



PACIFIC ISLANDS FORUM SECRETARIAT

Practical Workshop on Intellectual Property, Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources

8 December, 2015
Hotel Tanoa Tusitala
Samoa

Indigenous Peoples and Local Communities Day (IPLCs) only

Introductory Remarks

By

Veniana Qalo

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Representatives from WIPO and the Secretariat of the Pacific Community

Members of the Indigenous Peoples and Local Communities from across the Region

Ladies and Gentlemen

On behalf of the Secretary General of the Pacific Islands Forum Secretariat, may I take this opportunity to welcome you all, to this Indigenous Peoples and Local Communities Day which is part of the Practical Workshop on Intellectual Property, Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources being convened here in Apia, Samoa this week.

2. May I also thank the Deputy Prime Minister and the Minister for Commerce, Industry and Labor, the CEO of the Ministry of Commerce, Industry and Labor and their hardworking staff for the great hospitality bestowed on us, and for the support provided in efficiently facilitating the

convening of this important event here in Samoa. A sincere appreciation as well to the World Intellectual Property Office (WIPO) Secretariat for the financial and technical support provided towards making this meeting possible.

3. Forum Trade Ministers have encouraged regional efforts in the development of national, regional and multilateral rules and legislation to protect traditional knowledge and intellectual property rights; and the formalisation of the cultural and creative industries across the Pacific through the provision of relevant policy advice and training of legal drafters, artisans, producers, Indigenous Peoples, Local Communities and small businesses.

4. In the Pacific region, culture is engrained in the social fabric of our nations where human creativity, traditional skills and practices are the norm. Such practices, both formal and informal, are the basis of income-generation for many traditional and non-traditional artisans, producers and performers. In recognition of the potential of a formalised industry and to comply with international standards, regional and international agencies have taken steps to work towards the development of appropriate policies to support the growth of cultural industries.

5. For indigenous peoples and local communities, the legal protection of their traditional knowledge, traditional expressions of culture, traditional biological knowledge, innovations and practices are important for a number of reasons:

- the intrinsic cultural, spiritual and linguistic value that traditional knowledge has for traditional communities. When traditional knowledge is lost, this can have an enormous impact on the cultural identity and way of life of traditional communities, in a similar way to the loss of a language;
- the numerous examples of important technologies and medicines being derived directly from traditional knowledge as well as increasing interest in using traditional knowledge for commercial enterprises;
- widespread concerns regarding illicit uses and misappropriation of traditional knowledge. Traditional communities have stressed that their knowledge should not be used by others inappropriately, without their consent and sharing of benefits. This has led to calls for both

greater respect and recognition of the rights of traditional communities in their traditional knowledge as well as the establishment of protection mechanisms to ensure this occurs. While some legal tools such as intellectual property laws can be useful in preventing misuse by third parties, it has been widely acknowledged that a range of protection mechanisms will be needed, including the development of *sui generis* measures such as the Pacific Model Law on TK and TCEs, the TBKIP Model Law; and

6. As owners, right holders and custodians of and decision-makers regarding the use of traditional knowledge, traditional expressions of culture and related innovations and practices in your respective communities, we value and recognize the important role you play as advocates and important partners in the development of national/regional laws and policies – laws and policies which recognizes and gives effect to your communities’ rights to control access to, disclosure and use of TK, TCEs, Genetic Resources and related innovations and practices.

7. We only have a day of discussion. I would therefore urge you all to use this day to avail yourselves of the opportunity to make full use of the expertise of the various resource personnel present.

8. Finally, let me conclude by stating that the Secretariat and our counterparts at WIPO, SPC and SPREP are here to assist you. I have full confidence in all of you, and as a team for us to achieve the objectives set forth for this meeting and fulfill the mandates given to us by our Ministers in this regard. I wish you well in your deliberations.

9. Thank you very much!

Pacific Islands Forum Secretariat

8 December 2015