



Advance Unedited Version

Permanent Forum on Indigenous Issues**Fifth session**

New York, 15-26 May 2006

Item 4 of the provisional agenda

Ongoing priorities and themes**Report of the International Technical Workshop on Indigenous Traditional Knowledge**

(Panama City, 21-23 September 2005)

Summary

The Technical Workshop on Indigenous Traditional Knowledge was convened following a recommendation of the Permanent Forum on Indigenous Issues at its fourth session. The Forum called for the convening of such a workshop, in collaboration with United Nations agencies dealing with this issue and with the participation of indigenous experts, to promote a collaborative, complementary and holistic approach to traditional knowledge in order to enhance better understanding of indigenous concerns and their possible solution.

The Workshop was attended by twenty-eight experts from indigenous organisations and the United Nations system and other intergovernmental organizations.

In its conclusions and recommendations, the workshop identified indigenous perspectives and experiences with indigenous traditional knowledge issues, gained a better understanding of the various programs relating to indigenous traditional knowledge of the UN system and other intergovernmental organizations, and formulated certain recommendations for the Forum's consideration. Recognizing the multiplicity of policy areas in which indigenous traditional knowledge issues arise, and the range of priorities, objectives and strategies relating to indigenous traditional knowledge of indigenous peoples, workshop participants identified a number of recommendations addressed to the UN system and other intergovernmental organizations, governments, indigenous peoples and academia, as well as some recommendations addressed to the Forum itself.

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I. Introduction

1. The preservation, promotion and protection of indigenous traditional knowledge (ITK) has been an issue of concern to the Permanent Forum on Indigenous Issues since its first session in 2002, and the Forum has issued several recommendations in regard to ITK. At least eleven intergovernmental organizations and United Nations agencies carry out programs, activities and processes addressing, in one way or another, issues related to ITK. At its Fourth Session in May 2005, the Forum recommended that “the Inter-agency Support Group on Indigenous Issues (IASG) convene a technical workshop on indigenous traditional knowledge, in collaboration with United Nations agencies dealing with this issue, with the participation of indigenous experts, with a view to promoting a collaborative, complementary and holistic approach to traditional knowledge in order to enhance better understanding of indigenous concerns and their possible solution and requests the workshop to submit its report to the fifth session of the Forum”.¹ The workshop was convened by the Inter-Agency Support Group on Indigenous Issues, organized by the Secretariat of the Forum and hosted by the Regional Office for Latin America and the Caribbean of the United Nations Children’s Fund (UNICEF).

II. Organization of work

A. Attendance

¹ E/C.19/005/L.6

2. The following Permanent Forum members attended the Workshop: Ms. Victoria Tauili-Corpuz as Chairperson and indigenous expert from the Tebtebba Foundation, and Mr. Eduardo Aguiar de Almeida

3. The Workshop was attended by experts from the following United Nations system entities and other intergovernmental organizations: Secretariat of the Convention on Biological Diversity (SCBD), International Fund for Agricultural Development (IFAD), Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations Environment Program (UNEP), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Children's Fund (UNICEF), the World Health Organization (WHO) and World Intellectual Property Organization (WIPO). The Chairperson and Rapporteur of the United Nations Working Group on Indigenous Populations also attended the workshop.

4. The Workshop was also attended by 13 indigenous experts. A total of 28 persons attended. The attendance list is contained in annex III to the present report.

B. Documentation

5. The participants had before them a draft agenda, a draft programme of work and documents prepared by participating experts. Documentation made available for the Workshop is listed in

annex II. The documentation is available on the web site of the Secretariat of the Permanent Forum on Indigenous Issues (<http://www.un.org/esa/socdev/unpfii>).

C. Opening of the meeting

6. At the opening of the workshop, the Representative of UNICEF in Venezuela, Ms. Anna Lucia D'Emilio, on behalf of the Regional Director for UNICEF in Latin America and the Caribbean, Mr. Nils Kastberg, and Ms. Elsa Stamatopoulou, Chief, Secretariat of the Permanent Forum on Indigenous Issues, Division for Social Policy and Development, Department of Economic and Social Affairs, made opening remarks. Ms. Stamatopoulou thanked a number of organizations, funds and agencies as well as governments who had funded the participation of indigenous experts in the workshop, namely the International Fund for Agricultural Development (IFAD), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Intellectual Property Organization (WIPO), as well as the Governments of Canada, New Zealand and Norway.

D. Election of officers

7. Ms. Vicky Tauli-Corpuz, Chairperson of the Permanent Forum, was elected Chair of the workshop. In her opening remarks, Ms. Tauli-Corpuz recognized and honoured the indigenous peoples of Panama and thanked them for having agreed to the holding of the workshop in their traditional territory. Mr. Wend Wendland, of the Secretariat of WIPO, was elected Rapporteur.

