

### Questionnaire to the UN system agencies, funds and programmes and intergovernmental organizations

The United Nations Permanent Forum on Indigenous Issues was established by Economic and Social Council (ECOSOC) Resolution 2000/22. The Permanent Forum is mandated to provide expert advice and recommendations on indigenous issues to ECOSOC and through the Council to United Nations agencies, funds and programmes; to raise awareness and promote the integration and coordination of activities related to indigenous issues with the UN system; and prepare and disseminate information on indigenous issues.

The Permanent Forum's report of the seventeenth session of 2018 includes a number of recommendations within its mandated areas, some of which are addressed to UN system agencies, funds and programmes (attached).

The report can be found at: <https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/06/Report-on-ForumEnglish.pdf>

The secretariat of the Permanent Forum on Indigenous Issues invites UN system agencies, funds and programmes and other inter-governmental organizations to complete the attached questionnaire on any action taken or planned in response to the Permanent Forum's recommendations and other relevant issues.

The responses will be compiled into two separate reports for the April 2018 session of the Permanent Forum: (a) Update on the promotion and application of the United Nations Declaration on the Rights of Indigenous Peoples; and (b) Implementation of the System Wide Action Plan on Indigenous Peoples.

All responses will be placed on the DESA/DSPD website on Indigenous Peoples at: <https://www.un.org/development/desa/indigenouspeoples>

*If you have any objections for your response to be made available on our website, please inform our office accordingly.*

Please submit your completed questionnaire by **29 December 2018** to:

Secretariat of the Permanent Forum on Indigenous Issues  
Division for Social Policy and Development  
Department of Economic and Social Affairs  
Room: S-2954  
United Nations Headquarters  
New York, USA 10017  
Telephone: 917-367-5100  
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The seventeenth session of the Permanent Forum on Indigenous Issues will be held at United Nations Headquarters from **22 April – 3 May 2019**.

### Provisional Agenda

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Follow-up to the recommendations of the Permanent Forum.
4. Implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples.
5. Discussion on the 2019 International Year of Indigenous Languages
6. Dialogue with indigenous peoples: collective rights to lands, territories and resources
7. Dialogue with Member States.
8. Dialogue with the funds, programmes and specialized agencies of the United Nations system.
9. Discussion on the theme “Traditional knowledge: generation, transmission and protection”.
10. 2030 Agenda for Sustainable Development.
11. Dialogue with the Special Rapporteur on the rights of indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples.
12. Follow-up to the outcome document of the World Conference on Indigenous Peoples:
  - (a) Implementation of national action plans, strategies and other measures;
  - (b) Ways to enhance the participation of indigenous peoples at the United Nations;
  - (c) Implementation of the United Nations system-wide action plan on indigenous peoples.
13. Regional dialogues between indigenous peoples and Member States.
14. Future work of the Permanent Forum, including issues considered by the Economic and Social Council and emerging issues.
15. Provisional agenda for the nineteenth session.
16. Adoption of the report of the Permanent Forum on its eighteenth session.

## Questionnaire

**Note from WIPO: the following answers and comments were provided by the Secretariat of the World Intellectual Property Organization (WIPO) in December 2018 (parts printed in blue). Unless expressly stated, they do not necessarily reflect the views of WIPO Member States, taken as a whole or individually.**

Please provide information on the following:

### **A. Recommendations of the Permanent Forum on Indigenous Issues**

With respect to the implementation of the recommendations of the Permanent Forum addressed specifically to your agency, fund and/or programme:<sup>1</sup>

- i.* Please provide information on measures taken or planned to implement the recommendations of the Permanent Forum addressed specifically to your organization.

