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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE

Eighth Session
Geneva, June 6 to 10, 2005

ACCREDITATION OF CERTAIN NON-GOVERNMENTAL ORGANIZATIONS

Document prepared by the Secretariat

1. The Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (hereinafter referred to as “the Committee”), at its first session, held in Geneva, from April 30 to May 3, 2001, approved certain organizational and procedural matters, including according *ad hoc* observer status to a number of non-governmental organizations that had expressed their wish to have a role in the works of the Committee (see the Report, as adopted by the Committee, document WIPO/GRKTF/IC/1/13, paragraph 18).

2. Since then, an additional number of non-governmental organizations have expressed to the Secretariat their wish to obtain the same status for the subsequent sessions of the Intergovernmental Committee. A document containing the names and other biographical details of the organizations which, before April 15, 2005, requested representation in the eighth session of the Intergovernmental Committee is attached to this document as an Annex. The biographical details on the organizations contained in the Annex were received from each organization.

3. *The Intergovernmental Committee is invited to approve the accreditation of the organizations referred to in the Annex to this document as ad hoc observers.*

[Annex follows]

ANNEX

NON-GOVERNMENTAL ORGANIZATIONS WHICH HAVE REQUESTED
REPRESENTATION AS OBSERVERS IN SESSIONS OF
THE INTERGOVERNMENTAL COMMITTEE

Centre for the Management of IP in Health R&D (MIHR)

Consumers International (CI)

Indigenous Knowledge Systems of South Africa Trust (iKSSA Trust)

Indigenous Peoples Council on Biocolonialism (IPCB)

International Committee for Museums of Ethnography (ICME)

Maasai Education Discovery (M.E.D)

National Council of Otomi/*Consejo de la Nación Otomi*

Ogiek Peoples Development Program (OPDP)

Peruvian Society for Environmental Law (SPDA)

Centre for the Management of Intellectual Property in Health R&D (MIHR)

Main objectives of the Organization:

MIHR is a non-profit organisation with registered charitable status in the United Kingdom. MIHR was founded by the Rockefeller Foundation in autumn 2002 to address significant global health inequities and receives additional support from the Department for International Development in the UK, the Wellcome Trust and other public and private organisations. It is governed by an independent Board of Trustees with international expertise in intellectual property, technology transfer and health improvement.

MIHR's vision is

“To contribute to a world in which the ethical stewardship and creative management of intellectual property leads to better health for the poorest.

MIHR aims to advance new thinking and bring about innovative practices in the ethical stewardship of intellectual property which make a difference in social as well as economic respect.

The aim of MIHR's work in Sub-Saharan Africa and South East Asia is to maximise the value of IP management training by educating as many relevant people throughout the research system as possible. This will enable them to make informed decisions regarding the protection and use of intellectual property generated during the research and development process, ensuring that economic and social benefit can be retained for those in greatest need. Resource-poor countries need to gain access to appropriate technologies either by acquiring them from elsewhere or by generating them locally. However it has been shown that not only do developing countries not have the same level of capacity to generate new knowledge as more advanced nations, but their ability to absorb or adopt imported technologies is also weak. MIHR's capacity building programmes can begin to address this deficit.

Main activities of the Organization:

This is achieved through a range of activities, including:

- advice on intellectual property policy development;
- training in developing countries, including education of scientists and officials in public sector health research and development;
- research into new practices in intellectual property management and publication of research results;
- provision of information, focusing on resources to improve access to health products for people in developing countries; and
- coordination of technical assistance, especially for product development organisations.

Relationship of the Organization with Intellectual Property matters:

MIHR works with governments, foundations, companies, research institutions, scientists and technology transfer professionals to promote creative management of intellectual property in both developed and developing countries. The organisation has three aims:

- Training and capacity building: To help increase capabilities to manage IP in developed and developing countries to achieve public sector benefit for health.

- Information dissemination: To develop and distribute information about IP management including case studies, key documents, and reports on recent developments.

- Research on IP: To undertake research that explores the implications of IP policies and practices for current and future availability of health technologies to the poor in developing countries. This research can support evidence-based policy formulation and implementation.