E. Adoption of the agenda and programme of work

8. The Workshop adopted its agenda on the basis of the draft agenda submitted by the Secretariat. The agenda is contained in annex I.

9. The Workshop was conducted in plenary meetings. Annex I contains the programme of work, and includes the names of the indigenous experts who made presentations.

F. Adoption of the conclusions and recommendations

10. On 23 September 2005, the Workshop adopted by consensus conclusions and recommendations contained in section IV below.

H. Closure of the Workshop

11. The meeting was closed after the adoption of the conclusions and recommendations in the final plenary on 23 September 2005.

III. OBSERVATIONS

Goals and expectations

12. It was recalled at the outset that the objectives of the workshop were to identify indigenous perspectives and experiences with ITK issues at the local, national and international levels; gain a better understanding of the various policies, methodologies, programs and activities of the United Nations (UN) system and other intergovernmental organizations and agencies relating to ITK; and, formulate recommendations for the Forum aimed at promoting collaborative, complementary and holistic approaches to ITK in order to enhance better understanding of indigenous concerns and their possible solution. Participants all looked forward to a rich and frank exchange of experiences and perspectives with a view to suggesting creative, relevant and practicable recommendations for the Forum. It was also noted that the recently adopted 2005 World Summit Outcome (A/60/L.1) of the General Assembly included references to the contributions of indigenous and local communities.

Overview of indigenous experiences and perspectives²

13. The presentations by the indigenous experts demonstrated that ITK, which refers generally to the complex bodies and systems of knowledge, know-how, practices and cultural expressions which have been and are maintained, used and developed by local and indigenous communities, not only sustains these communities in their daily lives, but is also a key element of their identities and self-determination. The ITK of indigenous communities, which reflects

² This section merely summarizes the various presentations made, which were limited to ten minutes each. Many of the indigenous experts also made available more detailed written papers (see under Documents above).

their holistic worldviews, also contributes to the world's cultural and biological diversity and is a source of cultural and economic wealth for the communities and for humanity as whole.

14. The preservation, promotion and protection of ITK are subject to a wide range of threats, however. These include:

- a. cultural assimilation which causes lack of respect by others;
- b. reluctance by some young people to learn and maintain ITK;
- c. loss of links to territories;
- d. destruction of ecosystems;
- e. people movements;
- f. misappropriation and misuse;
- g. restrictions on nomadic ways of life;
- h. war and conflict;
- i. discriminatory governmental policies;
- j. poverty;
- k. lack of coherent and informed national governmental policies towards indigenous peoples and ITK in particular;
- l. inadequate health care for indigenous peoples;
- m. climate change;
- n. urbanization;
- o. lack of recognition of indigenous traditional customs and institutions;

- p. loss of indigenous languages;
- q. lack of respect for communities living in voluntary isolation;
- r. passing on of community elders;
- s. commercialization of ITK; and
- t. ITK systems not being recognized and valued as “scientific” and being made subject to “validation” by modern scientific methods and approaches and/or reductionism.

15. The indigenous experts provided many examples of these threats. For instance, the destruction of forests in Central Africa by logging companies is destroying the livelihoods of indigenous communities. In Costa Rica, lack of appropriate planning in relation to the restoration of ancestral lands has provoked great difficulties for indigenous communities in relation to their ITK. An indigenous expert from Panama reported on cases in which genetic resources and associated ITK had been used by third parties without the consent of indigenous communities who had not received any benefits from this exploitation. In Nepal, global warming is leading to the melting of icebergs increasing water-levels which is in turn threatening the ecologies of entire communities. An indigenous expert from Canada reported on a lack of attention to the promotion of and protection of ITK in biodiversity-related legislation dealing with species at risk.

16. Yet, some presentations demonstrated resurging interest in and influence of ITK and cultural traditions among indigenous as well as non-indigenous societies and cultures. In Aotearoa/New Zealand, for example, Maori cultural traditions are infusing the society at large

and have even crossed over into international communities and markets. This is the result of Maori themselves having fostered a renaissance in Maori cultural pride and competence. Use of some Maori cultural traditions by third parties has been permitted on the basis of informed consent, direct Maori participation, culturally appropriate use and agreement that no exclusive property rights be sought by the third party. Maori have also registered a certification trade mark to be used in relation to authentic Maori creative arts, which has caused the Maori cultural industry to flourish. Trademarks legislation in Aotearoa/New Zealand has also been amended to prevent the registration of marks that would be culturally offensive to Maori. On the other hand, and reflecting a rich diversity of views on issues such as heritage preservation, trade and development, an indigenous expert from the Saami people in Sweden reported that none of the craftspeople in his community had wanted to use a certification trade mark. An indigenous expert from Papua New Guinea argued that culture and ITK were heritage.

