



National
Congress of
American
Indians



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SIXTY-FOURTH SERIES OF MEETINGS OF THE ASSEMBLIES OF THE MEMBER STATES OF WIPO
(July 6 to 14, 2023)

AGENDA ITEM 12: Report on the Program and Budget Committee

Thank you Madam Chair for giving me the floor. I make this statement on behalf of the Native American Rights Fund and our client the National Congress of American Indians.

We once again thank GRULAC and the African Group for their proposal for exceptional funding from WIPO's budget to support participation of Indigenous Peoples' representatives in the 2024 Diplomatic Conference and thank all Member States for their support.

The subject matters under discussion by the IGC, and at issue in the upcoming Diplomatic Conference, go to the very heart of Indigenous Peoples' cultures and lifeways. Indigenous Peoples have rights to their traditional knowledge, including traditional knowledge associated with the use of genetic resources, and associated intellectual property rights, as recognized in Article 31 of the UN Declaration on the Rights of Indigenous Peoples. As the subject matter of the Diplomatic Conference directly impacts Indigenous Peoples' intellectual property rights, WIPO Member States must act to ensure Indigenous Peoples' full and effective participation, in accordance with Articles 18, 19, 31, and 41 of the Declaration.

As is widely acknowledged, any treaty or other instrument resulting from the Diplomatic Conference can only have legitimacy if it is developed with the participation of Indigenous Peoples. In this regard, in its report of its 22nd Session held earlier this year, the UN Permanent

Forum on Indigenous Issues specifically called on WIPO and its Member States to ensure the full and effective participation of Indigenous Peoples in its meetings, including the Diplomatic Conference in 2024 and related preparatory meetings.

The convening of the Diplomatic Conference will necessarily entail expenditure of significant resources by WIPO and the participating Member States. Providing funding and taking other steps to facilitate Indigenous Peoples' full and effective participation is not only consistent with the UN Declaration on the Rights of Indigenous Peoples, but it is also a wise investment that helps to ensure all the efforts and resources put into convening the Diplomatic Conference can have a successful, legitimate outcome.

We are pleased that Member States have reached agreement on funding for Indigenous participation and look forward to discussing with Member States further aspects of Indigenous Peoples' full and effective participation in the Diplomatic Conference, including adoption of Rules of Procedure during the Preparatory Committee meeting in September that fully reflect the unique status and interests of Indigenous Peoples in these negotiations.

Thank you.