

Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

Thirty-Eighth Session
Geneva, December 10 to 14, 2018

ACCREDITATION OF CERTAIN ORGANIZATIONS

Document prepared by the Secretariat

1. The Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore ("the Committee"), at its first session, held in Geneva, from April 30 to May 3, 2001, approved certain organizational and procedural matters, including according *ad hoc* observer status to a number of organizations that had expressed their wish to have a role in the work of the Committee (see the Report adopted by the Committee, WIPO/GRKTF/IC/1/13, paragraph 18).
2. Since then, an additional number of organizations have expressed to the Secretariat their wish to obtain the same status for the subsequent sessions of the Committee. The applications containing the names and other biographical details of the organizations which, before October 11, 2018, requested accreditation at the Thirty-Eighth Session of the Committee are annexed to this document, as received from each organization.
3. *The Committee is invited to consider and decide upon the accreditation requests as ad hoc observers submitted by the organizations referred to in the Annex to this document.*

[Annex follows]

ORGANIZATIONS WHICH HAVE REQUESTED ACCREDITATION AS OBSERVERS
IN SESSIONS OF THE INTERGOVERNMENTAL COMMITTEE

Association pour la défense des droits des malades mentaux (A.D.D.M.M) (Received in French)

Association pour la promotion des droits humains et le développement (APDHD) (Received in French)

Wakatū Incorporation

World Indigenous Tourism Alliance/*Alliance Mondiale du Tourisme Autochtone* (Received in French)

Association pour la défense des droits des malades mentaux (A.D.D.M.M)

To: Traditional Knowledge Division
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Genève 20
Switzerland

Fax: +41 (0) 22 338 81 20
E-mail: grtkf@wipo.int

Subject: Request for accreditation as an observer in future sessions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

Dear Sir/Madam,

I am writing to inform you that my organization would like to participate as an *ad hoc* observer in the sessions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. Please find below our application, including biographical information on our organization for the Committee's consideration.

Please do not hesitate to contact us if you require any further information.

Yours faithfully,

(Name and signature of representative)

Léopold Sharangabo, Legal Representative



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Application form for accreditation as an *ad hoc* observer of the WIPO Intergovernmental Committee on Intellectual Property, Genetic Resources Traditional Knowledge and Folklore^{1, 2}

BIOGRAPHICAL DETAILS OF THE APPLICANT ORGANIZATION

Full name of the organization:

ASSOCIATION FOR THE DEFENSE OF THE RIGHTS OF PEOPLE WITH MENTAL ILLNESSES (ADDMM)

Description of the organization: (maximum 150 words)

The ADDMM is a not-for-profit organization headquartered in Burundi. It was established to improve the lives of people with mental illnesses who are marginalized in Burundi. Since its creation, the ADDMM has been working to show the Burundian Government and public that people with mental illnesses are human beings too and, once cured, can help to develop the country in the same way as everybody else. The ADDMM is structured as follows:

- General Assembly
- Executive Committee
- Supervisory Committee
- Advisory Committee

Main aims and objectives of the organization:

The main objectives of the ADDMM are to:

- help people with mental illnesses to access treatment;
- raise public awareness of mental illness in Burundi;
- eradicate the marginalization of people with mental illnesses;
- set up projects to support the self-development of people with mental illnesses.

Main activities of the organization:

As a human rights defender, the ADDMM helps the Burundian public to understand that mental illness is no different from any other curable illness. The ADDMM's advocacy efforts have helped cured individuals back into work. The Association acts as an intermediary between the Burundian Government, other national and international NGOs and people with mental illnesses by advocating on behalf of the latter to gain them access to any necessary medication – particularly important given that Burundi has no public hospitals for mental illness (there is only one private hospital).

Please do not enclose any attachment with your application.

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In addition to advocacy, the ADDMM provides cured individuals with small-scale finance to support their initiatives and help them to reintegrate. It also conducts an annual survey on mental health issues.