17. Regarding the misappropriation and misuse of ITK, numerous initiatives are underway aimed at the development by indigenous communities of *sui generis* legal systems to meet specific needs not met by existing intellectual property and other laws. Recent work in this area has, for example, adopted the term “Collective Bio-cultural Heritage” to describe the protected subject matter. On the other hand, other experts reported on use by their communities of intellectual property tools to protect aspects of ITK, particularly to provide “defensive” protection against unauthorized or inappropriate use by others. Several indigenous experts are actively grappling with the legal and cultural policy questions raised by efforts to protect ITK against misappropriation and misuse through *sui generis* measures and are contributing

valuably to standard-setting processes dealing with these complex issues, such as those being undertaken by the Working Group on Indigenous Populations (WGIP), WIPO and the CBD. Information was also provided on the development by Pacific Island countries of a *sui generis* Regional Framework for the Protection of Traditional Knowledge and Expressions of Culture, which Papua New Guinea and other countries in the region are beginning to experiment with, with a view to its eventual adoption in the national laws of those countries. Extensive domestic and regional consultations are still needed, however. Reference was also made to the development of a Model Law on Traditional Ecological Knowledge and Biological Resources for Pacific Island countries. Information was presented on a *sui generis* law in Panama, enacted in 2000 at the initiative of indigenous authorities and experts from Panama, which provides collective intellectual property-type rights in respect of indigenous creative designs and crafts.

18. The presentations of the indigenous experts also brought to light a range of valuable practical activities being undertaken by communities at the local and community levels which pragmatically address needs identified by the communities themselves. These are participatory, capacity-building, multi-disciplinary and inter-cultural in character. As an example, an indigenous expert provided information on a project undertaken within the Subanen community in the South of Philippines aimed at the documentation of their ethno-botanical ITK. Modern encryption tools, layered rights of access and copyright in the documentation itself had been used by the community concerned to protect its interests. This project also responded to the need for enhanced dialogue between traditional and modern science. In some cases, these kinds

of projects are undertaken with the assistance or support of an intergovernmental organization, fund or agency.

19. Indigenous communities are also involved in developing ITK policies. Certain First Nations of Canada are involved in developing a framework policy which would establish the First Nations as the principal authority over the use and management of their ITK. This work has both contributed to and learned from policy development taking place in the CBD and WIPO.

20. The central role of education in the promotion and transmission of ITK, and in advocacy related to ITK, was also addressed by the experts. This is key because of what is often total ignorance of ITK within non-indigenous communities. There are also practical difficulties. For example, it was reported that there is a 98% illiteracy rate within indigenous communities in Central Africa in respect of the dominant languages of the countries concerned. This and a general lack of education services for indigenous peoples prevent them from interacting effectively with the dominant society. An indigenous expert from the Russian Federation expressed concerns about the lack of ITK in current education curricula, and suggested a need for guidelines for Member States on the protection and promotion of ITK in education, including traditional pedagogies. This expert also told of problems encountered with the translation of certain key UN texts into Russian. In regard to ITK in general and in particular its transmission, the key role of indigenous women was stressed by many participants.

Policies, programs and activities of the UN system and other intergovernmental organizations and agencies³

21. Presentations by the UN system and other intergovernmental organizations and agencies provided information on a wide range of activities and programs being undertaken by them at international, regional and national and community levels. These include standard-setting as well as capacity-strengthening activities.

22. The Secretariat of the CBD presented information on its programs, especially those relating to ITK as referred to in Article 8(j) of the Convention on Biological Diversity (1992). The main elements of the work program include promotion of the Akwe: Kon Guidelines concerning sacred sites, lands and waters; ongoing development of a proposed international regime on access and benefit-sharing; preparation of a composite report on status and trends regarding the biodiversity-related knowledge, innovations and practices of indigenous and local communities with a view to developing a Plan of Action to promote and protect ITK; development of *sui generis* protection systems based on customary laws; capacity-building workshops; and, identification of elements of an ethical code to ensure respect for the biodiversity-related knowledge, innovations and practices of indigenous and local communities.

³ This section merely summarizes the various presentations made, which were limited to ten minutes each. Many of the organizations and agencies also made available detailed written papers (see under Documents above).

23. A presentation by the UNESCO Secretariat provided information on recent normative cultural instruments developed within the auspices of UNESCO, namely the Convention for the Safeguarding of Intangible Cultural Heritage, 2003 and a Draft Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005, both of which refer to ITK. The LINKS (Local and Indigenous Knowledge Systems) project aims at fostering dialogue and understanding between indigenous knowledge holders and scientists, to empower local communities in biodiversity conservation. To enhance dialogue with TK holders, scientists are challenged to acknowledge that all knowledge systems have historical and cultural foundations and scientists possess their own specific world views. The LINKS project also reinforces the intergenerational transmission of ITK, including through the development of TK-based pedagogical materials and methods.

