

## Talking Points



### WIPO intervention on relationship between Forum and Agencies

#### Permanent Forum Second Session

May 2003, New York

1. Main area of relevance is WIPO's work on IP and Genetic Resources, TK and Traditional Cultural Expressions (folklore). Work is being done mainly within the frame of the WIPO Intergovernmental Committee on IP and Genetic Resources, TK and Folklore (the IGC). Detailed information is contained in See E/C.19/2003/14.
2. The IGC is making substantial progress in: clarifying the IP-related needs and expectations of indigenous peoples and local communities (positive and defensive protection); in marking out a conceptual framework within which to view those needs and expectations; and in developing policy options and practical tools in response to them. *Our work actively considers options with conventional IP systems as well as sui generis systems.*
3. We have worked quite closely with the Forum since its establishment and have benefited enormously from doing so. We would like to expand our cooperation with the Forum and we can identify three concrete ways in which that can take place.
4. First, while there is already reasonably active indigenous and local community involvement in our work, we hope that the Forum can *raise awareness* **encourage more indigenous peoples and local communities to participate actively in our work**, and in particular to contribute at a technical level to it, by for example submitting written papers, submissions and comments on our work. Most of our working documents are published for comment and all are available in E, F and S on our website. I may mention that the

future form and mandate of WIPO's continued work in this area will be discussed at the next session of this Committee taking place from July 7 to 15, 2003, and the Forum may have some thoughts on the shape and directions that such future work should take.

5. Second, we hope that members of the Forum will be able to **participate actively in our work**. The expertise and experiences of the Forum members, who are of course experts, will be an invaluable contribution. To this end, we plan to invite a Forum member as a resource person or speaker at inter-regional, regional and national workshops and consultations we are organizing, and we hope to be able to invite on a regular basis one or two members of the Forum to the sessions of the WIPO Intergovernmental Committee in Geneva. We were pleased that the Forum participated in the last session of the WIPO Committee and its interventions are fully reported on in the session's report. One of the many activities we are engaged in is a study of customary and indigenous laws and how they relate to the conventional IP system. This is another area that the substantive expertise of the Forum could be sought and would be very welcome.

6. Third, we appreciate the **advice and guidance** that we have already received from the Forum and we hope to be able to continue drawing on you in the future. For example, we appreciated very much the comments received from the Forum on possible options and modalities for securing and applying funding for indigenous participation in the sessions of the WIPO Committee, an issue we are studying and which will be discussed by our Member States at the Committee's next session in July. I also wish to take this opportunity to thank the other agencies which provided useful inputs to us on this issue. Advice on inter-agency coordination would also be helpful. We already work closely with other parts of the UN system, such as the CBD, UNEP, OHCHR, FAO and Unesco. However, guidance and advice from the Forum so as to improve upon this would be most welcome.

7. Finally, we are also members of the Interagency Support Group and are pleased to provide support to the Forum also through this Group.