Relationship of the organization with intellectual property matters, including a full explanation of why you are interested in the issues under discussion by the Committee: (maximum 150 words)

Our organization helps cured individuals to come together and organize themselves by doing things that help them to be accepted by society, challenging the general belief that people who have suffered mental illness crises are incapable of such things. They are keen to find out about all manner of intellectual property issues. Moreover, our organization defends the rights of persons with mental disorders; we merely try to ensure their wellbeing in spite of the problems they face. Moreover, it is common knowledge that Africa, and specifically Burundi our country, lacks hospitals capable of treating these mental disorders. Furthermore, the people of Burundi have not yet understood the benefits of psychotherapy. Our organization brings together people who possess knowledge on trees, herbs and other products used as medicine to treat mental diseases and on the traditional methods used for the same purpose. A closer study of these methods reveals that these healers engage in psychotherapy using traditional methods. Our organization therefore seeks to protect these trees and herbs as well as the persons who know how to use them in traditional healing. We bring them together so that they can continue to discover other traditional knowledge for the benefit of society and to bolster this traditional form of therapy. Consequently, there is a link between our organization and intellectual property aspects pertaining to traditional knowledge and traditional cultural expressions.

Country in which the organization is primarily active:

The ADDMM is primarily active in Burundi.

Additional information:

Please provide any additional information which you feel may be relevant (maximum 150 words)

The ADDMM works with other organizations such as the Union of Indigenous Peoples for Awakening and Development (UPARED) and is a member of the Forum for Strengthening Civil Society in Burundi (FORSC).

The ADDMM participated in the third Eastern and Central African Regional Conference of Psychology on the theme of psychology for sustainable development, held in Rwanda on November 15–17, 2017.

Full contact details of the organization:

Musaga 5eme Avenue no4 1ere étage Commune MUSAGA
BUJUMBURA, BURUNDI
Tel.: +25775862437
E-mail: addmmburundi@gmail.com

Name and title of the organization representative:

Léopold Sharangabo, Legal Representative of the ADDMM

Association pour la promotion des droits humains et le développement (APDHD)

To: Traditional Knowledge Division
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Tel.: +41 (0) 22 338 81 20
Email: grtkf@wipo.int

Re: Request for accreditation as an observer in the future sessions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

Dear Sir/Madam,

I am writing to express the wish of my organization to participate in the sessions of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, as an *ad hoc* observer. To enable consideration by your committee, please find attached our application for accreditation, consisting of biographical details relating to our organization.

Should you require any further information, please do not hesitate to contact us.

Yours sincerely,

Mr. Amédée B. KAMOTA, Lawyer at the Bukavu Court of Appeal and President of the Executive Board of PDHD.

[signed][stamped]

(Name and signature of representative)

Application Form for Accreditation as *Ad Hoc* Observer to the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore^{1, 2}

BIOGRAPHICAL DETAILS OF THE APPLICANT ORGANIZATION

Full name of the Organization:

ASSOCIATION POUR LA PROMOTION DES DROITS HUMAINS ET LE DEVELOPPEMENT (APDHD)

Description of the Organization: (Maximum 150 words)

The organization is called *Association pour la Promotion des Droits Humains et le Développement* [Association for the Promotion of Human Rights and Development] (APDHD). It is a civil society organization in the Democratic Republic of the Congo which promotes and protects the rights of vulnerable population groups and rural communities. These vulnerable population groups include: indigenous peoples and communities in the territories of Fizi, Mwenga and Uvira; women; children; persons with a physical or mental disability; and those living with HIV/AIDS in the highland region known as Hauts-Plateaux d'Itombwe. The rights that the organization promotes and protects include the knowledge, (know-how, innovations and practices) of indigenous and local communities, as provided for in Article 8(j) of the Convention on Biological Diversity.