24. The Secretariat of WIPO reported on the methodologies employed by the organization aimed at enhancing the effective involvement of indigenous peoples in its work program on ITK. This program has evolved from fact-finding and needs-assessment to a more detailed analysis of objectives, general guiding principles and specific substantive provisions for the legal protection of ITK. Draft *sui generis* instruments are under active discussion within WIPO. The main focus of WIPO's work is the protection of the creativity, reputation and distinctiveness inherent in ITK against misappropriation and misuse, and it addresses both defensive and positive forms of protection, including proprietary and non-proprietary approaches.

25. In the health area, the Pan-American Health Organization (PAHO) provided information on the challenge of developing and implementing inter-cultural primary health care programs for indigenous communities in the Americas. PAHO's programs incorporate indigenous perspectives, medicines and therapies into national health systems in a holistic way and at a policy level, as stated in Resolutions CD 37. R5 (1993) and CD 40. R6 (1997) signed by the 34 PAHO Member States. Legal harmonization, licensing and accreditation of traditional medicine, collective rights and capacity-building among communities are in particular need.

26. The Regional Office for Latin America of the United Nations Environment Programme (UNEP) referred to various UNEP instruments which refer to indigenous peoples, such as Chapter 26 of Agenda 21 which calls for the strengthening of involvement of indigenous peoples. The links between the environment, cultural and biological diversity, and sustainable development have been identified by UNEP. UNEP promotes an integrated ecosystem approach. The promotion and revitalization of ITK of natural resources are necessary for the conservation of biodiversity. ITK is an essential part of indigenous health systems. The Women as the Voice for the Environment (WAVE) initiative was launched during the First Global Women's Assembly on the Environment in 2004. Indigenous women from all regions participate in this initiative. UNEP is currently improving the participation of indigenous peoples in its activities and meetings such as the Governing Council. A database and website with all UNEP's activities and programs related to indigenous peoples are being developed.

27. A regional program in support of indigenous peoples of the Amazon, funded by the International Fund for Agricultural Development (IFAD) and the Andean Development Confederation (CAF), was presented. One of the main objectives of the program is to contribute to the strengthening of the capacities of indigenous peoples. The overall aim of IFAD's work on ITK, including culture, is to unleash its great potential for development of indigenous communities. The representative also provided information on "Anaconda", which screens and awards the best indigenous video in Latin America and the Caribbean which depicts the values and cultures of indigenous peoples. IFAD also assists communities to (a) document, enhance and protect their ITK (b) revitalize ITK systems, and, where needed, blend them with modern technologies and (c) strengthen TK for enhancing the livelihoods of indigenous peoples. In this regard, IFAD plans to mainstream ITK issues within the CGIAR (Consultative Group on International Agricultural Research) system.

28. Information was also made available on the work of UNCTAD in strengthening the capacity of governments to harness ITK for economic development and trade purposes.

29. Finally, information was provided on the work of the Working Group of Indigenous Populations (WGIP) on revising guidelines on the protection of the cultural heritage of indigenous populations. It was stressed that this project aims – within a standard-setting context – at outlining in detail how general human rights standards pertain to elements of indigenous peoples' cultural heritage.

Synthesis of trends and general themes

30. A vibrant and interactive discussion took place between all the participants on the work on ITK issues being undertaken by the UN system and other intergovernmental organizations and agencies in relation to the actual experiences and needs of indigenous communities. The workshop participants were able to identify some emerging themes and trends and distill a few general observations and conclusions from this discussion.

31. It became clear that ITK raises a range of policy, procedural, conceptual, political and practical challenges in a wide variety of areas, such as the conservation of biological diversity, intellectual property, trade negotiations, agricultural policies, education, the environment, science, climate change, sustainable development, private sector activities, health, cultural policies, gender issues and human rights. These challenges lie before governments, the UN system and other intergovernmental organizations, and indigenous peoples themselves. Furthermore, indigenous communities from around the world share similar perceptions about the nature of these challenges. They have also diverse priorities and strategies and responses as to how to address them.

32. Most importantly, the indigenous participants stressed that the adequate protection of ITK demands first and foremost respect for indigenous peoples' rights, in particular their human rights, including indigenous rights to territories and resources, collective rights, the application of the principle of non-discrimination, the avoidance of negative cultural policies

and racism, the promotion of peace and justice and the right to self-determination, encompassing customary legal systems and the principle of free, prior and informed consent (FPIC). They suggested further that the situation of indigenous peoples is prejudiced by strong enforcement mechanisms in trade-related agreements, such as the WTO Agreements and free-trade agreements, whereas human rights standards and indigenous customary laws remain largely unimplemented. Consequently, the UN system and other intergovernmental organizations with a mandate to address human rights, such as the OHCHR, the ILO and, not least, the Forum itself, should be more active in work towards achieving a more adequate protection for indigenous peoples' cultural heritage. This requires a fundamental shift in how the UN system and intergovernmental organizations addresses ITK issues, the indigenous participants believed. Respect for indigenous peoples' rights and in particular their human rights are at the heart of their concerns about the preservation, promotion and protection of ITK. There was a sense that intellectual property issues, while relevant, constitute only a specific part of the debate on ITK issues and have been consuming a disproportionate amount of attention to the detriment to other issues, although this is understandable given the concerns of many communities with the misappropriation and misuse of ITK.

