



## **Message on the occasion of the International Day of the World's Indigenous Peoples**

**Geneva, August 9, 2012**

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Indigenous Peoples create, maintain and develop traditional knowledge and traditional cultural expressions and they, therefore, have a direct interest in the negotiations underway at the [World Intellectual Property Organization \(WIPO\)](#) with the objective of reaching agreement on an international legal instrument or instruments which will ensure the effective protection of TK and TCEs. The negotiations also address the relationship between intellectual property and genetic resources, another issue of seminal interest and importance for Indigenous Peoples. The negotiations take place within the [WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore \(the IGC\)](#).

The challenge in these complex intellectual property negotiations is to strike an appropriate balance between competing interests in TK, TCEs and genetic resources. Intellectual property policy is, after all, a mechanism for balancing competing interests in the benefits arising from creativity and innovation, and similar balances must be struck when considering the protection of 'traditional' creativity and innovation.

In this regard, this year's theme for the [International Day of the World's Indigenous Peoples](#), "*Indigenous Media, Empowering Indigenous Voices*", touches directly upon intellectual property issues, namely the wish for Indigenous Peoples to have control over how their cultures are accessed, used and represented, especially in the media. This is one of the issues addressed in the WIPO negotiations already referred to. Empowering Indigenous voices also lies at the center of [WIPO's Creative Heritage Cultural Documentation and Intellectual Property Management Training Program](#) – this program provides hands-on practical training to indigenous communities in documenting their own TCEs and then managing their intellectual property interests in relation to their recordings.

In a related development, WIPO is pleased to announce the adoption of the [Beijing Treaty on Audiovisual Performances](#) on June 26, 2012. This treaty provides international protection for the economic and moral rights of audiovisual performers, including performers of TCEs.

In May this year, WIPO had the honor to participate in a comprehensive dialogue with the Permanent Forum on Indigenous Issues. We thank the Chair of the Forum, Grand Chief Edward John, for welcoming WIPO and for steering the dialogue. The Forum's subsequent recommendations provide valuable guidance to WIPO, and we look forward to working ever more closely with the Forum.

I would like to personally thank Ms. Valmaine Toki, Vice Chair of the Forum, and Mr. Paul Kanyinke Sena, Member of the Forum, for participating in a well-received and much-praised Indigenous Panel at the [22<sup>nd</sup> session](#) of the IGC, held at the WIPO in July this year.

It is with deep appreciation and respect that the WIPO joins today in celebrating the empowerment of Indigenous voices through Indigenous media as a means of preserving Indigenous identities, ensuring their subsistence and promoting creativity and innovation.

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