Countries in which the Organization is primarily active:

MIHR is an independent not-for-profit venture based in Oxford, UK, and has a working presence in partnership with the Medical Research Council of South Africa and is developing presence at several sites particularly in developing countries where it will work with and through a number of its partner organisations.

MIHR has worked with local partners to build capacity in South Africa, India and Latin America and is developing programmes in East Africa and South East Asia. In addition MIHR has worked with the Association of University Technology Managers in the USA and Canada to promote licensing in universities that ensures both economic and social outcomes can be achieved.

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Organization Representatives:

Professor Richard Mahoney, Interim CEO

Dr Hugh Penfold, Business Development Director

Ms. Rachelle Harris, Business Development and Research Manager

Consumers International (CI)Main objectives of the Organization:

Consumers International (CI) supports, links and represents consumer groups and agencies all over the world. It has a membership of over 250 organizations in 115 countries. About two-thirds of member organizations are in developing countries, the other third in industrialized countries. It was founded in 1960 and is an independent, non-profit organization. It is not aligned with, or supported by, any political party or industry. It is funded by fees from member organizations and by grants from foundations, governments and multilateral agencies.

CI's aim is to enhance democracy and human welfare through supporting the development of a strong consumer movement in all parts of the world, and ensuring that the interests of consumers are represented to and taken into account by global decision making bodies.

Main activities of the Organization:

To achieve the first objective, CI, through its regional offices in Malaysia, Chile, Zimbabwe and London, carries out research, facilitates partnerships and exchange of information and provides information, education, training, technical assistance, community developments, seed grants, and support in policy development.

Relationship of the Organization with Intellectual Property matters:

CI has worked on projects to enable consumer groups and public health, human rights and other civil society organizations to participate in Intellectual Property Rights (IPR) debates, and to increase the participation among such groups in important trade negotiations. CI has followed IP issues for over a decade, and, for example, opposed the introduction of IP in the Uruguay Round's GATT Agreement on Trade Related Intellectual Property (TRIPS) of 1994. CI has campaigned to improve the trade regimes for intellectual property and advocated other measures to ensure that consumers, particularly poor consumers, benefit from intellectual property systems. As an illustration of CI's interest in IP, a half-day workshop on IPR-re-engineering the global regime was held at its' 2003 World Congress.

In recent years CI has also coordinated work on IP through the TransAtlantic Consumer Dialogue (TACD). CI provides the secretariat for TACD, a forum of EU and US consumer organizations established to develop and agree on joint recommendations to the US government and to the European Union, and to promote the consumer interest in transatlantic trade policy.

TACD represents the consumer perspective at the transatlantic level, through regular meetings and communication with the European Commission and the United States government. TACD not only meets privately with the governments to discuss their concerns, but can also rely on the involvements of EC and US officials at its public conferences.

TACD has a dynamic IP Working Group which has the ultimate goals of: increasing the engagement of EU and US consumer interests in promoting the creation of public goods and the enhancement of the public domain; and fostering a fairer system of managing intellectual property in international and bilateral trade agreements and regimes.

TACD has organized workshops on 'The WIPO work program and how to involve consumers' (October 2003, Lisbon) and 'The Future of WIPO' (September 2004), just before WIPO's General Assembly in Geneva, which have introduced complex IP issues to the consumer movement. WIPO has previously provided speakers for TACD conferences with Richard Owens (Head of Copyright, E-Commerce, technology and Management) and Philippe Baechtold (Head of Patent Law Section) both participating in our Lisbon (2003) and Geneva (2004) conference on WIPO.

CI currently has Category A Observer Status with the UN, are regularly accredited to meetings of UNCTAD, WHO, FAO, UNEP, the CSD and UNESCO. CI also has formal observer status with ISO and IEC.

Countries in which the Organization is primarily active:

CI has regional offices in Great Britain, Malaysia, Chile and Zimbabwe.