**WIPO: The specific recommendation to WIPO referred to in paragraph 58 of the report of the Permanent Forum's 17<sup>th</sup> session (document E/2018/43\*-E/C.19/2018/11\*) has found a strong echo in a decision by the 2018 WIPO General Assembly. This decision "recogniz[es] the importance of the participation of indigenous peoples and local communities in the work of the IGC [WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore], not[es] that the WIPO Voluntary Fund is depleted, and encourag[es] Member States to consider contributing to the Fund and consider other alternative funding arrangements." (See WIPO document A/58/10 para. 43.)**

**Both the decision of the General Assembly and the recommendation made by the Permanent Forum were recalled at the 38<sup>th</sup> session of the IGC that took place from December 10 to 14, 2018 (see document WIPO/GRTKF/IC/38/3 REV). Among the decisions taken at its 38<sup>th</sup> session, the IGC "strongly encouraged and called upon members of the Committee and all interested public and private entities to contribute to the WIPO Voluntary Fund for Accredited Indigenous and Local Communities" and, "[r]ecalling the Decisions of the Fiftieth Session of the WIPO General Assembly, also encouraged members of the Committee to consider other alternative funding arrangements."**

**The WIPO Voluntary Fund is presently depleted. The WIPO Director General and the Chair of the IGC have joined strong calls for its replenishment (see also WIPO's answers under B6 below).**

**Measures taken in order to ensure the full and effective participation of indigenous participants in the IGC are described in detail in WIPO's answers provided under B6 below.**

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<sup>1</sup> See attached document entitled 'Recommendations addressed to the UN Agencies' to facilitate your responses.

### **B. System Wide Action Plan to achieve the ends of the UN Declaration on the Rights of Indigenous Peoples**

#### **Executive summary:**

Please provide an overview of actions taken to implement the System-Wide Action Plan on the Rights of Rights of Indigenous Peoples. This summary will form the basis of the compilation report of UN activities to implement the SWAP and the Declaration. [Word limit: 600]

#### **WIPO:**

##### **1. Raising awareness of the UNDRIP**

Awareness of the UNDRIP within the negotiations of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (the IGC) contributes to its resonance internationally. References to the UNDRIP are included in the documentation of the IGC, particularly in the most recent versions (December 2018) of the draft negotiating texts on the protection of traditional knowledge (TK) and the protection of traditional cultural expressions (TCEs). Some participants in the IGC regularly advocate the UNDRIP as a key reference. References are made as well in WIPO publications relating to the protection of TK and TCEs whenever relevant. This is the case of two recent WIPO publications: *Promote and Protect Your Culture: A Practical Guide to Intellectual Property for Indigenous Peoples and Local Communities* and *Documenting Traditional Knowledge – a Toolkit*.

##### **2. Supporting the implementation of the UNDRIP**

Articles 18, 31 and 41 of the UNDRIP are of particular relevance for WIPO's program of work on the protection of TK and TCEs.

In furtherance of Article 31, WIPO provides training activities 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 misuse of TK and TCEs by third parties and protect them for their own benefit, if they so wish. On the norm-setting side, the WIPO IGC continues to expedite its work, with the objective of reaching an agreement on an international legal instrument(s) relating to intellectual property which will ensure the balanced and effective protection of genetic resources, TK and TCEs. Current discussions include the possibility for indigenous peoples to require free, prior and informed consent for access to and use of their TK and TCEs by third parties.

On Articles 18 and 41, see item 6 below.

### **3. Supporting indigenous peoples' rights in the implementation and review of the 2030 Agenda for Sustainable Development (the 2030 Agenda)**

The empowerment of indigenous peoples as vulnerable peoples (see paragraph 23 of the 2030 Agenda) and their access to life-long learning opportunities that help them acquire the knowledge and skills needed to exploit opportunities and to participate fully in society (paragraph 25), are commitments made by the Member States vis-à-vis indigenous peoples within the SDGs framework.

WIPO's training activities and information resources addressing indigenous peoples' needs for protection contribute towards fulfillment of those commitments.

### **4. Mapping of existing standards and guidelines, training materials and resources for the effective implementation of the UNDRIP**

Most WIPO training materials that address the protection of TK and TCEs are done in furtherance of Article 31 of the UNDRIP. They are all available on the WIPO website. The 2018 animation – *The Adventures of the Yakuanoi Navigating Traditional Knowledge and Intellectual Property* - illustrates issues and opportunities that arises when TK interacts with intellectual property.

