

11<sup>th</sup> Session of the United Nations Permanent Forum on Indigenous Issues  
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**Statement on Agenda Item 5: "Comprehensive dialogue with United Nations agencies and funds: World Intellectual Property Organization"**

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Education**

Thank you Chair, for this opportunity to share our thoughts on the work of WIPO. Tebtebba is an indigenous peoples' organization with Ad Hoc observer status at the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (the IGC). We express our appreciation at the information that WIPO has shared with us this morning.

We think that the work of the IGC is very important in order to prevent misuse and misappropriation of genetic resources, traditional knowledge and traditional cultural expressions at the international level. To this end, the mandate should be extended until it completes its negotiations on an internationally-binding treaty.

Indigenous peoples are the acknowledged owners of traditional knowledge, and we are pleased that text to this effect, although bracketed, is reflected in the Draft Articles produced by the IGC. We urge the member States of the IGC to retain this in the text and not to subject our rights to domestic legislation.

While we appreciate the opportunities that WIPO has provided for indigenous peoples' participation in its work, we think that our status as owners of TK must be better reflected in the working methods of the IGC. On this, we can draw from the best practices of other bodies within the UN system that deal with indigenous peoples issues, such as the Working Group on the Draft Declaration, the CBD working groups on ABS and Article 8(j), and recently, the appointment by the President of the General Assembly of an indigenous co-facilitator for the World Conference on Indigenous Peoples. In practice, this would call for the appointment of an indigenous co-chair of the IGC, as well as any working groups and facilitators groups that might be created.

We welcome the organization by WIPO and the UNPFII of an expert meeting to be held back to back with an IGC session, and recommend that this expert meeting be organized yearly and that funding be made available for 2 indigenous experts per region. As for other IGC sessions, we recommend that WIPO make provisions for and fund longer preparatory meetings for indigenous peoples. This would be a step towards improving the quality of participation of indigenous peoples in the IGC negotiations.

As for the working methods of WIPO in general, we recommend that the WIPO

develop an official policy on indigenous peoples' to guide its work with indigenous peoples. It is important that this policy recognizes the right of indigenous peoples to self-determination and free, prior and informed consent. We urge WIPO to be more proactive in its work with indigenous peoples by, *inter alia*, organizing and funding regional and national capacity building workshops with indigenous peoples.