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Organization Representative:

Mrs. Lalani de Silva

Indigenous Knowledge Systems of South Africa Trust (iKSSA Trust)

Main objectives of the Organization:

1. To be the national coordinating institute for indigenous knowledge systems in South Africa.
2. To be the agent for protection and promotion of indigenous knowledge.
3. To be link between the African Renaissance movements and institutes, NEPAD and NEPAD structures using the IK outfit.
4. To establish and maintain a national database on Indigenous Knowledge Systems.

Main activities of the Organization:

1. The National Center for Traditional Healing and Reconciliation (at the former Vlakplaas of torture and murder). The main objective behind the center is to allow the traditional healers and biomedical researchers to practice and research side by side. The center aims to promote collaboration between Traditional Healers and Practitioners of Western Medical Science to contribute to a holistic service within the National System. Obviously issues of protection are inevitable in this regard.
2. National Living Treasures: Living Treasures are people. Only people create basis of the legacy of heritage, exploring the dynamism of its enduring quality, demonstrating skill, expertise and knowledge inherent in creativity and seeking to continuously improve it.
3. The “Seek a Cure” campaign deals with the development of human trials for medical preparations and therapies – both new and old, which are discovered and developed by practitioners of southern Africa and related indigenous therapeutic and medical systems. This campaign further gives a practical way of helping the cognitive hierarchy, which proclaims techno-science as the only way of knowing about human, natural and social phenomena.
4. Dialogue between young researchers and traditional healers: the research project involves young and unemployed to dialogue with traditional healers with the aim of understanding the philosophy and framework of indigenous healing and healing practice

Relationship of the Organization with Intellectual Property matters:

The above-mentioned activities imply a great deal of the understanding and information about matters of indigenous knowledge protection and promotion. Added, the mandate of the Trust is to mobilize (nationally so) indigenous practitioners to become a national resource base by ensuring that IK contributes to the quality of life for most South African communities (in broad terms). Further given the pending IK bill (the legislation process of IK) in the country it impels the Trust to be informed regionally, continentally and globally about developing trajectories regarding the development of legislation in this regard.

Country in which the Organization is primarily active:

South Africa

Additional Information:

In order to become a one-stop reference Institute on protected indigenous knowledge, the operations of the Trust revolve around the five core pillars on the basis of which it will add value to the South African people and the African continent: IKS and Social Issues, IKS and Institutions, IKS and Technology, IKS and Bio-diversity and IKS and Liberatory Processes

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Organization Representative:

Advocate B. Gila, Acting CEO

Indigenous Peoples Council on Biocolonialism (IPCB)

The Indigenous Peoples Council on Biocolonialism (IPCB) is a non-governmental organization that assists indigenous peoples in the protection of their biological resources, cultural and human rights from the potential affects of biotechnology.

The IPCB is concerned with the application of intellectual property rights instruments to genetic resources and traditional knowledge, and the impact this may have on the rights of Indigenous peoples. The organization conducts research, and conducts education at the community level in order to build awareness among indigenous peoples on these critical issues.

Name of Country in which organization is active:

The IPCB is based in the USA and networks with indigenous peoples organizations internationally.

Full Contact Information

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ipcb@ipcb.org
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Organization Representative:

Ms. Debra Harry, Executive Director.

International Committee for Museums of Ethnography (ICME)

The International Committee for Museums of Ethnography (ICME) is an international committee within ICOM – the International Council of Museums.

Main objectives of the Organization:

ICME deals with museums of many names, such as museums of ethnography, ethnology, anthropology, folk museums, popular culture museums, völkerkunde- and volkskunde museums.

Some of the museums are dealing with cultures from far away, some with their own cultures, and some with both. Some work for indigenous peoples, some for immigrants, some for minorities, some for majorities. Some are concerned with history, others with the present. Some focus on small societies, others on continents or the whole world. What these museums usually have in common is that they are about whole societies or cultures and their objects, rather than solely a specific class of objects.

Important ICME issues over the last few years have been intangible heritage, illicit traffic, repatriation questions, museums and multicultural societies, indigenous cultures and museums, museums and local societies and new roles for old museums.