The WIPO publication *Documenting Traditional Knowledge. A Toolkit* (2018) contains guidelines that are supportive of indigenous peoples' specific interests relating to TK documentation.

Program 4 of the WIPO Program and Budget 2018/2019 provides information regarding the resources allocated by WIPO for its work in relation to TK, TCEs and genetic resources.

### **5. Developing the capacities of States, indigenous peoples, civil society and UN personnel**

WIPO's relevant program includes workshops, distance learning courses and training, involving Member States' officials, civil society and indigenous peoples separately or jointly, as well as the dissemination of publications.

In 2018, indigenous peoples' and local communities' representatives were invited to participate in several national or regional multi-stakeholders practical workshops.

Two indigenous persons were granted a scholarship in support of their participation in the 2018 WIPO-UNIGE Summer School on Intellectual Property. The WIPO Indigenous Fellowship Program will continue in 2019.

WIPO staff are briefed on the IGC negotiations on a regular basis.

### **6. Advancing the participation of indigenous peoples in UN processes**

**The WIPO Secretariat, with WIPO Member States' support, has taken robust measures ensuring and enhancing the full and effective participation of indigenous peoples' representatives in the IGC, as observers.**

**Those measures relate to the various aspects of their participation (see the answers to the questionnaire for details).**

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As requested in the Outcome Document of the World Conference on Indigenous Peoples (2014), a system-wide action plan (SWAP) to ensure a coherent approach to achieving the ends of the UN Declaration on the Rights of Indigenous Peoples was adopted in November 2015, and launched by the Secretary General at the UN Permanent Forum in May 2016. The Permanent Forum will follow up on progress made in the implementation of the system-wide action plan during its 2018 session.<sup>2</sup> For ease of reference, the questions have been framed under the six key elements of the SWAP-Indigenous Peoples as follows:

#### **1. Raising awareness of the UN Declaration**

Please provide information on any activities that raise awareness of the UN Declaration on the Rights of Indigenous Peoples, including key messages, advocacy and other media and outreach initiatives. Please provide information on publications, films, audio material, maps, or other materials that feature or focus on the UN Declaration and on indigenous peoples. Please also provide links to the relevant websites and other sources.

**WIPO: In accordance with its mandate, WIPO is committed to shaping a balanced and effective international intellectual property system for the benefit of all, including indigenous peoples.**

**Indigenous peoples create, maintain and develop their traditional knowledge (TK) and traditional cultural expressions (TCEs), as part of their core identities and as a rich foundation of their well-being and own development. Article 31 of the UNDRIP, which refers to the right of indigenous peoples to “maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge and traditional cultural expressions”, recognizes the legitimate sense that indigenous peoples have regarding ownership of, and the essential value inherent in, their own TK and TCEs.**

**On the norm-setting side, the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (the IGC) continues to expedite its work, with the objective of reaching an agreement on an**

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<sup>2</sup> See Report of the 15<sup>th</sup> session of the UN Permanent Forum on Indigenous Issues (E/2016/43) at para. 73.

international legal instrument(s) relating to intellectual property which will ensure the balanced and effective protection of genetic resources, TK and TCEs.

Awareness of the UNDRIP within the IGC has contributed to UNDRIP's resonance internationally. References to the UNDRIP are included within the working documentation of the IGC (most recently in documents WIPO/GRTKF/IC/38/6 and 38/7, for example) and it has been regularly advocated for in the IGC negotiations, particularly, but not exclusively by indigenous peoples' representatives participating or addressing the IGC as panelists. Most significantly, at the 38<sup>th</sup> session of the IGC, Mr. Elifuhara Laltaika, Expert Member of the Permanent Forum, spoke to the importance of the UNDRIP in the negotiations taking place in the IGC in his address to the IGC participants during the Indigenous Panel that took place on December 10, 2018.

