Traditional Knowledge: discovering anomalies

subject to traditional knowledge laws, regulations, practices and rules of conduct, and to the legal, cultural and social norms of the community in which the traditional knowledge is practiced.

In the Pacific, protecting intellectual property and especially traditional knowledge has become a hot issue. Pacific Island governments have developed legal frameworks that build on international standards, but they have been slow to be implemented.

The Model Law presents the following uses:

- The reproduction of traditional knowledge or expressions of culture in the course of conducting research on such knowledge or expressions of culture;
- The display or broadcast (including online) of the traditional knowledge or expressions of culture in public;
- The commercial use of the traditional knowledge or expressions of culture; and
- The use of the traditional knowledge or expressions of culture for non-commercial purposes.

It also emphasizes that the use of cultural expressions requires informed consent. However, this model law is intended to be a draft for Pacific Island countries to adopt and adapt as they see fit.

ABS on Genetic Resources and Traditions in the Pacific

By Lawrence Leina, Marine Officer WWF-PNG, Commodities Officer, PNG

A national workshop on Access Benefits Sharing (ABS) in the Pacific was held in Port Moresby on August 20-21, 2006. The workshop set the establishment of a national ABS framework in the Pacific, in line with government organisations about the proposed policy and the legal arrangement to facilitate the government’s interest in managing biodiversity.

By having these experts together, the organizers of the workshop will be able to discuss a proposed policy and legal arrangement to facilitate the government’s interest in managing biodiversity. The National Workshop on Access Benefits Sharing of Genetic Resources and Traditional Knowledge in Papua New Guinea was held in Port Moresby on May 7-12, 2006. To establish the institution of the ABS framework, the government organisations will hold a seminar to discuss the proposed policy and legal arrangement to facilitate the government’s interest in managing biodiversity.

The workshop was funded by the Global Environment Facility (GEF) and the Government of the People’s Republic of China. The workshop was held in Port Moresby on August 20-21, 2006. The workshop was attended by representatives from government organisations, NGOs, universities, and private sector organisations. The workshop was held in Port Moresby on August 20-21, 2006. The workshop was attended by representatives from government organisations, NGOs, universities, and private sector organisations.

Bonn Guidelines

A major outcome of the Sixth Conference of Parties (COP VI) was the adoption of a set of Bonn Guidelines on Access and Benefit Sharing of the benefits arising from their utilisation. The Bonn Guidelines provide a framework for the development of national access and benefit-sharing policies and procedures.

The Bonn Guidelines are designed to give a clear understanding of the rights and obligations of all stakeholders involved in any project or programme. The Bonn Guidelines are a tool for the implementation of the Convention on Biological Diversity and can be used as a reference document by countries and other relevant stakeholders.

WWF-IPPO is a pioneering toolkit targeting community facilitators and policy makers with practical tools and resources. The main objectives of the toolkit are to create awareness by showcasing ABS and IPR issues and to activate users to identify partners to approach and take action on ABS issues. The toolkit is available for download on the website.
### Article 15 Access to Genetic Resources

**What?**

In June 1997, at a LLMC meeting, the U.S. proposed for the development of an umbrella treaty on the conservation of biological diversity. At a subsequent meeting in 1999, it was clear that countries would only support the treaty if it recognized that states had sovereign rights over their genetic resources and that the benefits derived from the use of these resources should be shared equally among parties concerned. The discussion resulted in the establishment of the CBD as a multilateral treaty on environmental conservation, with the objective of conserving the genetic diversity of all living organisms.

**Where?**

The CBD was for signing at the Rio de Janeiro Earth Summit in June 1992. After its first meeting in February 1994, discussions began on whether riparian countries had to sign the convention to implement the CBD and in December 1998, the convention was created to create a legally binding international mechanism.

**15 Pacific Islands’ Countries are party to the Convention.** Australia, Cook Islands, Fiji, Kiribati, Marshall Islands, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu, Wallis and Futuna, and American Samoa.

### Exploiting Human Genes

**Patents are used extensively for promoting “Invention” for a time, but can be copied later by the patent holder without paying royalties or other kinds of compensation.**

**Patinet**

**Apply for any new invention based on a gene from natural material or in cooperation as part of any research.**

**Patinet**

Form research conducted on the Fragata tuna, in PNG/TA's highlands, it was discovered that they were infected with a variety of the human T cell leukemia virus (HTLV). The virus caused a number of severe forms of leukemia, but the Neuguia tribe resisted the infection.

The group responsible for wanting the gene was the Japanese pharmaceutical company, who explained that the patient was only for the use in high and not human genetic materials. The group allowed the Neuguia tribe use can their DNA for any purpose and patent any invention. From this their DNA was accepted by an international law.