Relationship of the Organization with Intellectual Property matters:

As ethnographic museums are involved with both tangible and intangible heritage, the ownership and ethical use of Traditional Knowledge and Folklore is of utmost importance for us.

Name of countries in which the Organization is primarily active:

Worldwide. We represent ethnographic museums in over 80 countries.

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Organization Representative:

Mr. Martin Skrydstrup, ICME Board member & Correspondent for Repatriation

Maasai Education Discovery (M.E.D)

Status: Association (according to the Swiss Code of Obligations), recognized charity in the Canton of Geneva.

Article 1: The association “Maasai Education Discovery” – Swiss Section (M.E.D. – Swiss Section) is organized along corporate lines and is a legal entity, in accordance with Article 60 of the Swiss Civil Code, from which it benefits. M.E.D. – Swiss Section is a charitable association whose headquarters are in Geneva.

Article 2: The association M.E.D. – Swiss Section is a legal entity. It is neutral in political and denominational terms. It does not aim to make any kind of profit in its work.

Main objectives of the Organization:

Article 3: The aim of the association M.E.D. – Swiss Section is to develop education in Kenya, assist the education of underprivileged Maasai children in Kenya, defend human rights, and more specifically the rights of children in Kenya, according to the Kenyan Constitution and Civil Code (reference to the practice of excision and forced marriage), help Kenyan children in physical or moral difficulty, and finally support sustainable development projects in Kenya, in particular in Maasai country.

The association M.E.D. – Swiss Section works mainly in collaboration with M.E.D., but reserves the right to cooperate with any other organization in Switzerland or abroad, whose aims and principles are similar. It can also support local projects in Kenya, in accordance with the stated aims.

Comments: After only one year operation, M.E.D. – Swiss Section has already given 50 study grants to Maasai youngsters and it has rescued three young girls from forced marriages. It supports a sustainable development project for Maasai women, based on the sale of their handicrafts on the web, and it is especially sensitive to the defense of the country’s intellectual property contained in the Maasai artistic heritage.

Country in which the Organization is primarily active:

Kenya

Full Contact Information:

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Organization Representative:

Mrs. Anastasia Corsini-Karagouni, President.

National Council of Otomi/Consejo de la Nación Otomi

The Otomi Nation is the ancient civilization known in world history as the Olmecs, Toltecs and Teotihuacans. Their history is unknown due to the Aztecs and Spanish influences which prevented them from writing down their culture. They continue their tradition and spirituality and has a council of elders who guide the youth.

Main Aims and Objectives of the Organization:

- To work for the unity of the Otomi Nation in the defense of their collective right;
- To preserve their historical, social, cultural, political and economical rights as indigenous peoples;
- To recover their right to self determination and autonomy as Otomi Nations;
- To continue the practice of their cultural identity practicing their spirituality;
- To preserve their language, traditions, values, musics, dances, ceremonies, and sacred vision;
- To work together as an ancient culture for their new generations;
- To establish the Otomi University and continue practicing our traditional education system and sacred teachings;
- To maintain the respect of their families, communities and Otomi people;
- To practice and develop our traditional knowledge and ancestral wisdom (astronomy, medicine, arts, sacred science, traditional technology and harmony with the Universe);
- To continue the cultural alliance with all the indigenous people and other cultures around the world.

Description of Activities of Organization:

The Organization organizes meetings, assemblies, congress, encounters, gatherings, courses, workshops, seminars, ceremonies, forums and traditional wheels of the Otomi family in order to talk about their history, culture, identity, organization and human rights (especially that concerning self determination and autonomy). It works with elders and wisdom keepers establishing a special connection with the youth to continue with the intergenerational education. It works with the Otomi women and men to ensure balance and respect. The Organization promotes and defends their cultural and educational institutions as indigenous peoples with their own efforts and wisdom. Recognizing that their values and culture must exist as a part of humanity and Mother Earth.

