



UNCTAD/DITC
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INFORMATION NOTE

UNCTAD-Commonwealth Secretariat Workshop on Elements of National *Sui Generis* Systems for the Preservation, Protection and Promotion of Traditional Knowledge, Innovations and Practices and Options for an International Framework

**4-6 February 2004
Room XXV, Palais des Nations, Geneva**

Overview

This workshop will bring together a number of experts with a range of perspectives and expertise to brainstorm in an informal setting on possible actions and policies that could be included in national *sui generis* systems for the preservation, protection and promotion of TK and options for an international framework. It is jointly organized by the Commonwealth and UNCTAD secretariats.

Website

Information and documents will be posted as they become available on the meeting website at www.unctad.org/trde_env/TK2.htm.

Participation

Participants attend in their personal capacity. The Commonwealth and UNCTAD secretariats have identified and invited a small number of experts with diverse backgrounds (environment, trade, indigenous, development, intellectual property, etc). The meeting is open to all who wish to share ideas on this subject.

Participants are requested to please send an email with name, title, organization and full contact details to sophia.twarog@unctad.org, copy to sheila.addy@unctad.org.

Participants needing a security badge for entry to the *Palais des Nations* are requested to send this information by Friday, 30 January 2004. On the day of the meeting, these participants should go to the Villa Les Feuillantines (on Route de Pregny near the Place des Nations) with an identity document such as a passport to collect their security badges. Please allow 30-60 minutes for this procedure and the 10 minutes walk from there to the meeting room.

Programme

... The draft programme of the workshop is attached. The workshop will focus on identifying and compiling a list of possible national actions to:

- Preserve TK
- Protect TK, and
- Promote TK for development

In addition, there will be an initial informal brainstorming/exchange of ideas on possible practical solutions at the international level.

Expected outcome

The written outcome/report of the meeting will reflect the range of ideas and diversity of views expressed during the meeting. It will be non-attributed.

The structure of the outcome will reflect that of the meeting. Its two main components will be:

- A menu or list of possible actions/tools that national Governments and other stakeholders could consider using to meet the different TK-related objectives. It is hoped that this will facilitate national multistakeholder dialogues on these issues.
- A summary of initial ideas expressed on possible international solutions. It is hoped that this will help bring clarity to discussions on these issues.

Documentation

Background papers

Three background papers are currently being prepared by Carlos Correa on national *sui generis* systems and by Peter Drahos and Graeme Dinwoodie on international dimensions. Advanced drafts of these papers will be made available on the meeting website as soon as they are available.

Inputs by experts

Participants are invited to submit inputs in advance and during the workshop, preferably in electronic format (i.e. a Word file). Guidelines for inputs by experts are attached. Unless the participant indicates otherwise, these submissions will be posted on the meeting website so that others may also benefit from them. These will also feed into the draft written outcome of the meeting.

Other documents

Participants are welcome to submit relevant documents for posting on the meeting website. Several documents prepared by the WIPO and CBD secretariats will be posted there shortly.

For all material to be posted on the meeting website, please send by email to sophia.twarog@unctad.org, copy to rafe.dent@unctad.org.

Contact

For more information, please contact Ms. Sophia Twarog, Economic Affairs Officer, Trade, Environment and Development Branch, International Trade Division, UNCTAD, E.8034, Palais des Nations, CH-1211 Geneva 10, Switzerland; *e-mail*: sophia.twarog@unctad.org, *tel.* +41 (0)22 917 5082, *fax*: +41 (0)22 917 0247, *web* www.unctad.org/trade_env/TK2.htm.

For all logistical matters, please contact Ms. Sheila Addy, *e-mail*: sheila.addy@unctad.org.

For matters relating to the meeting Website, please contact Mr. Rafe Dent, *e.mail*: rafe.dent@unctad.org.

Guidelines for inputs by experts

Participants are invited to submit ideas in advance and during the workshop. To facilitate the incorporation of these ideas into the workshop outcome, it is kindly requested that inputs be made in accordance with the structure outlined below. It is not necessary to provide ideas in all areas, but rather inputs should be focused on areas of specific expertise.

Actions that could be taken at national level to:

I. Preserve TK

- *In-situ*, i.e. actions aimed at maintaining the traditional knowledge base of local and indigenous communities; strengthening inter-generational transmission; maintaining cultural identity; survival of the communities
(e.g. awareness raising of the value of TK; preservation of natural environment of communities; recognition of land rights;)
- *Ex-situ*
(e.g. documentation and TK registries)

II. Protect TK

- *Defensive protection*, i.e. preventing inappropriate IPRs by third parties
(e.g. disclosure)
- *Positive IP protection*, i.e. preventing inappropriate or unauthorized use by third parties
(e.g. legislative declaration of ownership of the communities of their TK; registering traditional designs and symbols)

III. Promote TK for development

- Promote further development of TK systems
(e.g. community-to-community exchanges; promoting grassroots innovations)
- TK for development
(e.g. recognition of TK in development project planning and monitoring)
- Promote national and local production and export of TK-derived products
(e.g. micro-credit schemes, support to small and medium-sized enterprises)
- Reaping benefits from use by third parties/modern industry
(e.g. create partnerships; benefit sharing mechanisms)

For each tool/proposed action at national level, please indicate

- Concise title/description (one phrase or sentence)
- Main policy objective(s)
- Whether relevant for all sectors or for specific sector(s): particularly healthcare, agriculture, and handicrafts

Optional information:

- Brief annotation (no more than one paragraph per tool)
- Where this tool has been already tested
- Initial evaluation of impact/results

IV. International dimensions

Possible topics could include :

- Objectives at the international level
- Mechanisms
- Core principles
- Remedies/enforcement
- Potential risks and gains for different actors
- The role for: TK registries, voluntary guidelines (ex. Bonn guidelines), etc.
- Desired outcomes in WIPO, CBD, WTO, etc.

Exploration of possible international framework for mutual recognition of national *sui generis* systems could be given particular attention.