Main aims and objectives of the Organization:

- Promote and protect the rights of indigenous communities and peoples, including the rights to their identity and traditional knowledge;
- Promote the education of indigenous children and combat the marginalization of indigenous communities;
- Promote food self-sufficiency in rural communities and facilitate access to seeds, improved livestock breeds, veterinary products and agricultural inputs for such communities; and
- Provide assistance to displaced persons, and participate in unity and reconciliation activities designed for population groups from the Great Lakes region to prevent (armed or other) conflicts.

Main activities of the Organization:

- Educate and raise the awareness of representatives of indigenous communities on their rights and identity, as provided for in ILO Convention 169 and the United Nations Declaration on the Rights of Indigenous Peoples;

Please do not enclose any attachment with your application.

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- Build the capacities of local and indigenous communities through income-generating agricultural production cooperatives;
- Provide educational assistance to indigenous children and other poor children in the local communities;
- Support women and girls from all communities who are victims of sexual violence; and
- Provide assistance to persons who have been internally displaced by conflict.

Relationship of the Organization with intellectual property matters, including a full explanation of why you are interested in the issues under discussion by the Committee
(Maximum of 150 words)

The objectives of our organization include the promotion and protection of the rights of indigenous and local communities. We raise the awareness of these communities on their rights, as defined in legal instruments and international agreements. Our organization promotes and protects their rights pursuant to Article 8(j) of the Convention on Biological Diversity. It is equally important to note that we operate in Haux-Plateaux d'Itombwe, a geographical area that is globally considered to have a rich biodiversity. Our organization helps indigenous and local communities to promote intellectual property rights over genetic resources, traditional knowledge and folklore so that they can participate in the equitable sharing of the benefits that accrue from the use of such knowledge, innovation and practices. This would increase the incomes of indigenous and local communities.

Country in which the Organization is primarily active:

The Democratic Republic of the Congo

Additional Information: Please provide any additional information which you feel may be relevant (Maximum 150 words).

On October 20, 2015, the authorities of the South Kivu Province legalized our organization by registering it under reference No. 01/450/CAB/GOUPRO-SK/2015. We have focused our operations on this highlands region, commonly referred to as Itombwe – an area that enjoys a rich and dense biodiversity, and whose indigenous and local communities possess a wealth of knowledge in the field of genetic resources, traditional knowledge and folklore that could benefit the whole world – because we wish to assist and guide these communities. Each local community has a representative of the custodians of this knowledge and the indigenous communities also have their own representatives. There are plans to organize an annual exhibition on traditional knowledge to showcase the products generated by such knowledge, products which treat several ailments that have defied modern medicine. We hope to establish a comprehensive research center that brings together traditional healers and researchers in pharmacology and modern medicine in order to harness all the traditional knowledge that has been passed down from generation to generation.

Full contact details of the Organization:

Postal address: BP: 1234 Bukavu
Tel.: +243894575990
Fax:
E-mail address: apdhd2015@gmail.com
Web site:

Name of Organization Representative and Title:

Mr Amédée B. KAMOTA, Lawyer at the Bukavu Court of Appeal and
President of the Executive Board of PDHD.

Wakatū Incorporation

To: Traditional Knowledge Division
World Intellectual Property Organisation (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Fax.: +41 (0) 22 338 81 20
Email: grtkf@wipo.int

Re: Request for Accreditation as an Observer in future sessions of the WIPO
Intergovernmental Committee

Tēnā koutou katoa,

I am writing to request that Wakatū Incorporation participate in the sessions of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore as an *ad hoc* observer. Please find our application attached for the Committee's consideration.

Please do not hesitate to contact us if you require any further information.

Nāku noa, nā

Kerensa Johnston
Chief Executive Officer
Wakatū Incorporation

Application Form for Accreditation as *Ad Hoc* Observer to the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore^{1,2}

BIOGRAPHICAL DETAILS OF THE APPLICANT ORGANIZATION

Full name of the Organisation:

Wakatū Incorporation (The Proprietors of Wakatū, Trustee of the traditional land owners of Nelson, Mohua and Motueka, Aotearoa/New Zealand).