Relationship with Intellectual Property matters:

1. The Otomi Nation has many sacred sites which are natural and ceremonial centers, which they wish to recover as it is important that it be respected and considered as part of their culture, tradition and practice of their spirituality;
2. It defends theirs sacred paper (*papelamate*) that others have attempted to patent;
3. It is launching a grand campaign for the preservation of their Otomi language;

4. It has founded the International Indigenous University and the Center of Ancestral Wisdom, the Otomi Medicine School and the Hospital of Cosmic Healing in order to preserve their cultural rights and their intellectual property as indigenous peoples.

Countries in which Organization is primarily active:

Mexico, U.S.A.

Full Contact Information

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Website: <http://www.redindigena.net/conao>

Organization Representative:

Mr. Thaayrohyadi Serafin Bermudez de la Cruz, Spiritual Leader.

Ogiek Peoples Development Program (OPDP)

Main objectives of the Organization:

- i) To preserve the indigenous culture of the Ogiek people,
- ii) To develop the small scale enterprise sector,
- iii) To protect the environment,
- iv) To increase education opportunities,
- v) To promote accessibility to development incentives,
- vi) To conscientise and create awareness of felt development needs among the Ogiek people throughout workshops and field days.
- vii) To harness Ogiek community development initiatives into sustainable ventures.
- viii) To establish a resource centre to nurture community development initiatives.

Main activities of the Organization:

The Ogiek Community is the only largest forest dwellers in Eastern Africa. They number approximately 20,000 people with a unique language and culture. They live in clans and are found in Nakuru, Narok, Mr. Elgon, Koibatek and Nandi districts of Kenya. They speak Ogiek language and practice hunting and gathering for their livelihood.

Ogiek struggle for their recognition, land and constitutional rights emerge after several eviction by the colonial and the independent government of the day.

The community considers ethnicity as a vital organizing principle. Their core values are among adherent to traditional lifestyles and protection and practice of their culture in terms of language, religion, customary law, dressing, housing, social organization and/or inter-alia.

By threatening sacred sites and the habitat within which the community engage in hunting, gathering and other modern farming activities the logging concession and the ongoing settlement of non-members, not only threatens the integral aspects of Ogiek existence, continuity and culture but it also seeks to kill community's hope of passing their identity and land to their children.

The real danger to the Ogiek children is denying them the opportunity to grow in their culture and enjoy their ancestral birthright. It is against the background that Ogiek Peoples Development Programme was founded by typical Ogiek elders, opinion leaders, farmers and professionals.

O.P.D.P's Mission

The OPDP is dedicated to the Ogiek culture, Protection of nature and the improvement of socio-economic opportunities by way of building the synergies of the Ogiek youth and women through education. O.P.D.P gives attention to the special needs of persons with disability, the youth, the elderly, social justice, peace, family stability and food security. Its pioneer project area covers all Ogiek inhabited areas.

O.P.D.P's Vision

The OPDP endeavors to create an environment of tranquility upon which human life and nature prospers for posterity.

Relationship of the Organization with Intellectual Property matters:

The organisation was founded with aim of preservation of culture of which intellectual property matters are among others vital for the recognition of the Ogiek community and other minorities. Unless minorities are empowered with the modern technology of documenting and researching on IP matters, the whole culture will be on a verge of extinction. Many of our tools and products including herbal medicine ideas has been stolen and remade and or redesigned for sale by other society.

Additional Information:

Policies in place should be made so as to protect such IP from being stolen from the indigenous people. Remedies should be added in place as declaration compensation to the affected communities. Government institutions should be pressurized in adopting and implementing IP's policies. IP's policies among other indigenous instruments should be introduced in learning institution.

Country in which the Organization is primarily active:

Kenya

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Organization Representative:

Mr. Peter Kiplangat, Program Officer, Cultural Department

Peruvian Society for Environmental Law (SPDA)

Main objectives of the Organization:

The Peruvian Society for Environmental Law (SPDA), a non-for-profit private organization, was founded in Lima in November 1986 by professionals who believe in the role of Law as a fundamental tool to achieve citizens' rights and to guide societies in the common objective of pursuing sustainable development. SPDA works for the integration of economic growth, social justice and environmental conservation as a vital component of any effort to improve quality of life and social well-being.

