

**Intervention by Indonesian Delegation
Program and Budget Committee, 22nd Session
3 September 2014**

Agenda Item 19 – Proposal by Australia, Finland, Holy See, New Zealand and Switzerland: Participation of Representatives of Accredited Indigenous and Local Communities in the Work of the IGC: Proposal for subsidiary funding from the Regular Budget of WIPO

Mr. Chair,
Distinguished Delegates,

Referring to my delegation's intervention yesterday, may I at this juncture convey Indonesia's national capacity intervention under agenda item 19.

My delegation had studied carefully on the proposals of Australia, Finland, Holy See, New Zealand and Switzerland in trying to resolve financial shortage for funding the participation of representatives of accredited indigenous and local communities in the Work of the Inter-governmental Committee (IGC).

We have to acknowledge the fact that the participation and contributions of indigenous and local communities in the IGC meetings is undeniably vital. Their participation increases the credibility, transparency and relevance with the objective to finalize the draft texts of the Genetic Resources (GRs), Traditional Knowledge (TK), and Traditional Cultural Expressions (TCEs). It is quite unfortunate that the current financial situation of the Voluntary Fund is exhausted and with no immediate sign of replenishment.

With regard to the proposals on the table, Indonesia would like to point out on the following:

First, the current budget of IGC in Program 4 cannot be reduced for the allocation of subsidiary funding which is drawn from the regular budget of IGC 2014/2015.

We believe that the number of days for the IGC thematic session meetings in 2015 and the following year should not be less than what we have in the 2014 IGC meetings. Moreover, the allocated budget in Program 4 should not preclude the possibility of having a Diplomatic Conference in 2015.

Therefore, subsidiary funding from the regular budget taken from Program 4 is something that Indonesia has difficulties to accept. It does not guarantee a long term

solution to fund indigenous and local communities to the IGC meetings in a predictable and sustained manner. We need to be cautious and avoid taking any hasty decision that will set precedent which will diminish the process of the IGC in the long run.

Second, we would like to refer to paragraph 4 of the working document of this Proposal for Subsidiary Funding which stated that *"the allocation would be drawn from Program 4, without an increase in the existing budget and, where possible, from identified cost savings and efficiencies"*. In this regards, Indonesia would like to request WIPO Secretariat to provide us with the details on the amount of savings that could be utilized for funding the participation of the accredited indigenous and local communities in IGC meetings in 2015.

Mr. Chair,

In response to the current circumstance, Indonesia would like to share some thoughts to resolve financial difficulties of the Voluntary Fund.

First, to link up cooperation between WIPO and the World Bank in the area of GRs, TK, TCEs. The World Bank already has programs that support indigenous knowledge for development and also in the area of genetic resources.

WIPO needs to establish cooperation with the World Bank for funding mechanism to support NGOs and other organizations of civil society.

Indonesia would like to request WIPO Secretariat, especially the Legal Counsel to explore the possibility to establish an Agreement on Financing the Participation of Accredited Indigenous and Local Communities in accordance with some existing international instruments as follows:

1. Article 55 and 56 of the United Nations Charter pertaining legal obligation of UN member states and UN specialized agencies, including WIPO to cooperate on development sector.
2. Article 1, 2 and 16 paragraph (a) of the Agreement between United Nations and the WIPO signed in 1976 stipulating the status of WIPO as specialized agency of the UN system and cooperation on budgetary and financial matters with other international organizations.

3. Article V Section 8 of the Agreement on the Establishment of the International Bank for Reconstruction and Development as amended in 2012 stipulating relationship to other international organizations.
4. Paragraph 18 and 40 of the Development Agenda Recommendations requesting member states to accelerate the process on the drafting of the international sui generis to effectively protect genetic resources, traditional knowledge and folklore, and intensify its cooperation on IP related issues with United Nations agencies in order to strengthen the coordination for maximum efficiency in undertaking development programs.

We, therefore recommend in this 22nd session of the PBC to make a decision to recommend to the 54th session of Assemblies of the member States of WIPO in September 2014 **that** the Director General of WIPO is **tasked** on the following:

1. Report to 54th session of the Assemblies of the member states of WIPO on the findings to establish an Agreement on Financing the Participation of Accredited Indigenous and Local Communities between WIPO and World Bank.
2. Follow-up on the findings with the approval of member states before the 29th session of IGC GRTKF in 2015.

Second, to implement the Development Agenda Recommendations, we propose to establish annual WIPO Pledging Conference convened during WIPO General Assembly meeting.

We recommend that this proposal be further discussed during the 54th session of Assemblies of WIPO member states and to take decision before 29th session of IGC GRTKF meeting in 2015.

Mr. Chair, these are Indonesia's suggestion and contribution in ensuring predictable and sustained funding for the participation of the accredited indigenous and local communities to the IGC meetings. We welcome any comments and inputs.

Thank you.