Description of the Organisation: (maximum 150 words)

The purpose of Wakatū is to preserve and enhance our legacy for the benefit of current and future generations. Te Pae Tawhiti, our intergenerational 500 year vision ensures that we align our goals and objectives to achieve our purpose which are guided by our values. Based in the top of the South Island of Aotearoa (New Zealand), Wakatū is owned by 4,000 Māori families who descend from the traditional land owners of Nelson, Mohua and Golden Bay, Aotearoa. Wakatū was established in 1977 to represent the interests of its traditional Māori land owners and to ensure the sound management of their lands and other assets. We are a Māori organisation which oversees its land and water assets, across the top of the South Island of Aotearoa. Whenua (our land) is the foundation of our business with 70% of our assets held in land and water space. We manage a diverse portfolio from vineyards, orchards to residential and commercial properties as well as marine farms. Kono NZ is our food and beverage business which provides high quality beverages, fruit bars, seafood products, pipfruit and hops to 40 countries around the world. Our charitable arm, Manaaki, oversees our cultural and community activities, which include advocacy on behalf of our families, educational and cultural programmes.

Main aims and objectives of the Organisation: (Please use a bulleted list)

- Our purpose is to preserve and enhance our taonga (legacy) for the benefit of current and future generations, through the sustainable use and development of our land and resources. This is reflected in our 500-year plan, Te Pae Tawhiti.
- We nurture and develop our taonga (assets and cultural treasures) consistently with our tikanga (values) - whanaungatanga (together we are more), kaitiakitanga (we are responsible), rangatiratanga (excellence in all that we do), manaakitanga (we care and we are kind), pono (we say as we do) and auahatanga (we are innovative and agile). They provide the touchstone for how we act now and in the future.
- We seek to ensure the retention, preservation and knowledge of our culture.
- We aim to harness the talents of our people to ensure the sustainable growth of our taonga.

Please do not enclose any attachment with your application.

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- We aim to ensure our people live well and are connected to our legacy and purpose.
- We aim to create an inspiring and innovative place where people want to live and work.
- We wish to thrive and continue to grow as a cultural, social, political and commercial force in our region, Aotearoa and the world.
- Our guiding objectives are purposefully broad - everything we do is underpinned by two guiding objectives: development and innovation; and identity and integrity.

Main activities of the Organisation: (Please use a bulleted list)

- Manaaki (the charitable arm of our organization) is the custodian of our people and culture and encapsulates care and respect for our people, relationships and culture. This includes caring for our whakapapa (genealogy), history, language etc. as well as serving our owners, teams, governance and wider partners to ensure they are connected with Wakatū. For example, we actively develop the capability of our people through education programmes such as our Associate Director programme (which provides a pathway into our governance structures), scholarships, and wānanga (educational forums for our rangatahi (youth) and kaumatua (elders)).
- As a Māori business, Wakatū has a portfolio of brands based on Māori cultural values and we have experience in utilising cultural values, terms, and images for business in a positive culturally affirming way.
- Whenua (land and waterspace) is the custodian of a diverse portfolio which includes caring for our sites that are culturally significant, perpetual leases, residential properties, large retail developments, office buildings, marine farm licences etc. We are one of the largest private land owners in Te Taihū (our region). We generate strong financial returns and have been able to steadily increase the capital value of our assets in alignment with our values.
- Kono NZ is our wholly owned subsidiary business, which is focused on export food and beverages. Kono NZ produces, markets and exports wine, seafood, pipfruit, kiwifruit, hops and natural fruit bars.
- Kono NZ aspires to be the world's leading indigenous food producer and has a global consumer focus. Asia is a key market and Kono has established a wholly-owned trading entity in Shanghai. Kono NZ has developed expertise across the value chain, and manages operations spanning farming, harvesting, processing, marketing and exporting.
- The Board of Wakatū is now leading the development of Te Taihū 2077 which is the 100 year Regional Growth Strategy for our region. It is our desire to anchor our long-term aspirations with the communities in the region to sustain and enhance the cultural, economic, social and environmental opportunities of ALL our mokopuna (grandchildren and future generations).

