

**UN Permanent Forum on Indigenous Issues, Eleventh Session**

**May 7-18, 2012**

**Global Indigenous Women's Caucus Statement by Antonette Cordero**

**Agenda Item 5**

**Comprehensive dialogue with United Nations Agencies and Funds**

**World Intellectual Property Organization**

**Honorable Chairperson,  
Members of the Permanent Forum,  
Sisters and Brothers,**

Indigenous women are the knowledge holders and caretakers of our cultures for future generations and as such, we have great responsibility in the protection of our tangible and intangible cultures, languages, medicines, heritage and historical memory, creativity and innovations, worldviews and cosmovisions. Likewise, given Indigenous women's roles as producers and reproducers of our cultures, we are responsible for our genetic resources found in our own bodies as well as in Mother Earth. Protecting the rights of Mother Earth is integral to the full and effective enjoyment of our rights as Indigenous Peoples.

We are very concerned that currently, the World Intellectual Property Organization, is effectively denying Indigenous Peoples' rights as articulated in international legal norms, conventions, and the United Nations Declaration on the Rights of Indigenous Peoples. This denial of our rights is threatening our knowledge systems and cultural heritages, and our very existence as Indigenous Peoples. The recommendations below are an urgent call to prevent practices that could very well lead to cultural genocide, which is an element of the legal definition of genocide.

**RECOMMENDATIONS**

1. We call upon the World Intellectual Property Organization (WIPO) to amend its rules of procedure to ensure the full and equal participation of Indigenous Peoples in all processes that are affecting them. We ask the UNPFII to support this recommendation, in addition to other recommendations made by indigenous Peoples, Nations and organizations present here today.
2. Indigenous women call upon the WIPO to fully respect and integrate in its norm-setting work and programmes, Indigenous Peoples' right to free, prior and informed consent. We expect WIPO to consult and cooperate in good faith with Indigenous Peoples through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them, as stated in Article 19 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

3. We call upon Indigenous Peoples to work in the development of our own legal standards for the protection of our knowledge systems and cultural heritage--including traditional knowledge, traditional cultural expressions, and genetic resources as defined by WIPO--in accordance with Indigenous Peoples' traditions, practices and laws on these issues as stated in Article 11 of the UNDRIP. We ask that WIPO and States formally recognize those legal standards.
4. We call upon the UNPFII to ensure that Indigenous Peoples have the right to own, use, develop, control and protect the lands, territories and resources that they possess by reason of traditional ownership, stewardship or other traditional occupation or use and that such recognition be conducted with due respect to the customs, traditions and land tenure as stated in Article 26 of the UNDRIP.
5. We recommend that States and United Nations work with Indigenous Peoples to fund and develop capacity building especially for Indigenous women, including legal training, access to decision-making processes in matters that affect them, and follow up programmes, to ensure that they are able to continue to safeguard their knowledge systems and cultural heritage for future generations according to their own legal standards and way of life.

Thank you.