Explicit references to the UNDRIP are included in the draft preambles and draft articles in both negotiating texts on the protection of TK and the protection of TCEs that serve as work-in-progress (see respectively documents WIPO/GRTKF/IC/38/4 and 38/5).

In addition, WIPO publications relating to the protection of TK and TCEs refer to the UNDRIP whenever relevant. That is the case with WIPO's publications *Promote and Protect Your Culture: A Practical Guide to Intellectual Property for Indigenous Peoples and Local Communities* and *Documenting Traditional Knowledge – A Toolkit* that was issued this year (see: [http://www.wipo.int/edocs/pubdocs/en/wipo\\_pub\\_1048.pdf](http://www.wipo.int/edocs/pubdocs/en/wipo_pub_1048.pdf) and [https://www.wipo.int/edocs/pubdocs/en/wipo\\_pub\\_1049.pdf](https://www.wipo.int/edocs/pubdocs/en/wipo_pub_1049.pdf) ).

The UNDRIP is one of the key resources mentioned on the Indigenous Portal of the WIPO website. (See <http://www.wipo.int/tk/en/indigenous/>).

### **2. Supporting the implementation of the UN Declaration, particularly at the country level**

Please provide information on actions taken or planned by your agency, fund, programme, entity on the following:

- i.* Measures taken or planned to support national partners in reform and implementation of legal frameworks, policies, strategies and plans to implement the UN Declaration on the Rights of Indigenous Peoples, including any joint programming initiatives. Please also include information related to include indigenous women in your responses.
- ii.* Support provided to Member States to mainstream the UN Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169 on Indigenous and Tribal Peoples in national development plans and in the UN Development Assistance Frameworks and Common Country Assessments (CCA/UNDAFs).
- iii.* Support for consultative mechanisms and platforms of dialogue including under the leadership of the Resident Coordinators.

**WIPO: In response to sub-questions (i), (ii) and (iii):**

**Articles 18, 31 and 41 of the UNDRIP are of particular relevance for WIPO's program of work on the protection of TK and TCEs.**

**In furtherance of Article 31 of the UNDRIP, WIPO's program of work in support of indigenous peoples includes training activities 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 misuse of TK and TCEs by third parties and protect them for their (indigenous peoples') own benefit, if they so wish.**

**Those tools are available on WIPO's website or provided through practical training initiatives, either in Geneva or abroad, as well as through a distance-learning course (see WIPO's answers under B5 for more details).**

**The WIPO Secretariat provides intellectual property-related legal and policy information to Member States that wish to develop national strategies, legislation or other measures with a view to protecting TK and TCEs from an intellectual property perspective. The need to consult with, and receive the prior and informed consent of, indigenous peoples in the decision-making process is included within the principles and policies that are suggested to be implemented by Member States receiving WIPO's support.**

**As mentioned above, the WIPO IGC continues to expedite its work, with the objective of reaching an agreement on an international legal instrument(s) relating to intellectual property which will ensure the balanced and effective protection of genetic resources, TK and TCEs (see B1 above and B6 below). Current discussions include the possibility for indigenous peoples to require their free, prior and informed consent for access to and use of their TK and TCEs by third parties.**

### **3. Supporting indigenous peoples' rights in the implementation and review of the 2030 Agenda for Sustainable Development**

- i.* Has your agency/organization taken any measures to incorporate indigenous issues into policy and programming to implement the 2030 Agenda in line with the UN Declaration on the Rights of Indigenous Peoples?
- ii.* Has your agency/organization/entity supported the participation of indigenous peoples in the implementation and review of the 2030 Agenda for Sustainable Development, including at the national level? Please also include information on indigenous women, persons with disabilities, older persons and children and youth in your responses.
- iii.* Please provide information on any reports or other documents in implementing the 2030 Agenda for indigenous peoples. Also include information on any measures taken or



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planned for the collection of statistical data on indigenous peoples, in particular related to the SDG indicators for target 1.4 (secure tenure rights to land), target 2.3 (income of small-scale food producers), target 4.5 (parity in access to education) and target 10.3/16.b (experience of discrimination).

