



Addressee: Member States, WIPO

Paragraph #36 Session #3 (2004)

Full Text

The Forum encourages the World Intellectual Property Organization (WIPO) and its Member States to take practical steps to ensure that the inappropriate and unauthorized documentation and publication of traditional knowledge and traditional cultural expressions/folklore does not occur, and to reinforce the capacity of indigenous peoples and local communities to make informed decisions in their own interests concerning whether and how documentation should be issued, including through the development of practical toolkits and guides which should have this as their aim.

Comments

Governments - The Government of Finland reports the following:

Finland works within the World Intellectual Property organisation WIPO and the EU with a view to updating the international intellectual property conventions and agreements to respond to the demands of contemporary global information society. Finland's aim is to consolidate the right of the indigenous peoples to their intellectual property.

WIPO - The recommendations of the Third Session of the Permanent Forum were made available to the seventh session of the WIPO IGC, which took place in November 2004. The Seventh session of the IGC examined draft instruments, including one dealing with traditional cultural expressions/folklore and the other with traditional knowledge. These draft instruments aim to strengthen the legal basis for the prevention and misappropriation and misuse of traditional cultural

expressions/folklore and traditional knowledge held by traditional communities, including indigenous peoples. The draft proposals include compliance with the principle of free, prior and informed consent, and recognition of customary laws and practices in protection of these areas. The draft instruments will incorporate comments from IGC participants and will be considered further by the Committee at its Eighth session in June 2005.

Member states of WIPO have expressed their unanimous support for directly involving representatives of indigenous and local communities as much as possible in the work of the Intergovernmental committee. In this regard WIPO has held consultations and workshops at the national and regional level and other fora aimed at developing focused input for the IGC through involvement of the Permanent Forum and indigenous speakers and participants. WIPO Secretariat has continued its practice of consulting with interested representatives of indigenous and local communities on draft documents and other material being developed for the IGC

Area of Work

Culture