



**EIGHTH ANNUAL MEETING
ASIA PACIFIC PARLIAMENTARY FORUM**

**CANBERRA, AUSTRALIA
10-13 JANUARY 2000**

**Joint Communiqué
Annex III**

Resolutions adopted at the 8th Annual Meeting

**Resolution on the Protection of the Intellectual Property Rights Relating to the
Traditional Knowledge of Ethnic and Indigenous Communities**

(APPF8/RES/12)

Submitted by the Peruvian and Papua New Guinea Delegations

The 8th General Assembly of the Asia Pacific Parliamentary Forum,

Considering that both the introduction of intellectual property into the Uruguay Round of multilateral trade negotiations in 1986 and the ongoing evolution of this subject in the WTO framework have been based on a view of economic and technological development that recognises intellectual property as a necessary ingredient and essential requisite for achieving the developmental goals of global trade.

Considering that the system of intellectual property protection as recognised today is the result of a continuous evolutionary process driven by the desire to achieve accelerated commercial and technological development, and that, overtime the scope of intellectual property has expanded through the recognition of new subject matters of protection. Recognising that the economic, commercial and cultural value the traditional knowledge has for its possessors warrants and justifies a legitimate interest that this knowledge be recognised as a subject matter of intellectual property.

Considering that the expectations those communities have in order to protect their traditional knowledge have received legal recognition in an increasing number of national, regional and international fora, and is quite as legitimate as the expectations which in the past justified the recognition of the new subjects of intellectual property.

Noting that the international recognition of traditional knowledge as a protected subject matter would afford its holders the legal possibility of obtaining enforcement of their rights outside their own countries, thus enabling them to share in the economic benefits derived from that knowledge. Resolves to:

a. Invite the governments of the Asia Pacific region to study the issue and undertake measures aimed at passing legislation as appropriate which would ensure appropriate recognition and protection to:

i. The intellectual property rights relative to the traditional knowledge of local and indigenous communities in their respective countries; and

ii. The property rights and commercial benefit relative to the

undiscovered potential of environmental biodiversity and ethno-science.

b. Encourage the member States to avail themselves of the assistance of competent international organisations, such as the World Intellectual Property Organisation (WIPO) and the International Labor Organisation (ILO), in their efforts to undertake these studies and to pass the aforementioned legislation as appropriate.

c. Invite the governments of the region to support the discussion and possible inclusion of the protection of traditional knowledge of ethnic and indigenous communities within the scope of the new multilateral trade negotiations of the World Trade Organisation.