**WIPO: In response to sub-questions (i), (ii) and (iii):**

**The 2030 Agenda for Sustainable Development (“the SDGs”) is being taken into account, from different angles, in the work of the WIPO Secretariat in support of indigenous peoples’ needs and interests.**

**The empowerment of indigenous peoples, as vulnerable peoples, as referred to in paragraph 23 of the UN Declaration “Transforming our world: the 2030 Agenda for Sustainable Development”, is a key element of the commitment made by UN Member States vis-à-vis indigenous peoples within the SDGs framework.**

**Paragraph 25 of the 2030 Agenda reflects the further commitment of UN Member States to provide indigenous peoples with “access to life-long learning opportunities that help them acquire the knowledge and skills needed to exploit opportunities and to participate fully in society”.**

**Most of the practical tools and initiatives, as well as information resources available under the WIPO work program, to the extent that they relate to the protection of TK and TCEs, are in line with this commitment, as they may contribute to the practical empowerment of indigenous peoples.**

**The draft texts for the protection of TK and TCEs that are presently under negotiation at the IGC clearly envisage indigenous peoples as beneficiaries of the provisions and/or measures that are being negotiated. A result from those negotiations could contribute to the empowerment of indigenous peoples as beneficiaries, should Member States so agree.**

**In response to sub-question (ii), insofar as it concerns persons with disabilities, it is worth mentioning that the 2013 WIPO Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, which came into effect on September 30, 2016, eases the production and transfer across national boundaries of books that are specially adapted for use by people with visual impairments, most of whom live in lower-income countries.**

#### **4. Mapping of existing standards and guidelines, capacities, training materials and resources for the effective implementation of the UNDRIP**

- i.* Please provide information on any specific standards and guidelines on indigenous peoples adopted or planned by your agency/organization.

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- ii.* Please provide information on any training materials prepared or planned related to the implementation of the UN Declaration.
- iii.* Please provide information on current resources and funds allocated to effectively implement the UN Declaration. Please also provide information on any joint initiatives with other UN agencies in the implementation of the UN Declaration.

**WIPO: In response to sub-questions (i), (ii) and (iii):**

**Most of WIPO training materials that address the protection of TK and TCEs relate explicitly or implicitly to Article 31 of the UNDRIP. They are all available on the following webpage:**

**<http://www.wipo.int/tk/en/resources/publications.html#1>**).

**A new animation (launched in 2018) - *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 (see <https://www.wipo.int/tk/en/>).**

**The WIPO TK Documentation Toolkit (*Documenting Traditional Knowledge – A Toolkit*) was formally launched in the margins of the 35<sup>th</sup> session of the IGC in March 2018 and introduced at the 2018 session of the Permanent Forum at a WIPO side event. The Toolkit contains guidelines that are supportive of indigenous peoples' specific interests relating to TK documentation (see <http://www.wipo.int/tk/en/resources/tkdocumentation.html>).**

**Information regarding the resources that are allocated by WIPO for its work program in relation to TK, TCEs and GRs is available in the WIPO Program and Budget 2018-2019 (see Program 4 in particular on [http://www.wipo.int/export/sites/www/about-wipo/en/budget/pdf/budget\\_2018\\_2019.pdf](http://www.wipo.int/export/sites/www/about-wipo/en/budget/pdf/budget_2018_2019.pdf)).**

### **5. Developing the capacities of States, indigenous peoples, civil society and UN personnel**

Please provide information on any capacity development initiatives that your organization is conducting for indigenous peoples, government officials and UN staff. Also include information on the participation of indigenous women, children and youth as well as indigenous persons with disabilities in your response.

