

INCOMINDIOS

October 4, 2012

Article 27 IGC on TK, GR and TCEs

Presented by Ambassador Ronald Barnes¹

Thank you Mr./Madame Chair,

Consistent with the unified statements of the Indigenous Peoples' Caucus statements of IGC 18, 19, 20 and 22, we call for the General Assembly to "adopt modalities that ensure the full, equal and direct participation of Indigenous Peoples in all IGC processes, including equal participation in the Voluntary Fund Advisory Board, and to serve as co-chairs of the IGC and any working and drafting groups". This would include the creation of a new category of participation for Indigenous Peoples that includes the right to submit proposals, amendments, motions, and the right to vote.

Currently, the draft text and proposals reflected in the current IGC report do not represent nor provide for the protection of the rights of Indigenous Peoples to our Traditional Knowledge (TK), Genetic Resources (GR) or Traditional Cultural Expression (TCEs) in accordance with internationally accepted principles and standards.

It is not acceptable to reduce our rights to the lowest common denominator for Indigenous Peoples while promoting broader "States rights" standards that allows States and other parties to take our property without our free, prior and informed consent.

Based on the report by the Chair – Ambassador Wayne McCook, it is evident that Indigenous Peoples will not be allowed the needed equal participation to advocate for their protection of their Traditional Knowledge (TK), Genetic Resources (GR) and Traditional Cultural Expressions (TCEs). Without our equal participation, there will be no check and balance against the will of States and multi-national corporations to develop an instrument or instruments to protect us against exploitation.

It is especially important to transmit to the General Assembly of the World Intellectual Property Organization (WIPO) that we reserve all of our rights to every aspect of our cultural heritage, including our Indigenous Peoples' knowledge, Indigenous Peoples cultural expressions, and Indigenous Peoples' genetic/biological materials.

We therefore call upon the General Assembly to adopt a position that would allow for our equal participation as outlined in our Caucus statement dating back to IGC 18 to date. I thank you Mr./Madame Chair.

¹ Indigenous Organizations and representatives sincerely thank Incomindios for allowing us to take the floor at the 50th General Assembly of WIPO.