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**THE SUSTAINABLE USE OF BIOLOGICAL RESOURCES:
SYSTEMS AND NATIONAL EXPERIENCES FOR THE PROTECTION OF
TRADITIONAL KNOWLEDGE, INNOVATIONS AND PRACTICES**

Agreed recommendations

1. The Commission notes with satisfaction the interest generated by the Expert Meeting, as witnessed by the participation of a large number of experts, including representatives from indigenous communities, the richness of the debate and the useful exchange of national experiences. The Commission takes note of the outcome of the Expert Meeting, as contained in document TD/B/COM.1/33 and TD/B/COM.1/EM.13/3, reflecting the diversity of views expressed and the experts' conclusions and recommendations. It also welcomes the large number of papers submitted by experts. These provide useful information for member States. After consideration of the outcome of the Expert Meeting and document TD/B/COM.1/38, the Commission makes the following agreed recommendations.

Recommendations to Governments

2. Governments, at the national and local levels and in cooperation with local and indigenous communities (LICs) are encouraged to:
- (a) Raise awareness of the role and value of traditional knowledge (TK), promote the sustainable use of genetic resources, support the innovation potential of LICs, facilitate research on TK-based products and services, provide training to LICs including women and facilitate the documentation of TK.
 - (b) Promote, where appropriate, the commercialization of TK-based products and services with an emphasis on equitable benefit sharing with LICs, implement national legislation for the protection of TK.

Recommendations to the international community

3. The issue of protection of TK has many aspects and is being discussed in several forums, in particular the CBD Working Group on the Implementation of Article 8(j) and Related Provisions, the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore and the WTO (both the TRIPS Council and the Committee on Trade and Environment). Therefore, continued coordination and cooperation between intergovernmental organizations working in the field of protection of TK should be promoted. The Commission makes the following recommendations at the international level :

- (a) Promote training and capacity-building to effectively implement protection regimes for TK in developing countries, in particular in the least developed among them;
- (b) Promote fair and equitable sharing of benefits derived from TK in favour of local and traditional communities;
- (c) Encourage the WTO to continue the discussions, on the protection of TK;
- (d) Exchange information on national systems to protect TK and to explore minimum standards for internationally recognized *sui generis* system for TK protection.

Recommendations to UNCTAD

4. UNCTAD, within its mandate, as defined in paragraphs 147 and 106 of the Plan of Action, should in the area of traditional knowledge:
- (a) Conduct analytical work and organize regional workshops to exchange national experiences and examine strategies on TK-related issues, in cooperation with WIPO, CBD and regional organizations. In this context, the Commission noted the special references made to cooperation with the OAU;
 - (b) Develop further the TrainforTrade module on Traditional Knowledge, Trade and Development;
 - (c) Support, in cooperation with WHO and other pertinent organizations, initiatives taken by interested developing countries for capacity-building to identify means to protect and promote the further development of traditional medicine, taking into account environment and biodiversity fields;
 - (d) Assist on request, member States and indigenous and local communities in exploring policies to harness traditional knowledge for trade and development, including through the UNEP-UNCTAD Capacity Building Task Force (CBTF) on Trade, Environment and Development and the Biotrade Initiative;
 - (e) Assist, in cooperation with relevant international organizations, including the ITC, developing countries, where appropriate, with the commercialization of TK-based products, including the creation of niche markets for such products;

- (f) Assist interested developing countries in exploring ways for the protection of TK, recognizing and supporting the ongoing activities at WIPO;
- (g) Publish the papers submitted to the Expert Meeting, including on the Internet.

5. The UNCTAD secretariat is also encouraged to support, as appropriate, the work of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore and the CBD Working Group on the Implementation of Article 8(j) and Related Provisions. The Commission welcomes cooperation between UNCTAD and UNCCD.