**WIPO: One of the core principles of WIPO's capacity-building program for indigenous peoples is that the effective exercise of their rights partly depends on their ability to:**

- **grasp the issues that lack of protection raises;**
- **understand the nature and scope of the existing intellectual property-related tools that they may use, as options, in protecting their TK and TCEs; and**
- **define their approach as they best consider in line with their own objectives and for their own development.**

**WIPO's program of work in this field includes practical workshops, distance learning courses and trainings, as well as the dissemination of briefs, studies and toolkits.**

**In 2018, national or regional multi-stakeholder practical workshops, involving the active participation of indigenous peoples' and local communities' representatives, were organized in Ecuador, Malawi, Samoa and the Lao People's Democratic Republic, among other technical assistance activities. Government officials have also participated in those workshops side-by-side with indigenous peoples' representatives, as a way to promote and facilitate dialogue, interaction and common understanding of the mechanisms and issues between both groups.**

**The WIPO Secretariat provides intellectual property-related legal and policy information to Member States that wish to develop national strategies, legislation or other measures with a view to protecting TK and TCEs from an intellectual property perspective.**

**The WIPO Advanced Distance Learning Course on Intellectual Property, TK and TCEs provides technical information on key concepts and international, regional and national experiences, policy options and legal mechanisms available or under consideration for the intellectual property-like protection of TK and TCEs. The WIPO Advanced Distance Learning Course is available for indigenous peoples at no cost.**

**Scholarships were granted to two young indigenous persons in support of their participation in the 2018 WIPO-UNIGE Summer School on Intellectual Property. Two additional grants will be advertised shortly for 2019.**

WIPO contributed to the OHCHR Indigenous Fellowship Program in 2018, as it did in previous years.

The WIPO Indigenous Fellowship Program allows for an indigenous person to be part of the WIPO Traditional Knowledge Division (TKD) (see <http://www.wipo.int/tk/en/indigenous/fellowship/>). The WIPO Indigenous Fellow contributes to make sure that indigenous peoples' sensitivities and interests are duly taken on board, within and beyond the TKD. Ms. Kiri Toki (Maori), from New Zealand, was the WIPO Indigenous Fellow in 2017 and 2018. The Program will continue in 2019; the appointment of the 2019 WIPO Indigenous Fellow will be announced shortly.

The scholarships, Fellowship and the aforementioned admission of indigenous peoples to take the WIPO Advanced Distance Learning Course free of charge importantly supplement the Secretariat's commitment to capacity building and empowerment initiatives with and for indigenous peoples.

The 2018 WIPO TK Documentation Toolkit (see above under B1 and B4) and the 2017 WIPO's publication *Promote and Protect Your Culture: A Practical Guide to Intellectual Property for Indigenous Peoples and Local Communities* (see above under B1) are two examples of resources that have been designed in support of indigenous peoples' specific interests.

A new animation launched in 2018 (see B4 above) complements those publications.

All relevant resources are accessible through a specific indigenous portal on the WIPO website (see <http://www.wipo.int/tk/en/indigenous/>).

The WIPO's Open Access Policy allows for their reproduction, use and translation under Creative Commons Licences. The WIPO Secretariat is available to provide the information and appropriate technical support that interested users might need in this regard (see [https://www.wipo.int/pressroom/en/articles/2016/article\\_0016.html](https://www.wipo.int/pressroom/en/articles/2016/article_0016.html)).

WIPO staff are briefed on the WIPO IGC negotiations on a regular basis.

### **6. Advancing the participation of indigenous peoples in UN processes**

Please provide information on any support provided for the full and effective participation of indigenous peoples at relevant UN bodies, including at the country level. Please also provide information on any consultative mechanisms, tools and other measures to obtain free, prior and informed consent of indigenous peoples in processes that affect them.

**WIPO: Implementation of Articles 18 and 41 of UNDRIP on participation is of particular relevance for the IGC.**

Under a renewed mandate for 2018-2019, the IGC continues to expedite its work, with the objective of reaching an agreement on an international legal instrument(s) relating to intellectual property which will ensure the balanced and effective protection of GRs, TK and TCEs. (For the text of the IGC mandate for 2018-2019, see [https://www.wipo.int/export/sites/www/tk/en/igc/pdf/igc\\_mandate\\_2018-2019.pdf](https://www.wipo.int/export/sites/www/tk/en/igc/pdf/igc_mandate_2018-2019.pdf))

Four IGC sessions and two *ad hoc* expert groups meetings were organized in 2018, with the active participation of indigenous peoples' representatives as observers.