33. With ITK being such a multi-faceted and complex issue, it was felt that indigenous communities need strategically to identify and prioritize their actual needs and objectives, and then seek to advance their identified interests using all available tools at their disposal, including through advocacy for new and improved mechanisms to enhance their interests and fully implement their rights, where necessary. In this regard, indigenous peoples should also

take effective advantage of what opportunities there are to participate in and influence the work of the UN system where this is relevant to meeting their needs. In regard to participatory processes, UN agencies have to develop appropriate modalities in consultation with indigenous peoples.

34. Although many intergovernmental organizations and agencies are conducting valuable normative and capacity-building activities, there are practical difficulties inherent in the nature of the UN system, specifically that each organization is compelled to work within its own mandated area (which led to undesirable compartmentalization and often reductionist approaches) and that Member States, many of which have not yet developed coherent national policies on ITK, are the decision-makers. A further problem is how to give due attention to the situations faced by the indigenous communities in developed countries. Beyond these structural questions, however, UN agencies could and should do more to promote the full and effective participation of indigenous peoples and integrate indigenous perspectives in their work programs, particularly to better reflect a human rights approach, and to find creative ways of collaborating with each other in real and effective ways. Several practical suggestions to improve collaboration among UN and other intergovernmental organizations were discussed.

35. With ITK issues arising in a multiplicity of forums and policy areas, there was a widely-held view that agencies need to be more accessible to indigenous peoples and to provide them with more information about what they are each doing, as well as information on relevant guidelines, treaties and other resources. These should be made available at least in the six

official languages of the United Nations. A lack of adequate indigenous involvement in many UN processes led to concerns among the indigenous experts that some processes had produced or could produce new standards too speedily or that new standards could undermine indigenous interests and gains made elsewhere. The Permanent Forum itself, *inter alia*, has a key role in coordinating indigenous issues within the UN system and in transmitting indigenous perspectives and contributing its own research, expert advice and substantive comments to the rest of the UN system and other intergovernmental organizations.

36. Concerns with the effectiveness and relevance of some of the work of the UN system also imply that more efforts should be made to address indigenous peoples' concerns directly to national governments and for governments to prioritize the development of national ITK policies.

37. A further theme that emerged from the presentations by the indigenous experts was the value and practical relevance of local projects and activities initiated by communities from within their own cultures. ITK systems are inherently local in character, thus local initiatives are often the most appropriate. This led to a perception among many of the indigenous experts present that the programs and activities of UN organizations are of benefit only if and to the extent they respond to the practical needs of communities as determined by the communities themselves and they complement programs and projects initiated by the communities at the local level.

38. Finally, while there are gaps in existing laws and in the current programs of the UN system and other intergovernmental organizations, there are already a wide range of conventions, treaties and other instruments which could be useful but have not been ratified and/or implemented by governments. Particular reference in this connection was made by the indigenous experts to ILO Convention 169, the Convention on Biological Diversity to the extent it meets indigenous peoples' needs, the Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights of 1966, and other human rights conventions. References to the protection of collective rights in certain countries' constitutions also have to be acted upon by those countries. The indigenous participants stressed the need for the urgent adoption of the Draft Declaration on the Rights of Indigenous Peoples. In respect of gaps identified in existing laws, efforts should continue to be aimed at the development of laws specifically adapted and tailored to meet the concerns and interests of indigenous peoples as expressed by them.

IV. Recommendations

A. The workshop adopted the following recommendations.

39. Relevant international human rights treaty bodies should strengthen the monitoring of the implementation by States parties of provisions relevant to indigenous traditional knowledge.

40. The UNPFII should provide human rights-related information and advice to intergovernmental organizations with respect to traditional knowledge to promote the development by these organizations of a better understanding for human rights related to indigenous traditional knowledge.
41. The UNPFII should commission a study or studies on customary laws pertaining to indigenous traditional knowledge in order to investigate to what extent such customary laws should be reflected in international and national standards addressing indigenous traditional knowledge. The study should include an analysis of indigenous customary laws as a potential *sui generis* system for protecting indigenous traditional knowledge. Relevant UN system organizations should collaborate to promote the respect for and recognition of indigenous peoples' customary legal systems pertaining to indigenous traditional knowledge in national legislation and policies and regarding their application.
42. The UNPFII should encourage more States to attend future sessions of the UNPFII and share information on national indigenous traditional knowledge developments.
43. The UNPFII should encourage governments to develop and adopt national policies and laws on indigenous traditional knowledge that reflect a commitment to its protection, promotion and preservation. Such national policies and laws should be developed with

the full participation of indigenous peoples.

