



## Permanent Mission of Pakistan to the UN Geneva

### **Statement by Salman Khalid Chaudhary, Second Secretary, at the Forty-Sixth Session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore**

**27 February 2023**

#### *Item 6: Traditional Knowledge/Traditional Cultural Expressions*

##### **Madam Chair**

My delegation aligns itself with the statements delivered by the distinguished delegation of Indonesia on behalf of the Asia and the Pacific Group as well as the Group of Like-Minded Countries.

We thank you Madam Chair, the Vice Chairs, the facilitator, members of various informal groups as well as the Secretariat for useful intersessional work in the lead up to this session.

My delegation notes with satisfaction that tangible work is underway on all three streams of work of this Committee's mandate. We support early conclusion of work related to TK and TCEs with the adoption of international legally binding instrument or instruments.

While the outcome of our work on Genetic Resource and Associated Traditional Knowledge is in sight, there is a need to converge all the efforts concerning Traditional Knowledge and Traditional Cultural Expressions towards a single text which can form the basis of convening a Diplomatic Conference.

In this regard, my delegation welcomes the preparation of the Chair's text and considers it as a good basis for our further discussions.

##### **Madam Chair**

In addition to indigenous communities, rural and tribal communities globally are important repositories of TK and TCEs. My delegation believes that an effective protection of TK and TCEs would not only prevent their misappropriation but would also lead to the development of indigenous, local, tribal and rural communities. An effective regulation of TK and TCEs coupled with fair and equitable sharing of benefits with the concerned communities would contribute to a balanced global IP regime as well the achievement of UN Sustainable Development Goals. Therefore, we support a broad definition which covers indigenous, local, rural as well as tribal communities.

## **Madam Chair**

My delegation has the following suggestions for the ongoing process of negotiations on the matter of TK and TCEs:

**First**, only legal instrument or instruments can guarantee effective protection and regulation of TK and TCEs.

**Second**, the instrument or instruments should comprehensively address any utilization of TK and TCEs in the development of product for which an IP right can be claimed.

**Third**, the exceptions and limitations should be narrow in scope keeping in view the fact the TK and TCEs are generally owned collectively by communities and any exception to the collective right would have consequences for the whole community.

**Fourth**, we may also consider capacity-building measures targeted at supporting beneficiary communities to exploit their respective TK and TCEs for their economic wellbeing, such as through branding and commercialization.

## **Madam Chair**

We look forward to a successful outcome of the meeting. I assure you of my delegation's full support.

Thank you.