Relationship of the Organisation with intellectual property matters, including a full explanation of why you are interested in the issues under discussion by the Committee (Maximum 150 words)

We recognize that we are living times where our language, design and taonga are an integral part of New Zealand's heritage and economic landscape. Much of our cultural and intellectual property is often taken for granted as an open, generic and publically accessible decoration and adage to business, tourism and international trade. Wakatū has established an intellectual property framework to protect and guide our cultural and intellectual property practices with respect to our traditional lands and people. We are also committed to seek greater assurances for the protection, involvement and guarantees to our identity and rights and the future mechanisms that are may be needed.

As an organization we have ensured that our branding and use of our language, our relationship with the natural world and the development, production and harvesting of crops operate in

holistic and sustainable ways for the benefit of our current and future owners, however we have concerns, for example with the global success of Manuka honey. This particular example, has fueled global interest in harvesting our native flora and fauna for potentially high value commercial applications which create challenges in terms of appropriate ownership, harvesting, use, marketing, trade-marking and validation of ingredients sourced from our native flora and fauna.

At the national level, we have been actively involved in advocating for the protection of indigenous peoples' land and property rights, including rights related to traditional indigenous knowledge. See for example, *Proprietors of Wakatū and Others v Attorney-General* [2017], Supreme Court of New Zealand.

Wakatū has an interest in seeing how the IGC process will progress our interests to support the protection of Ngā Taonga Tuku Iho.

Country in which the Organisation is primarily active:

Aotearoa, New Zealand

Additional Information:

Please provide any additional information which you feel may be relevant (maximum 150 words)

In September 2018, Wakatū is supporting the hosting of Ngā Taonga Tuku Iho, a conference on Māori Cultural and Intellectual Property Rights. The motivation for convening this Conference has come from a desire to look at the wider context of Māori Cultural and Intellectual and Property Rights as it applies to Māori so that we can ensure that this generation has done all it should have to protect our legacy for future generations. This year is the 25th anniversary of the Mataatua Declaration Cultural & Intellectual Property Rights of Indigenous Peoples (1993). It is also the 27th year since the Wai-262 Indigenous Flora and Fauna claim was lodged by six claimants with the Waitangi Tribunal and 7 years since the Tribunal released its' Report on the Wai-262 Claim, Ko Aotearoa Tēnei. There has been no consultation on the recommendations with Māori at a "whole of government" level nor have Māori come together to review recommendations of the report. Therefore the Conference will focus on the opportunity to discuss:

- The Crown-Māori relationships regarding taonga tuku iho now and into the future;
- Issues arising from WAI262 and what these recommendations may look like in the future;
- Types of advice and support that can inform individuals, business and Māori entities looking to protect their intellectual property and relationships to their taonga tuku iho;
- Specific policy issues that are currently under review and the global environment in relation to Indigenous and Intellectual property rights; and
- A Māori Model for the protection of our cultural and intellectual property rights.

Full contact details of the Organisation:

Postal address:

PO Box 440, Nelson 7040, New Zealand

Telephone number: +64 3 546 8548

Fax number: +64 3 546 8548

Email address: Kerensa.Johnston@wakatu.org

Web site: www.wakatu.org

Name of Organisation Representative and Title:

Wakatū Incorporation, Kerensa Johnston, Chief Executive Officer

World Indigenous Tourism Alliance/*Alliance Mondiale du Tourisme Autochtone*

To: Traditional Knowledge Division
World Intellectual Property Organization (WIPO)
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Fax: +41 (0) 22 338 81 20
E-mail: grtkf@wipo.int

Dear Traditional Knowledge Division,

Re: Request for accreditation as an observer in future sessions of the WIPO Intergovernmental Committee

I am hereby notifying you of our organization's desire to participate as an *ad hoc* observer in the sessions of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. Please find below details of the organization which will be examined by the Committee in order to grant accreditation.

