



Addressee: World Intellectual Property Organization

Paragraph #14 Session #21 (2022)

Full Text

The Permanent Forum regrets the lack of progress in enhancing participation by indigenous peoples at the World Intellectual Property Organization and reiterates previous requests that that Organization adopt a legally binding document to protect the traditional knowledge and intellectual property of indigenous peoples.

Comments

Response to recommendation:

WIPO:

- The Forty-Second and Forty-Third Sessions of the IGC, that took place from February 28 to March 4, 2022 and from May 30 to June 3, 2022 respectively, undertook negotiations on GRs and considered inter alia options for a draft legal instrument.
- The Fifty-Fifth Session of the WIPO General Assembly that took place from July 14 to 22, 2022 decided to convene a Diplomatic Conference to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources, to be held no later than 2024. The Diplomatic Conference will be preceded by a special session of the IGC and a Preparatory Committee that are due to take place in the second half of 20233
- After a suspension of two years due to the COVID-19 pandemic, substantive negotiations at the IGC resumed in 2022 in the framework of its renewed

mandate for the 2022-2023 biennium “with the objective of finalizing an agreement on an international legal instrument(s), without prejudging the nature of outcome(s), relating to intellectual property, which will ensure the balanced and effective protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs).”

- Negotiations are taking place at the IGC with the objective to finalize an agreement on an international legal instrument(s) relating to intellectual property, which will ensure a balanced and effective protection of genetic resources, traditional knowledge and traditional cultural expressions. The two drafts that have been developed so far by the IGC on TK and TCEs envisage Indigenous Peoples as beneficiaries, and include drafting options that emphasize the collective nature of the rights envisaged in those drafts. (pages 3 & 4)

Area of Work

Economic and Social Development