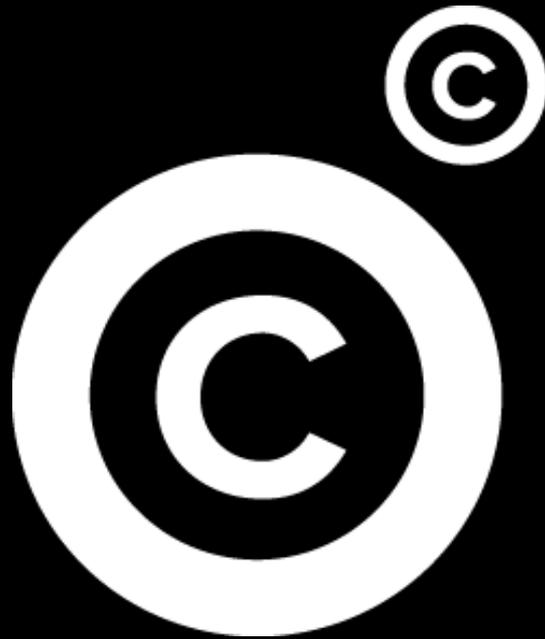


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Update on the traditional cultural expressions
draft instrument

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Introduction

- History of the IGC and Traditional Cultural Expressions (TCEs) draft instrument
- Successful Indigenous panel on interaction with UNDRIP and TCE Articles
- Expert group on contentious issues
- Political positions of member states
- Next steps....

History of the IGC

- Fact finding mission in 1999 to establish what issues are for Indigenous peoples and local communities
- Establish Intergovernmental committee with member states, Indigenous representatives, NGOs and IGOs
- Three subject matter of Indigenous knowledge- TCEs, TK and GRs

Traditional cultural expressions text

- Definition includes tangible and intangible traditional and adaptations of expressions
- Includes stories, songs, instrumental music, rituals, art, handicrafts, dances, games, ceremonies, sacred places, symbols, designs
- Passed from generation to generation
- Beneficiaries- Indigenous peoples & local communities?

TCEs text contd.

- Include new and traditional styles of TCEs
- Prior informed consent for use
- Benefit sharing
- Perpetual protection?
- Prevent unauthorized disclosure, distortion, mutilation or misuse of TCE
- Preservation purposes- language needs to be restrictive

Indigenous panel and UNDRIP

- Well received Indigenous panel
- Presentations from keynote speaker and 3 experts
- 2 members from the UN Permanent Forum on Indigenous Issues
- UNPFII Recommendations to WIPO IGC on draft TCEs text:
reflected by Indigenous panel

Issues

- Contentious Articles included definition of TCEs, beneficiaries, Scope of protection/ Exceptions and limitations and rights administration
- Political positions of developed nations vs developing nations vs Indigenous peoples

Highlights

- Expert group with facilitator to reduce number of options and reach compromise on divergent views
- 36 experts including 5 experts per 7 regions and 1 Indigenous expert with an advisor
- Constructive work and streamlined text to reduce number of options

Highlights contd.

- Procedural issue- Strong chairmanship from the Jamaican delegate
- Cooperative mood and goodwill in the informal expert group
- More supportive interventions in favour of Indigenous peoples

Next steps.....

- Draft TCEs text to WIPO General Assembly
- Decision on future work of IGC- renew mandate?
- Implementation of UNDRIP in TCE Articles

Thank you

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