

Please find below the points raised during my statement to WIPO and the questions that were included at the end.

Permanent Forum on Indigenous Issues
11th Session
Agenda Item 5: WIPO

STATEMENT BY IPO NETWORK OF AUSTRALIA - Presented by FAIRA

Mr Chairperson

- The undue delay in deciding the international legal instrument for the protection of Traditional Knowledge, i.e. the work of the IGC, which has caused great cost for the Indigenous Peoples' delegations that have attended and participated in the work of the IGC.
- We thank Australia for the \$100,000 donation to the WIPO fund for indigenous and local community participation in the work of the IGC. However more States must contribute to this fund, especially the western countries who seek to exploit the knowledges and genetic resources.
- We remain very conscious that WIPO is a trade organisation and are concerned that member States of WIPO do not believe that international norms and laws on human rights apply. That misconception must be corrected.
- Member States at WIPO, in preparing draft text on Indigenous Peoples intellectual property rights do not give respect to the laws of Indigenous Peoples, the institutions of Indigenous Peoples and the right to decision-making by Indigenous Peoples.

I now ask the following questions:

Recognition and Status of Indigenous Knowledges

1. Is Indigenous Knowledge recognised as intellectual property and what distinction does WIPO make between Indigenous Knowledge and Traditional Knowledge?
2. Does WIPO have a responsibility to promote and protect Indigenous Knowledges?
3. Does WIPO work to acknowledge the status and representation of Indigenous Peoples in international trading of intellectual property?
4. Does WIPO respect the sovereignty of Indigenous Peoples over their territories and resources, especially genetic resources?

WIPO's response to Indigenous Knowledges and Intellectual Property

5. As an intergovernmental organisation how does WIPO respond to the Declaration on the Rights of the Indigenous Peoples and the program of action for the Second Decade of the World's Indigenous Peoples?
6. Does the General Assembly of WIPO have a policy on Indigenous Peoples and, if so, what are the key elements?

7. Some States claim to hold property rights over Traditional Knowledge and want to derive benefits from the utilisation of Traditional Knowledge. Does WIPO support that claim?
8. How many Indigenous persons are employed in WIPO, and at what levels are they employed?
9. Shouldn't WIPO maintain a budget for promotion and protection at the global level of Indigenous Knowledges / Traditional Knowledge?