Main activities of the Organization:

The SPDA strategy for achieving its institutional mission relies on the following approaches:

- Facilitating the decision-making process by proposing and supporting the enforcement of laws and policies that balance economic aspirations with ecological and human needs.
- Promoting the development of Environmental Law through legislative proposals and assistance to Congress, the Central Government, Local Governments and public authorities in general.
- Working to defend public interest and to guarantee each person's right to a healthy environment in which full human development is possible.
- Promoting environmental law as an educational, disciplinary and policy tool that can influence and transform national models of development.

Finally, we must mention that during the past 19 years, SPDA has carried out many projects of technical assistance and training for employees of the different offices of the Government. These projects have led to the approval of important laws such as: Code of the Environment, Organic Law for the Sustainable Use of Natural Resources, Law on Natural Resources, Law on Protected Areas, Forestry and Fauna Law, Law on Solid Waste and environmental regulations of the mining and energy sectors, industry, fishing and others.

Also, training courses have been organized on policies and environmental legislation in most of the country for public employees, lawyers, business men, local communities, law students and for the public in general.

Relationship of the Organization with Intellectual Property matters:

- a) SPDA has undertaken extensive research on some of the key issues related to IPRs and published and presented in different forums a considerable portion of its work. Some of its more relevant published works include :

Ruiz Manuel; Rosell, Monica. Technical Guidelines. 2004. Support to International Negotiations of Members of the Andean Community in Access to Genetic Resources and Traditional Knowledge. Andean Corporation, Andean Community. Lima, Peru. *This publication offer a menu of options and alternatives for negotiators at WIPO,*

WTO, CBD, FAO to consider when addressing ABS and TK issues. It has been distributed among Geneva based negotiators, Foreign Relation Offices of Member States and key persons involved in negotiations.

- Ruiz, Manuel. The International Treaty on Plant Genetic Resources and Decision 391 of the Andean Community of Nations : Peru, The Andean Region and International Agricultural Research Centers. CIP, SAREC, SPDA. Lima. 2003. *This publication undertakes an analysis of the synergies and relations between Decision 391 of the Andean Community and the FAO IT and their implication on activities of CIP and CIAT in particular. There is also a preliminary analysis of key issues in the IT : IPR over materials and Farmers Rights.*
- Caillaux, Jorge; Ruiz, Manuel. Legislative Experiences on Access to Genetic Resources and Options for Megadiverse Countries. In : The Group of Like Minded Megadiverse Countries. CONABIO. Mexico DF, 2003. *This paper analyses the current situation regarding ABS and TK legislation in all of the megadiverse countries and was presented during the Cancun meeting of the Like Minded Group in early 2002.*
- Lapeña Isabel; Ruiz, Manuel. 2002. New Peruvian Law for the Protection of Traditional Knowledge. In : Bridges, ICTSD, Year 6, SEPTEMBER, 2002. *This short paper offers an overview of the new legal regime (Law 27811) for the protection of indigenous peoples traditional knowledge.*
- Ruiz, Manuel. The International Debate on Traditional Knowledge as Prior Art in the Patent System : Issues and Options for Developing Countries. Trade Related Agenda, Development and Equity. Occasional Papers 9, South Centre, Geneva, 2002. *This paper looks at how the patent system is flawed in its regular operation – especially in Europe, the US and Japan – and how this situation paves the way for cases of biopiracy and badly granted patents. It offers some alternatives of the means and institutional changes necessary to overcome this shortcomings in the system.*
- Merle, Alexander; Chamundeswari, K; Kambu, Alphonse; Ruiz, Manuel : Tobin, Brendan. The Role of Registers and Databases in the Protection of Traditional Knowledge. A Comparative Analysis. UNU / IAS Report. Tokyo, 2004. *This report undertakes an analysis of tools and instrument for the defensive and positive protection of TK, reviewing the role of registers in Canada, Peru, Panama, India and Venezuela.*
- Tobin, Brendan. Certificates of Origin : a Role for IPR in Securing Prior Informed Consent. In : Mugabe, Barber, Henne, Glowka, La Viña (eds). Access to Genetic Resources : Strategies for Benefit Sharing. IUCN, ACTS Press, Nairobi, Kenya, 1997. *This paper offers one of the first glimpses into the possibilities of actually using the IPR system as a means to ensure PIC requirements are met, particularly in regards to the patenting of biotechnological inventions which directly or indirectly may be utilizing genetic resources or TK (defensive protection mechanisms).*
- Caillaux, Jorge. Equitable Sharing of Benefits Derived from the Use of Genetic Resources. Policy and Environmental Law Series. SPDA, No. 1, September, 1997.