Please do not hesitate to contact us for further information.

Best regards,

Aurélie Debusschère
Agent for Europe

Application Form for Accreditation as *Ad Hoc* Observer to the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

BIOGRAPHICAL DETAILS OF THE APPLICANT ORGANIZATION

Full name of the Organization:

World Indigenous Tourism Alliance

Description of the Organization:

World Indigenous Tourism Alliance (WINTA) is a global network led by indigenous tourism experts and composed of indigenous and non-indigenous peoples and organizations who seek to achieve the United Nations Declaration on the Rights of Indigenous Peoples through tourism.

WINTA collaborates with indigenous communities, tourism industry actors and NGOs which have an interest in meeting the aspirations of indigenous peoples seeking empowerment through tourism and producing mutually beneficial outcomes. To this end, WINTA undertakes tourism policy research, organizes tourism conferences and workshops and provides consulting services on strategic destinations.

WINTA's mission is to provide a platform to indigenous people seeking to leverage their traditional experiences and their universal Indigenous values and to share them in order to meet the need for balance and harmony between different peoples and between humans and the environment.

Main objectives of the Organization:

The goals of WINTA are to provide a global network which:

1. facilitates the sharing of information and understanding between indigenous peoples on the social, environmental and economic opportunities and issues arising from global tourism developments;
2. advocates for indigenous peoples wishing to develop responses to issues and opportunities arising from existing and proposed tourism developments and trends of global interest; and
3. allows indigenous tourism leaders to network, participate and contribute to international tourism forums.

Main activities of the Organization:

1. Create and support an international network of indigenous individuals and groups to cooperatively develop and implement strategies for the advancement of indigenous tourism.
2. Work collectively within the tourism industry in ways that promote partnerships and heightened respect of indigenous beliefs and practices.
3. Strengthen respect for indigenous wisdom, values and knowledge.
4. Provide collective expertise adapted to the challenges of our time through indigenous tourism, in accordance with the Declaration of the Rights of Indigenous Peoples.

Relationship of the Organization with intellectual property matters, including a full explanation of why you are interested in the issues under discussion by the Committee:

WINTA is dedicated to defending the interests of indigenous peoples in accordance with the United Nations Declaration on the Rights of Indigenous Peoples and the Larrakia Declaration on the Rights of Indigenous Peoples in Tourism and the cultural sector.

It is important for WINTA to remain informed and involved in intellectual property discussions in order to contribute to the development of solutions aimed at adding value to the knowhow and knowledge of indigenous peoples, through economic opportunities connected to preservation and cultural promotion, especially through conscious and fair tourism which protects ancestral heritage.

Country in which the Organization is primarily active:

WINTA has its administrative headquarters in New Zealand, but operates out of several countries, including the United States, Chile or from Geneva for the European zone.

Additional information:

WINTA is also the custodian of the Pacific Asia Indigenous Tourism Conference and the World Indigenous Tourism Summit (next one to be held in Perth, Australia in 2020) and is responsible for maintaining the integrity of the conference as an international opportunity for engagement and sharing by all peoples who have an interest in promoting, implementing and celebrating achievements in fostering indigenous self-determination through participation in tourism consistent with the principles of the Larrakia Declaration and the United Nations Declaration on the Rights of Indigenous Peoples.

Full contact details of the Organization:

Postal address: 1 Manapouri Lane Aotea, Porirua 5024, New Zealand
Telephone number: +64 21 402 419
E-mail address: secretariat@winta.org
Website: www.winta.org

Name of Organization Representative and Title:

Aurélie Debusschère, Agent for Europe
Telephone: +33 682 265 601
a.debusschere@winta.org

[End of Annex and of document]