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## **Addressee: Member States, WIPO**

**Paragraph #61 Session #20 (2021)**

### **Full Text**

Acknowledging the normative work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore of the World Intellectual Property Organization (WIPO), the Permanent Forum recommends that Member States and WIPO ensure protection against the misappropriation of the intellectual property of indigenous peoples. Member States must also enact laws and adopt policies and mechanisms to protect indigenous peoples' intellectual property from misappropriation, including the wrongful use of their cultural heritage and traditional knowledge (including traditional knowledge of nature) and traditional cultural expressions (such as oral traditions, rites, literatures, graphic designs, textile designs, traditional sports and games, and visual and performing arts) and the manifestation of indigenous science and technology (including human and genetic resources, seeds and medicines).

### **Comments**

WIPO: References to the UNDRIP are included in the documentation of the IGC and, particularly in the most recent versions of the draft negotiating texts on the protection of traditional knowledge (TK) and traditional cultural expressions (TCEs) & made in publications Promote and Protect Your Culture: A Practical Guide to Intellectual Property for Indigenous Peoples and Local Communities and Documenting Traditional Knowledge – a Toolkit.

Article 31: provides training, mentoring, and information resources, that aim to enable indigenous peoples to make more effective use of intellectual property principles and tools in order to prevent the misappropriation of TK and TCEs, protect them for the indigenous peoples' own benefit and in support of their entrepreneurship.

supports the implementation of the SDGs through a range of activities that address intellectual property issues related to benefit-sharing in GRs and the protection of TK and TCEs. WIPO's work in relation to TK, TCEs and GRs contributes inter alia to SDGs 2, 3, 4, 8, 14 and 15 as identified in the WIPO Program and Budget 2020 - 2021.

An animation - The Adventures of the Yakuanoi Navigating Traditional Knowledge and Intellectual Property - features the Yakuanoi, a fictional indigenous people that successfully explores issues and opportunities that arise when its TK interacts with intellectual property --> translated into several indigenous languages under the WIPO's Open Access Policy.

WIPO Secretariat has continued providing expertise on intellectual property issues that use and documentation of TK may raise in the development of the UNFCCC Local Communities and Indigenous Peoples Platform.

## **Area of Work**

Human rights