renewed the mandate of the Committee for the 2018/2019 biennium. Since several years, robust measures are being implemented to ensure and enhance the participation of Indigenous Peoples in line with Articles 31 and 41 of the UNDRIP. Indigenous Peoples' representatives participate in informal drafting meetings, the only observers to do so. Most recently the Committee decided to include such representatives in a formal *ad hoc* expert group that will meet for the first time before the forthcoming session of the Committee in June.

The generous contribution that the Australian Government made last year to the WIPO Voluntary Fund is close to exhaustion, however. WIPO is therefore making pressing calls for further donations by potential donors, including those that may attend the Forum, to facilitate future indigenous participation.

We welcomed the opportunity to answer to the Questionnaire to the UN system that was circulated by the Secretariat of the Permanent Forum. Our responses illustrate in more detail WIPO's substantive engagement with Indigenous Peoples, consistently with the objectives of the UNDRIP.

We would like to extend our thanks to the Secretariat of the Permanent Forum for the organization of the present session and we wish the distinguished Members of the Forum and yourself a fruitful session.

I thank you for your attention.

Mauri Ora.