- b) SPDA (together with the ELC IUCN) pioneered work in the drafting of ABS laws at the Andean level back in 1993. SPDA and IUCN began the first process to develop ABS legislation in the world (even before Philippines began its own process). As part of this initiative ideas concerning certification of origin of genetic resources and TK, disclosure requirements, etc. were first discussed and proposed with limited receptivity at the time. For details of the process see : Caillaux, Jorge; Ruiz, Manuel; Tobin, Brendan. *El Regimen Andino de Acceso a los Recursos Genéticos. Lecciones y Experiencias*. SPDA WRI, Lima 1999.
- c) SPDA's work helped INDECOPI (Peruvian Patent Office) to initiate the Peruvian process to develop a national law for the protection of TK (SPDA prepared initial drafts and participated throughout this whole process a phase of which ended in 2000 with the approval of the Law). This process was initiated in 1996. Nowadays, SPDA is in the process of signing an MOU with INDECOPI to collaborate in the implementation of Law 27811 and in the creation of Traditional Knowledge Registers.
- d) The National Biopiracy Working Group was inspired on SPDA's and ANDES' initial efforts to convoke a working group to address biopiracy issues. Through support of IIED and The MacArthur Foundation two multistakeholder meetings were convened in 2002 by SPDA and Andes (in Cusco and Lima) as a means to start a national process to address specific issues including: how to protect native crops, how to implement the national regime for the protection of TK and biopiracy. INDECOPI, when the "maca case" was made public decided to convoke the members of this initial group (plus additional institutions) to create the National Working Group on Maca which is pursuing the invalidation of specific patents on maca in the US.
- e) SPDA has had on the ground experience providing advise in specific bioprospecting projects, including acting as a legal advisor to indigenous communities (i.e. ICBG Peru project – the first know how license for the use of TK was negotiated in 1998).
- f) SPDA has been actively involved in a series of international processes where some of the measures proposed in the project have been proposed and discussed (CBD, WIPO, Andean Community). Defensive protection of the national biological patrimony and TK was first incorporated into a legal norm in Decision 391 of the Andean Community upon insistence of SPDA during its negotiation process (SPDA was part of the Peruvian delegation to the formal negotiating meetings).
- g) SPDA is at present involved in international and regional (FTAA and FTA with the US) negotiation processes where IPR issues are being discussed. SPDA is part of a small working group convened by the Government which is developing a proposal for inclusion of defensive and positive protection of TK provisions in IP sections of these agreements.
- h) SPDA is the leader and coordinator of the Andean Amazon Biopiracy Prevention Initiative on a multisectorial and international effort to address biopiracy from different perspectives: transformative research; formation of networks; campaigns and awareness raising activities; organization of meetings and events; contributing to policy making processes and promoting better patent search practices. With such aim, a working group has been created in Peru and partners have been identified in Brazil, Colombia, Ecuador and Venezuela. Common activities have been planned with the Andean Community and the Amazon Cooperation Treaty Organization (OTCA).

- i) SPDA (through Jorge Caillaux) played an active role during the first meeting of the Group of Like Minded Megadiverse Countries and contributed to the drafting of the Cancun Declaration in February, 2002.

Countries in which the Organization is primarily active

Peru

Andean Region (Colombia, Venezuela, Ecuador, Bolivia and Peru)

Full Contact Information:

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Prolongación Arenales 437

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