INDIGENOUS PEOPLES’ PERSPECTIVES ON GAPS IN THE INTELLECTUAL PROPERTY PROTECTION OF TRADITIONAL KNOWLEDGE

Elifuraha Laltaika
Expert Member, United Nations Permanent Forum on Indigenous Issues (UNPFII)
Geneva 10/12/2018
Contribution of indigenous peoples’ traditional knowledge can not be over emphasized

* Evident in biodiversity conservation and wildlife management; rural development and agroforestry; traditional medicine and health; and natural disaster preparedness and responses (IPBES 2013)

* Also useful in modern industry and agriculture as reflected in plant based medicine and cosmetics

* Most importantly it's the lifeline of indigenous peoples livelihood

* Indigenous peoples TK thus merit protection from misappropriation to ensure continued vitality, recognition and benefits to knowledge holders
Indigenous Peoples Perspectives

* Rights based, should bear linkage with the United Nations Declaration on the Rights of indigenous peoples (UNDRIP)
* Ensuring intergenerational transmission
* Access and sustainable use of lands and natural resources on which the knowledge is based (land rights)
* Proper monitoring
* Synergy between levels of decision making value chain
Comments linked to ongoing negotiations

* Prior informed consent
* Benefit sharing
* Full and effective participation in decision making related to traditional knowledge
* Use of registers and data bases
Conclusion

* Link between traditional knowledge and sustainable development exists.
* Good practices will improve the engagement of indigenous peoples.
* UNPFII hails on going negotiations and look forwards to and indigenous peoples’ friendly and fruitful product.