44. The UNPFII should appeal for increased resources to enhance the activities and programs of relevant international agencies related to indigenous traditional knowledge and for inter-agency co-operation on indigenous traditional knowledge, including the development of joint indigenous traditional knowledge projects, especially local or community projects.
45. The UNPFII should continue to provide substantive and expert information and advice to specific agency activities related to indigenous traditional knowledge. The UNPFII should also, as far as possible, address national governments directly.
46. The UNPFII should encourage further elaboration of the concept of “collective bio-cultural heritage” as a framework for standard-setting activities on indigenous traditional knowledge.
47. The UNPFII should prepare recommendations to the UN system, other intergovernmental organizations and governments to address the loss of indigenous traditional knowledge linked to the environmental destruction of indigenous peoples’ territories, the loss of indigenous cultural diversity, the loss of biodiversity and the loss of languages.

48. The UNPFII should promote and support indigenous regional networks on specific issues as a process for increasing awareness and involvement of indigenous peoples in UN activities and encourage donors to provide funding for regional activities.
49. The UNPFII should raise the awareness of the valuable contribution that indigenous universities and other tertiary education institutions can make to improve ethical standards for research on and curricula development about indigenous traditional knowledge.
50. Universities and the academic community should support indigenous research and promotion of indigenous traditional knowledge.
51. Encourage the GEF (Global Environment Facility) and other intergovernmental bodies, bilateral and multilateral financial institutions to develop and support programs, projects and policies related to the promotion and protection of indigenous traditional knowledge.
52. UN agencies should work collaboratively with indigenous peoples to develop policy guidelines for reinforcing incorporation of indigenous traditional knowledge, including traditional modes of transmission and up-bringing processes, into formal education systems, starting with the identification of specific traditional methods, tools and best

practices.

53. If so requested by the communities, UN agencies and intergovernmental organizations should provide direct support and assistance to indigenous communities for their indigenous traditional knowledge related programmes, including for the recording and appropriate protection of ITK where so wished by the communities and taking into account their intellectual property-related interests to prevent the misappropriation of the knowledge.

54. UN agencies and intergovernmental organisations should provide further support for incorporation of traditional indigenous knowledge into curriculum development.

55. With the technical assistance of the Forum's Secretariat, the Inter-Agency Support Group on Indigenous Issues should develop a matrix that is updated on a periodic basis and identifies the approaches, scopes, mandates and types of indigenous traditional knowledge activities of UN agencies, funds and programs, their use of relevant terms and their meanings, with the purpose of:

- a. disseminating this information amongst indigenous peoples by the Permanent Forum,
- b. promoting awareness of traditional knowledge work being conducted by UN agencies, and

- c. enabling the Forum to develop strategies to fill gaps in indigenous traditional knowledge policies.

56. With a view to promoting coherence of policies on indigenous traditional knowledge at global and local levels, agencies and intergovernmental organisations should have specific outreach programmes for indigenous peoples, ensure their meaningful participation in all stages of their programmes and use indigenous experts as speakers, researchers, authors of studies whenever possible.

57. The UN system and other intergovernmental organisations and governments should recognise the important role of indigenous women in transmitting, protecting, preserving, developing and promoting indigenous traditional knowledge to the younger generation by ensuring that indigenous women are actively and equitably involved in indigenous traditional knowledge programmes, policies and standard-setting at local, national, regional and international levels.

58. The UN system and other intergovernmental organizations should promote, in collaboration with indigenous peoples, the appropriate use of indigenous traditional knowledge in natural resource management and sustainable development including in the domains of environmental impact assessment, climate change, protection and promotion of biodiversity, natural disaster preparedness and sustainable development. To this end, the UN system and governments should further develop equitable

partnerships among and with indigenous traditional knowledge holders, scientists, resource managers and decision-makers.

59. Indigenous peoples should be provided with the means to participate effectively in agency activities in accordance with the priorities, strategies and goals as determined by the indigenous peoples themselves.

60. UN agencies dealing with indigenous traditional knowledge should promote coordination among themselves with a view to developing common principles, concepts, policies and programmes on indigenous traditional knowledge, in accordance with their respective mandates.

B. During the workshop, indigenous experts adopted the following specific recommendations to the UN system and other intergovernmental organizations which work on indigenous traditional knowledge.

61. Urge the UNPFII to participate actively in future discussions, assessments and collaborative efforts within the UN system, including the FAO and CBD, to identify specific priorities, criteria and methodologies that can be used as “indicators” for the promotion and protection of indigenous traditional knowledge to inform future technical programmes and policy initiatives within FAO, CBD and other bodies.

