



Concept Note on the Practical Workshop on Intellectual Property and Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions

Windhoek, Namibia, August 17 to 20, 2015

Overview

The World Intellectual Property Organization (WIPO) and the ABS Capacity Development Initiative (ABS Initiative), in cooperation with the Namibian Ministry of Environment and Tourism, organized a workshop on intellectual property (IP) and genetic resources (GRs), traditional knowledge (TK), and traditional cultural expressions/expressions of folklore (TCEs), which was held in Windhoek, Namibia, from August 17 to 20, 2015.

The Workshop will aimed to build capacity and raise awareness amongst representatives of indigenous peoples and local communities (IPLCs) from six African countries, as well as key government agencies from those countries. It aimed at reinforcing national policy dialogues and processes around the interface between IP and GRs, TK, and TCEs. Participants had the opportunity to meet in national groups to informally reflect on, improve and conceptualize future work in their respective countries.

The Workshop also addressed the interface between IP and ABS, particularly the IP considerations that may arise in the use of GRs and aTK, and subsequent benefit sharing arrangements. The emphasis was on how, in practice, IP principles, systems and tools are or can be relevant to the developmental interests of IPLCs and Governments. Reference was made to examples and practices from the African region.

WIPO and the ABS Initiative provided resources towards, and technical and administrative support in, preparing and conducting this Workshop.

Objectives

The workshop focused on:

- Imparting basic knowledge of the main principles of the IP system and how they relate to the issue of ABS (i.e. the potential value and role of IP in relation to the use of GRs and in the protection of TK and TCEs). In this regard, the following issues were examined:
 - IP aspects/ considerations in the development of legislative, administrative and policy measures to protect TK and TCEs, and to address the interface between IP and GRs, at a national level;
 - IP aspects/ considerations in mutually agreed terms for the fair and equitable sharing of benefits arising from the utilization of GRs and associated TK.
- Providing an overall overview of relevant regional and international processes:
 - Explaining the rationale and objectives of the negotiations that are taking place in the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore;
 - Providing an overview of relevant processes under the Convention on Biological Diversity (i.e. under the WG on Art. 8(j) and the Nagoya Protocol)

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on ABS and the relevance of IP to these processes, as well as of relevant instruments in the African context;

- Contributing to building co-operation and collaboration between and among IPLCs and government agencies.

Participants

The workshop included participants from six countries: Cameroon, Ethiopia, Kenya, Namibia, South Africa and Uganda.

From each country, 5 participants were invited to participate in the workshop:

- two IPLCs representatives;
- one officer from the IP Office;
- one officer from the Ministry of Environment (ABS focal point); and
- one officer from the government body in charge of Development Planning.

In total, 30 participants.

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