The WIPO Secretariat, with WIPO Member States' express support, has taken robust measures ensuring and enhancing such full and effective participation.

Those measures include the following:

- An *ad hoc* and fast-track accreditation procedure for observers at the IGC was established at the creation of the IGC;
- Indigenous participants in the IGC may take the floor on any agenda item and can have any of their specific textual drafting proposals reflected in the drafts, provided that at least one Member State extends its endorsement. This happens quite frequently;
- Further, the Chair of the IGC has systematically invited Indigenous Caucus representatives, with Member States' support, to participate in informal consultations and drafting groups on the texts being negotiated at the IGC, with rights to speak and make proposals. Within this format, indigenous peoples do not need formal endorsement of Member States to have their proposals reflected in the draft texts;
- Under the methodology agreed so far, the Chair of the IGC invited one indigenous representative to be part of each *ad hoc* contact group that has been created so far;
- As a result and on several occasions, drafting proposals by indigenous representatives have been taken up in the negotiating texts; several options included in the texts reflect their comments or proposals;
- An Indigenous Consultative Forum is organized on the day preceding IGC sessions at the WIPO premises and with the WIPO Secretariat's support, with the view to facilitating the preparation of IGC sessions by the Indigenous Caucus;
- The Chair of the IGC meets the Indigenous Caucus whenever requested or appropriate;
- WIPO has financed the logistical, secretarial, interpretation and translation support that is provided by the Indigenous Peoples' Center for Documentation, Research and Information (DoCip) during the daily meetings of the Indigenous Caucus;
- Each IGC session accommodates time for a panel presentation by indigenous peoples' and local communities' experts in the plenary room; among the various panelists, an Expert Member of the Permanent Forum (Mr. Elifuhara Laltaika – see answers under B1) and an Expert Member of the Expert

**Mechanism on the Rights of Indigenous Peoples (EMRIP) (Mr. Alexey Tsykarev) addressed IGC participants in such capacity in 2018.**

- **The WIPO General Assembly set up the WIPO Voluntary Fund for Accredited Indigenous and Local Communities in 2005 in order to facilitate the participation in sessions of the IGC of representatives of Indigenous Peoples and local communities. The government of Australia made a substantial contribution to the fund in 2017. However, that contribution is presently depleted. Best efforts are currently made to have the Fund replenished with new donations (see also WIPO's answers under A);**
  - **Two significant initiatives have been taken in the last five years, in close cooperation with the UN Permanent Forum, in order to enhance the ability of indigenous peoples to analyze the issues at hand and formulate positions.**
    - **Following up on a decision by the IGC, the WIPO and the UNPFII Secretariats jointly organized an Indigenous Expert Workshop, in 2013, comprising seven invited indigenous experts. Its report (WIPO/GRTKF/IC/25/INF/9) was submitted by the Secretariat of the Permanent Forum, to the IGC. (see [http://www.wipo.int/edocs/mdocs/tk/en/wipo\\_grtkf\\_ic\\_26/wipo\\_grtkf\\_ic\\_26\\_inf\\_9.pdf](http://www.wipo.int/edocs/mdocs/tk/en/wipo_grtkf_ic_26/wipo_grtkf_ic_26_inf_9.pdf))**
    - **Following up on a recommendation made by the Permanent Forum, the WIPO Secretariat commissioned a technical review of the IGC drafting texts by Professor James Anaya, from an indigenous rights and human rights framework in 2014. The technical review has been submitted by the Secretariat of the Permanent Forum to the IGC (WIPO/GRTKF/IC/29/INF/10). (see [http://www.wipo.int/edocs/mdocs/tk/en/wipo\\_grtkf\\_ic\\_29/wipo\\_grtkf\\_ic\\_29\\_inf\\_10.pdf](http://www.wipo.int/edocs/mdocs/tk/en/wipo_grtkf_ic_29/wipo_grtkf_ic_29_inf_10.pdf))**
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