62. The UNPFII should further encourage the implementation of Article 8(j) as a cross-cutting issue across all programmes of the CBD and in their implementation.
63. Governments should ratify and implement existing conventions, such as ILO Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries, if they have not already done so, and UN human rights bodies should strengthen monitoring compliance with these instruments.
64. Encourage the efforts of CBD and FAO to establish an open-ended working group so that indigenous peoples can become directly involved in the development and implementation of policies that affect food security and food sovereignty of indigenous peoples, including indigenous peoples' agricultural diversity.
65. Encourage the GEF to provide funding to effectively develop policies, programmes and projects of indigenous peoples which assist in the implementation of the CBD and in particular Article 8 (j) as helpful to the promotion and protection of indigenous traditional knowledge.
66. IFAD, FAO and WFP should continue the work undertaken on livelihood in documenting and protecting traditional ecological knowledge, especially as means for preparing resources management plans, taking into account the intellectual property implications of documenting and publishing such knowledge.

67. WIPO should be encouraged to, building on its earlier fact-finding missions and consultations with indigenous peoples, return to these communities and provide information to and consult with them on WIPO's work, including especially on the draft provisions for the protection of indigenous traditional knowledge and cultural expressions against misappropriation and misuse being discussed within the WIPO Intergovernmental Committee.

68. In the work of WIPO, particular focus should be given to defensive protection of ITK aimed at preventing the unauthorized gaining of intellectual property rights over ITK. In addition, WIPO should continue to work on enhanced positive protection mechanisms for those indigenous communities who may wish to utilize intellectual property or similar tools to protect elements of their cultural heritage against misappropriation and misuse by others.

69. The CBD secretariat is encouraged to continue to facilitate meaningful indigenous participation in its work on traditional knowledge, including enabling indigenous peoples to comment on elements of an ethical code for research before the code is presented for adoption.

70. Agencies, especially UNESCO and UNICEF, and governments should cooperate to promote the intergenerational transmission of indigenous traditional knowledge, and

traditional knowledge-based education. They should also produce traditional knowledge centered curricula, also for integrating TK in mainstream education

71. The SCBD should take enhanced steps to promote the implementation of the Akwe: Kon Voluntary Guidelines for the Conduct of Cultural, Environmental and Social Impact Assessment regarding Developments Proposed to Take Place on, or which are Likely to Impact on, Sacred Sites and on Lands and Waters Traditionally Occupied or Used by Indigenous and Local Communities among States Parties.
72. Encourage FAO and the CBD to collaborate and establish a joint mechanism so that indigenous peoples can provide direct input into the development of policies and programmes helpful for indigenous traditional knowledge, agricultural diversity, food security and food sovereignty of indigenous peoples.
73. Encourage WHO to establish a systematic process to include traditional knowledge in the national health systems with the active involvement of all regional offices with a view to incorporating traditional knowledge in the long term objective of improving the health of indigenous peoples.
74. The Working Group on Indigenous Populations should be encouraged to continue and complete its work in adopting guidelines on the protection of the cultural heritage of

indigenous peoples and further encourage governments to implement these guidelines once adopted.

Annexes

I. Agenda and programme of work

21 September Wednesday: Afternoon

- Welcome and introduction of participants
- Introduction to the objectives and programme of the workshop
- Election of Chair and Rapporteur of the workshop

Session I: Indigenous perspectives on traditional knowledge based on local and community-based experiences, as well as perspectives on policies, planning, processes and programmes at local, national and international levels.

22 September Thursday: Morning

Session II: Overview of current policies, methodologies, programs and activities relating to traditional knowledge and indigenous peoples by UN organizations and agencies: A matrix toward a coherent and coordinated framework on traditional knowledge

22 September Thursday: Afternoon

Session III: How to integrate indigenous perspective in the UN's work on traditional knowledge: experiences/gaps and challenges/future steps

Discussion and questions for consideration:

- What are the gaps identified in the current UN work on traditional knowledge and how to address them?
- What can the Permanent Forum and UN agencies and organisations do to strengthen complementarity and coordination among themselves in their current work on traditional knowledge?
- What specific recommendations can the Forum make to governments to engage indigenous peoples in inter-governmental negotiations on traditional knowledge issues?
- What recommendations can the Forum make to indigenous peoples to encourage and strengthen their active participation in the activities and programs of UN organizations and agencies?
- How could the Forum's collective expertise and experience be better channeled and integrated into the work programs of UN agencies and organisations?

- Should there be an inter-agency framework of coordination on cross-cutting issues such as traditional knowledge? Should there be an ad hoc network within the current framework of IASG?
- What are the working methodologies which the Forum can develop with a view to assisting the coordination between agencies and promoting the integration of indigenous perspectives in their work?

23 September Friday

- Discussion on the draft conclusions/recommendations
- Adoption of the conclusions/recommendations
- Presentation of Draft Report by the Rapporteur and adoption of Report
- Closing by the Chair, local indigenous representative and UNICEF representative as host and on behalf of the IASG

II. Documentation

List of Documents

Background Note – SPFII	PFII/2005/WS.TK
The Convention on Biological Diversity and Traditional Knowledge - SCBD	PFII/2005/WS.TK/1
Indigenous Knowledge Systems and Intellectual Property	PFII/2005/WS.TK/2

Rights: An Enabling Tool for Development with Identity – Vel. J. Suminguit for IFAD	
Regional Health Program of the Indigenous Peoples of the Americas - PAHO	PFII/2005/WS.TK/3
Some Aspects on Integrating Indigenous Perspectives into works on Traditional Knowledge – Eduardo Aguiar de Almeida - UNPFII	PFII/2005/WS.TK/4
Biodiversity, Traditional Knowledge and Rights of Indigenous Peoples – Victoria Tauli-Corpuz, UNPFII	PFII/2005/WS.TK/5
For the Recovery and Protection of Traditional Indigenous Knowledge – Atencio López	PFII/2005/WS.TK/6
Por el rescate y protección del conocimiento tradicional indígena – Atencio López	PFII/2005/WS.TK/6/ SP
Report on Traditional Knowledge for the Meeting in Panama – Haman Hajara	PFII/2005/WS.TK/7
Indigenous Peoples of Nepal and Traditional Knowledge – Ngwang Sonam Sherpa	PFII/2005/WS.TK/8
Traditional Indigenous Knowledge: Local View – Erjen Khamaganova	PFII/2005/WS.TK/9
Local and Indigenous Knowledge of the Natural World: An Overview of Programmes and Projects- UNESCO	PFII/2005/WS.TK/10

Food Sovereignty and Traditional Knowledge – Estebancio Castro Diaz	PFII/2005/WS.TK/11
Indigenous Traditional Knowledge in the Context of the United Nations Convention on Climate Change (UNFCCC): Secretariat of UNFCCC	PFII/2005/WS.TK/12
Information Note - WIPO	PFII/2005/WS.TK/13
Emerging Issues in Maori Traditional Knowledge: Can these be addressed by UN Agencies? - Aroha Te Pareake Mead	PFII/2005/WS.TK/14
Brian MacDonald	PFII/2005/WS.TK/15
Mattias Ahren	PFII/2005/WS.TK/16
UNEP and Traditional Knowledge - UNEP	PFII/2005/WS.TK/17

III. Attendance

Mr. Eduardo Aguiar de Almeida, member, the United Nations Permanent Forum on Indigenous Issues

Mr. Mattias Ahren, The Saami Council

Mr. Miguel Alfonso Martinez, Chairperson-Rapporteur of the UN Working Group on Indigenous Populations

Ms. Vanda Altarelli, International Fund for Agricultural Development

Mr. Marcial Arias, Fundación para la Promoción de Conocimientos Indígenas

Mr. Julio Calderon, United Nations Environment Programme, Regional Office for Latin America

Ms. Esther Camac, Asociación IXACAVAR De Desarrollo E Informacion Indígena

Ms. Anna Lucia D'Emilio, UNICEF/Venezuela

Ms. Haman Hajara, African Indigenous Women Organisation

Ms. Erjen Khamaganova, Buryat Baikal Center for Indigenous Cultures

Ms. Hui Lu, Secretariat of the United Nations Permanent Forum on Indigenous Issues

Mr. Brian MacDonald, indigenous expert

Ms. Aroha Te Pareake Mead, Victoria University of Wellington

Mr. Atencio López, Asociacion Napguana

Mr. Ngwang Sonam Sherpa, Nepal Indigenous Nationalities Preservation Association

Mr. Vellorimo J. Suminguit, Project leader, the ethnobotanical documentation supported by IFAD and the World Agroforestry Center

Mr. Douglas Nakashima, United Nations Educational, Scientific and Cultural Organization

Mr. Sushil Raj, Secretariat of the United Nations Permanent Forum on Indigenous Issues

Mr. Rama Rao Sankurathripathi, Secretariat, World Intellectual Property Organization

Ms. Lily Rodriguez, UNIFEM/Ecuador

Dr. Rocio Rojas, the World Health Organization/Pan American Health Organization

Mr. Juan Carlos Schultze, Regional Programme in Support Indigenous Peoples, IFAD/PRAIA

Mr. Jacob Simet, Indigenous expert

Mr. John Scott, the Secretariat of the Convention on Biological Diversity

Ms. Elisavet Stamatopoulou, Secretariat of the United Nations Permanent Forum on
Indigenous Issues

Ms. Victoria Tauli-Corpuz, Chairperson, the United Nations Permanent Forum on Indigenous
Issues

Mr. Aresio Valiente, CEALP

Mr. Wend Wendland, Secretariat, World Intellectual Property Organization

Dr. Guadalupe Verdjo, the World Health Organization/Pan American Health Organization
